

**A. INTRODUCTION**

In accordance with the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), this chapter presents and analyzes alternatives to the proposed action. Under SEQRA and CEQR, alternatives selected for consideration in an Environmental Impact Statement (EIS) are generally those that have the potential to reduce, eliminate, or avoid adverse impacts of a proposed action while meeting some or all of the goals and objectives of the action. In addition to a comparative impact analysis, the alternatives are assessed to determine the extent to which they substantively meet the goals and objectives of the proposed action.

This chapter considers three alternatives to the proposed master plan of the Fordham campus:

- A No Action Alternative, in which the proposed action is not undertaken. Consideration of the No Action Alternative is mandated by both SEQRA and CEQR, and is intended to provide the lead and involved agencies with an assessment of the consequences of not adopting the proposed actions. As applied in the “Future without the Proposed Action” sections throughout this EIS, the No Action Alternative also provides a baseline against which impacts of the proposed actions may be compared. This alternative would not involve any discretionary actions (including potential DASNY funding), would not include educational or dormitory space or new accessory parking, and would result in three residential buildings with different massing than the two residential buildings that would be built with the proposed action. Unlike the proposed action, this alternative would fully complete by 2014.
- An As-of-Right Alternative, in which the campus is fully developed in conformance with its existing zoning and without the need for any of the proposed special permits. Compared to the proposed action, this alternative would have the same zoning floor area but the forms of the buildings and the layout of the campus would be different, with a much taller building in the center of the campus and shorter buildings around the perimeter. Like the No Action Alternative, the As-of-Right Alternative would not provide any accessory parking and would include two residential buildings. While this alternative would be as-of-right under the Zoning Resolution, it would be subject to review under the State Environmental Quality Review Act (SEQRA) if financing from the Dormitory Authority of the State of New York were used in financing one or more of the academic or dormitory buildings.
- A No Unmitigated Impact Alternative, which explores modifications to the proposed action that would mitigate its impacts in the areas of shadows and noise during construction.

A more detailed description of each of these alternatives, as well as a comparison with the proposed action, is presented below.

## **PROJECT PLANNING AND DESIGN**

During development of the proposed Master Plan, Fordham University undertook an extensive consideration of alternative designs for the campus. Within the last two years Fordham presented proposed designs or design elements to Community Board members and elected officials as well as the New York City Department of City Planning (DCP). The proposed Master Plan reflects comments from on-going discussions with all these groups.

Beginning in 2005, Fordham met periodically over the ensuing two years with representatives of Community Board 7 and occupants of apartment buildings in proximity to the Fordham campus, including residents of The Alfred, of the apartments on the east side of Columbus Avenue and in the Amsterdam Houses. Following those meetings, Fordham made several modifications in its proposed campus design that are now part of the project. For example, it redistributed a substantial portion of the bulk allocated to the two buildings proposed for Sites 1 and 2 by relocating student housing floor area proposed for those sites to Site 5, above the Law School, and to Site 3a, and also by moving a portion of the bulk associated with each of those buildings toward the center of the campus. The proposed introduction of new entrances and fenestration into the southern facade of Lowenstein to create a more lively street environment also resulted from those meetings, as did a commitment to have transparency and activity along all of the street entrances of the campus, even where not required by zoning. The proportions of the entrances from the street to the plaza were modified to make them broader and more inviting to the public, and a bridge over the opening between the buildings proposed for Sites 1 and 2 was eliminated in order to enhance that entrance's open character. Fordham also committed to landscaping the stair entrances, so that the landscaped plaza would come down to meet the street. In addition to trying to reduce the bulk on Columbus Avenue, all of these modifications were intended to result in a design that causes the university to engage effectively with the surrounding community and to provide a level of visual and actual interaction between the proposed new buildings and their urban environment that is not provided to the same extent by the existing buildings on the campus.

Since the issuance of the DEIS, Fordham and its project team have continued to work on refinements to the Master Plan with Community Board 7, the Manhattan Borough President, City Council Member Gail Brewer, and the Department of City Planning to respond to comments voiced at the scoping meeting, various Community Board meetings, and the DEIS public hearing. In the context of discussions with the Borough President, Fordham agreed in writing to make certain modifications to its plan in response to community concerns, subject to review and approval by the City Planning Commission (CPC) and the City Council. These modifications would reduce the bulk with smaller maximum building envelopes and lower building heights for most of the buildings expected to be built under the proposed Master Plan. There would be less floor area, fewer parking spaces by the removal of a garage, and certain other design changes, as described in Chapter 27, "Modifications to the Proposed Action."

## **B. NO ACTION ALTERNATIVE**

### **DESCRIPTION OF ALTERNATIVE**

The No Action Alternative assumes that the proposed discretionary actions—special permits from the New York City Planning Commission (CPC) to waive height, setback, and minimum distance requirements and to allow accessory parking on Fordham University's Lincoln Center campus and a curb cut for a new loading dock—would not be implemented. Without these

special permits, Fordham plans to lease or otherwise convey portions of its site to private developers for the development of three new residential buildings. These transactions would be used to increase Fordham's endowment, which provides a portion of the funding for its facilities and programs. The resulting residential buildings on the site would be built as-of-right under the site's existing zoning and would not receive financing from the Dormitory Authority of the State of New York (DASNY).

The three residential buildings constructed in the No Action Alternative would be located at the corner of West 60th Street and Amsterdam Avenue, the corner of West 62nd Street and Amsterdam Avenue, and along the midblock of West 62nd Street. The building at West 60th Street and Amsterdam Avenue would consist of a 28-story (285-foot) tower with a four-story wing to its south. The building at West 62nd Street and Amsterdam Avenue would consist of a 26-story (265 feet) tower with a 4-story wing to its east (see Figures 1-29 and 1-30, in Chapter 1, "Project Description"). The building along the midblock of West 62nd Street would be 39 stories tall (395 feet). Compared to the two residential buildings in the proposed Master Plan, the three residential buildings in the No Build condition would provide the same floor area (736,504 gross square feet), number of units (up to 876 dwelling units), and ground-floor retail (along Amsterdam Avenue), but would not require zoning special permits and would not include accessory parking. These buildings would be constructed and occupied by 2014, the Phase I build year of the proposed action.

With no new educational or dormitory space on the Lincoln Center campus in the No Action Alternative, Fordham might choose to expand its facilities off campus, through the acquisition of other parcels on which educational or dormitory space could be constructed. Consideration of such off-campus facilities would be speculative, as they are undefined, and if financed through DASNY would be subject to their own environmental review. Therefore, they are not considered in this analysis.

## **NO ACTION ALTERNATIVE COMPARED WITH THE PROPOSED ACTION**

### *LAND USE, ZONING, AND PUBLIC POLICY*

#### *2014 Land Use*

In the No Action Alternative, the same amount of residential development would take place by 2014 as would be constructed with the proposed action. Similar to the proposed action, the northwest and southwest corners of the project site would be leased or otherwise conveyed to a developer for construction of two as-of-right residential buildings. In addition, a mid-block portion of the site along West 62nd Street would also be leased or otherwise conveyed to a private developer for construction of a third as-of-right residential building. These 26-, 28-, and 39-story buildings would replace a vacant parcel, active recreation area, and passive recreation area at the northwest, southwest, and mid-block portions of the project site, respectively. This alternative would use the midblock area along West 62nd Street for residential use, whereas the proposed Master Plan would use the midblock for academic and dormitory uses.

In this alternative, there would be no expansion of Fordham's educational facilities or dormitory space on its Lincoln Center campus by 2014. A new Law School building, dormitory space and accessory parking for the University would not be built. The existing Law School, Lowenstein Center, McMahan Hall, and open space areas on the campus (other than those removed for residential development) would continue to function as they do today.

Compared to the proposed action, the types of land use and the number of residential units on the project site would be the same. However, there would be far less institutional use, with the existing approximately 545,199 square feet of academic space and 282,507 square feet of dormitory space rather than the proposed 927,866 square feet of academic space and 493,337 square feet of dormitory space.

Similar to the proposed Master Plan, the No Action Alternative would be compatible with the mixed-use residential and institutional land use pattern in the study areas.

#### *2014 Zoning*

The three residential towers under the No Action Alternative would vary in height, configuration, and number from those contemplated as part of the proposed action. Constructed as-of-right, they would not require any of the proposed special permits from CPC to waive height, setback, and minimum distance requirements and inner and outer court regulations and to allow accessory parking spaces. The No Action Alternative would not need the zoning text change and the CPC authorization with respect to curb cuts on wide streets in the Special Lincoln Square District.

The new residential buildings would set back a sufficient distance at or above a height of 85 feet and would not penetrate the sky exposure plane. The buildings would meet the prescribed minimum distances between buildings on a single zoning lot or the minimum distances between windows and walls or lot lines. The building on Site 4 would not have legally required windows on a lot line. Inner and outer court regulations would not be an issue.

CPC would not be asked to make findings regarding superior site design, design flexibility, and consistency with the purposes of the Special Lincoln Square District or to make findings related to the need for parking, insufficiency of existing parking, effects on vehicular and pedestrian movement, and adequacy of reservoir space. Similar to the proposed action, the No Action Alternative would not affect zoning off the project site.

#### *2014 Public Policy*

The university campus, which was an important part of the Lincoln Square Urban Renewal Area and development in this area since the 1960s, would not be further developed with additional educational and dormitory uses in the No Action Alternative. Neither the proposed action nor the No Action Alternative would affect the regulations of or development in the Clinton Urban Renewal Area, nor would either affect any other public policy relating to land use that applies to the project site or the surrounding area. Similar to the proposed action, this alternative would not result in any significant adverse impacts to public policy in the primary or secondary study areas.

#### *2032 Land Use*

In the No Action Alternative, the three as-of-right residential buildings that would be constructed by 2014 would be the only new buildings added to the Fordham campus. No additional changes to land use would occur in this alternative between 2014 and 2032.

The No Action Alternative would not complete the proposed campus Master Plan. New space for the Schools of Business, Social Service, and Education would not be provided. The Quinn Library would not be expanded and additional dormitory facilities would not be provided, nor would additional accessory parking spaces be provided for Fordham's use. No construction would occur along Columbus Avenue, and no additional construction would occur on West 62nd Street from the midblock east. The existing Law School, Lowenstein Center, McMahan Hall, and

open space areas on the campus (other than the midblock area on West 62nd Street removed by the residential development) would continue to function as they do today.

There would be significantly less institutional use with the No Action Alternative as compared to the proposed action: approximately 545,199 square feet of academic space and 282,507 square feet of dormitory space rather than the proposed 1,646,421 square feet of academic space and 788,850 square feet of dormitory space.

Similar to the proposed Master Plan, the No Action Alternative would be compatible with the mixed-use residential and institutional land use pattern in the study areas. However, this alternative would be less supportive of the institutional development taking place.

#### *2032 Zoning and Public Policy*

In the No Action Alternative, there would be no additional construction on the Fordham site between 2014 and 2032 and no need for any land use actions such as any of the proposed special permits from CPC to waive height, setback, and minimum distance requirements and to allow accessory parking spaces. As in 2014, the site would not be developed to its potential under zoning and the campus would not maximize the intended university uses envisioned as part of the Lincoln Square Urban Renewal Area. The No Action Alternative would not affect public policy, including the regulations of or development in the Clinton Urban Renewal Area, and would not result in any significant adverse impacts to public policy.

#### *SOCIOECONOMIC CONDITIONS*

Unlike the proposed action, this alternative would not add students to the campus. Neither the No Action Alternative nor the proposed action would have any significant adverse impacts on socioeconomic conditions in the study area. Neither would directly displace any residential population or displace businesses or institutions and neither would be expected to result in indirect residential displacement in the surrounding area (such as might occur if an action increases property values and subsequently rents in an area, making it difficult for some existing residents to afford their homes.) Neither the No Action Alternative nor the proposed action would result in indirect displacement of businesses in the surrounding area either, such as might occur if an action increased property values and thus commercial rents in the area, making it difficult for some categories of business to remain at their current locations.

Similar to the proposed action, the No Action Alternative would not have any adverse effects on specific industries. However, unlike the proposed action, the No Action Alternative would not be supportive of the educational and cultural institutions in the Lincoln Center area, and Fordham University would not fulfill its potential as an educational institution at this location in Manhattan.

#### *OPEN SPACE*

Neither the No Action Alternative nor the proposed action would eliminate any existing publicly accessible open space resources. In the No Action Alternative, the student, faculty and staff populations on the Fordham Lincoln Center campus would not be increased, but the residential populations would increase by the same amount as the proposed action. Therefore the demand on the open spaces in the surrounding area would be slightly less with this alternative than with the proposed action.

The ratio of passive open space for the area's non-residential population would exceed the city's open space planning guidelines, and, similar to conditions in many areas in Manhattan, the ratios

for active and total open space, as well as passive ratios for the combined resident and non-resident population, would be less than New York City Department of City Planning (DCP) guidelines that are considered benchmarks indicating how well-served an area is by open space. However, the *CEQR Technical Manual* recognizes that these guidelines are goals that are not feasible for many areas of the city, and they are not considered specific impact thresholds. These ratios would be slightly better than with the proposed action, but the decrease in ratios due to the proposed action is not considered a significant adverse impact. Similar to the proposed action, the No Action Alternative would not result in significant adverse impacts on open space and recreational facilities.

### *COMMUNITY FACILITIES*

Similar to the proposed action, the No Action Alternative would not have significant adverse impacts on community facilities including public schools, libraries, day care and health care facilities and police and fire services.

### *SHADOWS*

The three residential towers in the No Action Alternative would cast incremental shadows on nearby open spaces. The incremental shadows from this alternative and from the proposed action would not be large enough or last long enough to cause significant adverse impacts to most sun-sensitive resources in the area, including St. Luke's-Roosevelt Hospital Entrance Plaza, West 59th Street Recreation Center, Amsterdam Houses Playground, West End Towers Park, Samuel N. Bennerson Playground, James Felt Plaza, Martin Luther King Jr. High School Plaza, Alice Tully Hall/Julliard Plaza, Richard Tucker Park, the Broadway Malls, Dante Park, The Regent Plaza, The Beaumont Plaza, and Central Park.

The three residential towers in the No Action Alternative would cast incremental shadows on P.S. 191, across Amsterdam Avenue from the Fordham campus; on Damrosch Park, across West 62nd Street from the campus; and on the Lincoln Center plaza.

The No Action Alternative would generally cast less shadow than the proposed action on the playground at P.S. 191 across Amsterdam Avenue from the Fordham campus, in the morning during the spring, summer and fall months. However, at times there would be more incremental shadow from the No Action Alternative than the proposed action. Because the playground is paved and used almost entirely for active recreation, the new shadows would not have as much effect as they would on vegetated open space used for passive recreation. While the incremental shadows could reduce the attractiveness of the playground for its users and cause an adverse impact, the impact would not be considered significant because the playground is used for active recreation. For these reasons neither the incremental shadows of the No Action Alternative nor the incremental shadows of the proposed action on this playground are considered significant adverse impacts.

The No Action Alternative would also cast less incremental shadow on Damrosch Park. On the March 21/September 21 analysis day, the No Action Alternative would shade smaller areas, particularly in the early afternoon. In the winter, incremental shadows would also be smaller. In late spring and summer, the No Action Alternative would cast very little or no shadow until late in the afternoon. Similar to Phase I of development with the proposed action, the No Action Alternative would not have a significant adverse shadow impact on Damrosch Park. However, as compared to the full 2032 build out, the No Action Alternative would not substantially reduce

sunlight to Damrosch Park in the fall, winter and early spring and would not result in a significant adverse impact to this space.

Because the No Action Alternative would not create any new buildings on the eastern end of the campus, the incremental shadows on the planned seating area (the “Grove”) in the Lincoln Center plaza between the David H. Koch New York State Theater and Columbus Avenue would be reduced. The main plaza area around the fountain and the northern plaza west of Avery Fisher Hall would not receive between one and two hours of new shadow in the spring, summer and fall seasons and less than an hour of new shadow in December.

The absence of a building on the southeast corner of the campus in the No Action Alternative would also avoid any incremental shadow being cast on the north façade of the Church of St. Paul the Apostle and the significant adverse shadow impact on the Church.

For the entire year, Fordham University’s plaza at the center of the superblock would receive less incremental shadow with the No Action Alternative. However, existing buildings along West 60th Street on the south of the Fordham campus—the Lowenstein building and McMahon Hall—already cast shadow on much of the plaza. The plaza is a privately owned open space, which Fordham makes available for public use.

#### *HISTORIC RESOURCES*

Since the New York City Landmarks Preservation Commission (LPC) has determined that the project site has no archaeological significance, there would be no impacts to archaeological resources with the No Action Alternative or with the proposed action.

Unlike the proposed action, the No Action Alternative could have significant adverse impacts on architectural resources during construction. While there are no structures on the project site that are architecturally significant, Lincoln Center for the Performing Arts is located within 90 feet of construction activities for the No Action Alternative, and there would be no requirement for it to be protected by implementation of a Construction Protection Plan.

Similar to the proposed action, The No Action Alternative would not block significant views of any resource, significantly alter the visual setting of any resource, or introduce incompatible contextual elements to any resource’s setting.

#### *URBAN DESIGN AND VISUAL RESOURCES*

Neither the No Action Alternative nor the proposed action would have significant adverse impacts on the urban design and visual resources of the study area. Similar to the proposed action, the No Action Alternative buildings would be constructed on an existing superblock and would not alter the block form and street pattern or the street hierarchy of the project site or the study area. The building bulk would be less than the building bulk for Phase I development and far less than with Phase II development. The campus would remain underdeveloped in terms of its zoning floor area. The Academic and dormitory uses provided with the proposed action would be lacking. The buildings would be shorter than those of the proposed action. Unlike the proposed action the No Action Alternative would not complete the street wall around the campus.

Similar to the proposed action development would occur on a vacant lot and on tennis and basket ball courts, and a terrace area. The No Action Alternative would be required to provide transparency at the ground level on the avenues, thereby enlivening the sidewalks, but not on

West 62nd Street. However, it would not provide two new, wide-entrance stairways to the podium level plaza at the heart of the campus. It would also not provide any plaza to enhance the Columbus Avenue frontage and remove the gravel parking lot. It would also not provide the landscaped entrance stairways on Columbus Avenue and West 62nd Street that provide access to the podium level plaza.

Similar to the proposed development the No Action Alternative would not block significant views of any visual resources or obstruct important views and view corridors. The No Action Alternative would not require the proposed action's special permits, including the Special Permit pursuant to Section 82-33, for which the City Planning Commission (CPC) must, among other things, determine that the modifications facilitate good design.

#### *NEIGHBORHOOD CHARACTER*

Like the proposed Master Plan, the No Action Alternative would change the character of the project site, but would have a minimal effect on the neighborhood character of the surrounding area. The No Action Alternative would result in three residential buildings on the project site that would join other residential uses in the immediate vicinity, such as The Alfred and the Amsterdam Houses. The new buildings may increase pedestrian and vehicular activity in this area, but would not be likely to materially change the neighborhood character.

The No Action Alternative would not introduce any land uses to the project site that do not exist in the study area. It would not result, directly or indirectly, in significant adverse socioeconomic impacts due to residential or business displacement, nor would it cause significant adverse impacts to a specific industry. As stated above, this alternative could have significant adverse impacts on architectural resources during construction. It would change the urban design and visual character of the western portion of the project site, but would have a minimal effect on the neighborhood character of the immediately surrounding area, which is already a densely developed area containing residential uses and tall buildings. It would not result in significant impacts to traffic or pedestrian conditions in the study area. It would not result in any noise-related significant adverse impacts to neighborhood character.

No significant adverse impacts would result to neighborhood character due to the cumulative effect of moderate changes in the above impact categories. Overall, as with the proposed action, no significant adverse impacts to neighborhood character are likely to result from the No Action Alternative.

#### *HAZARDOUS MATERIALS*

With construction of the three residential buildings on Sites 3, 3a, 4, 5 and 5a (Lot 35 and part of Lot 20), there would be soil disturbance, potentially increasing the pathways for human exposure to any subsurface hazardous materials present on those lots. Although none of these sites has a known significant presence of hazardous materials, certain measures would not be required to be conducted in accordance with the procedures (e.g., for conducting testing before commencing excavation) described for the proposed action. However, legal requirements (including NYSDEC regulations) would need to be followed for off-site disposal of soil/fill and if petroleum tanks and/or spills are identified. As such, with the No Action Alternative, the amount of soil disturbance would be less, but controls would potentially not be as stringent as under the proposed action.

*INFRASTRUCTURE*

Similar to the proposed action, water usage and generation of sanitary sewage and waste water with the No Action Alternative would not reach the CEQR thresholds requiring analysis. Because the No Action Alternative would have even less demand for water than the proposed action, and because neither would have stormwater impacts, there would be no potential for significant adverse impacts on infrastructure.

*SOLID WASTE AND SANITATION*

The No Action Alternative would generate less solid waste than the proposed action and would create less demand for sanitation services. However, even the proposed action would not generate a large enough amount of solid waste to require detailed analysis. Therefore, as with the proposed action, there would be no potential for significant adverse impacts on solid waste and sanitation services.

*ENERGY*

The No Action Alternative would consume less energy than the proposed action. Therefore, because the proposed action would not consume enough energy to significantly affect the transmission or generation of energy, there would be no potential for significant adverse impacts on energy with the No Action Alternative.

*TRAFFIC AND PARKING*

With the No Action Alternative, the projected increases in traffic associated with additional students, faculty, and staff of the proposed action would not occur. As a result, this alternative would eliminate the significant adverse traffic impacts and need for mitigation projected with the proposed action at two intersections (Amsterdam Avenue at West 60th Street and Ninth Avenue at West 57th Street) during the midday peak hour in 2014; and at one intersection (Columbus Avenue at West 60th Street) during the PM peak hour in 2014. In 2032, the No Action Alternative would eliminate the proposed action's significant adverse traffic impacts and need for mitigation at one intersection (Amsterdam Avenue at West 60th Street) during the AM peak hour; two intersections (Amsterdam Avenue at West 60th Street and Ninth Avenue at West 57th Street) during the midday peak hour; four intersections (Ninth and Tenth Avenues at West 57th Street and Columbus Avenue at West 60th and 62nd Streets) during the PM peak hour; and three intersections (Ninth and Tenth Avenues at West 57th Street and Broadway/Columbus Avenue/West 65th Street) during the pre-theater peak hour.

In the No Action Alternative, the increased parking demand associated with the proposed action's faculty and staff would not occur and the increase in parking supply with the proposed action would not occur. However, the three residential buildings constructed in the No Action Alternative would increase the demand for parking spaces in the surrounding area.

*TRANSIT AND PEDESTRIANS*

In 2014 as well as 2032, the No Action Alternative would result in fewer subway trips and fewer pedestrian trips than the proposed action because it would not add any students, faculty, or staff to the Fordham campus. Since the proposed action would not result in any significant adverse impacts on subway station operations in 2014 or 2032, this alternative would not have any significant adverse impacts either.

In 2014 neither the proposed action nor the No Action Alternative would result in any significant adverse pedestrian impacts. As with the proposed action under the No Action Alternative all study area sidewalks, crosswalks, and corners would continue to operate at acceptable LOS D or better, with the exception of the north and south crosswalks at Columbus Avenue and West 60th Street. The north crosswalk would deteriorate to LOS E during the AM, PM, and pre-theater peak period and the south crosswalk would deteriorate to LOS F during the AM peak period and to LOS E during the midday, PM, and pre-theater. Neither alternative would have a significant impact based on the CEQR impact threshold of 1 SFP.

In 2032 the proposed action would result in significant adverse pedestrian impacts on the north crosswalk at Columbus Avenue and West 60th Street during the PM and pre-theater peak periods. With the No Action Alternative, the projected increases in pedestrian trips associated with additional students, faculty, and staff of the proposed action would not occur. As a result, this alternative would eliminate the significant adverse pedestrian impacts and the need for mitigation projected with the proposed action on the north crosswalk at Columbus Avenue and West 60th Street.

## *AIR QUALITY*

### *Mobile Source*

The No Action Alternative would result in fewer vehicle trips than the proposed action. Since the proposed action would not result in the addition of enough peak hour vehicle trips (i.e., 75 peak hour trips for mid-town Manhattan established in the *New York City Environmental Quality Review (CEQR) Technical Manual*) to warrant analysis, the No Action Alternative would not warrant analysis either.

### *HVAC Equipment—Cumulative Source Analysis—2032*

The No Action Alternative would result in fewer buildings and far less development than the proposed action. Therefore, this alternative, which is much smaller, would result in less overall air emissions from building heating boilers. The results of the modeling analysis for the combined impacts of all development sites demonstrated that the proposed action (with higher emissions) would comply with the NAAQS for NO<sub>2</sub> at receptors placed both within and outside the Fordham campus boundaries. However, given the lower heights of the three buildings, it is possible that the No Action Alternative could result in a direct effect on nearby residential buildings that have operable windows at elevations close to their lower stack heights of the project buildings. Additional analyses would need to be performed to determine if any sensitive receptors would be impacted by the lower stack heights in this alternative. However, because the No Action Alternative would be constructed as-of-right and would not require environmental review, no such analyses would be required.

### *Parking Garage Analysis*

The No Action Alternative would not have any parking garages, and it would not cause any adverse impacts on air quality related to parking garage operations. However, even with three garages, the proposed action would also not result in any significant adverse air quality impacts.

## *NOISE*

The No Action Alternative would generate fewer vehicle trips than the proposed action. However, even with a greater number of vehicle trips, the proposed action would not be

expected to produce significant increases in noise levels at any location near and/or adjacent to the project site. Therefore, the No Action Alternative, with fewer vehicle trips than the proposed action, would not result in any significant adverse noise impacts.

### *CONSTRUCTION*

The No Action Alternative would not involve the construction of academic or dormitory facilities for Fordham University that the proposed action would. It would involve only the construction of three residential buildings on portions of the Fordham Lincoln Center campus. All construction would take place in Phase I and the work associated with Phase II campus development would not occur.

Under the No Action Alternative, a maximum of three buildings would be constructed at the same time as opposed to the proposed action, in which four buildings would be under construction at the same time for a period of several months. In addition, the total number of buildings to be constructed during the Phase I time period would likewise be reduced. One significant adverse impact is expected from construction traffic during Phase I of the proposed action, and no significant adverse impacts would be expected from construction traffic from the No Action Alternative during the Phase I time period. The one and six significant adverse impacts from construction traffic during the early afternoon and afternoon peak hours, respectively, that are expected in 2021 with the proposed action would not occur. Likewise, the three and six significant adverse impacts from construction traffic during the early afternoon and afternoon peak hours, respectively, that are expected in 2031 would not occur. Like the proposed action, no significant adverse impacts on parking, transit, and pedestrians from construction activities would be expected with the No Action Alternative.

For the proposed action, no significant adverse impacts on air quality would be expected from construction activity. Measures more stringent than those contained in Local Law 77 of 2005 were imposed in order to prevent significant adverse impacts from emission of construction equipment and trucks. In the No Action Alternative, no mechanism to enforce these measures would exist, and the contractor would not have to abide by these emission reduction measures. Therefore, it is possible that significant adverse impacts to air quality from construction equipment and trucks could occur under the No Action alternative.

Under the proposed action, it is expected that significant adverse noise impacts could occur on The Alfred at locations having a direct line-of-sight to construction sites during Phase I. The number of significant adverse noise impacts was reduced under the proposed action by voluntary noise reduction measures. The noise reduction measures exceed the measures in the New York City Noise Code. During the Phase I time period under the No Action Alternative, the number of expected significant adverse noise impacts could increase because the contractor would not have to abide by the noise reduction measures that would be adopted under the proposed action. No significant adverse noise impacts would occur during the Phase II time period, because no construction would be undertaken during that time period under the No Action Alternative.

### *PUBLIC HEALTH*

The No Action Alternative would result in less overall development than the proposed Master Plan. While the No Action Alternative would result in less overall air emissions from building heating boilers, a direct effect on nearby residential buildings could result from the operation of this alternative, due to the lower stack heights of the as-of-right buildings. The No Action

Alternative, which would create fewer vehicle trips than the proposed action, would not result in any significant adverse impacts on operational noise levels.

Though there would be less construction-related activity with the No Action Alternative, the contractor would not have to abide by the strict emission and noise reduction measures described in this EIS. Therefore, it is possible that additional significant adverse impacts could occur during construction under the No Action Alternative.

No demolition would occur in the No Action Alternative, but soil disturbance would occur during the construction of the three residential buildings, which would potentially increase the pathways for human exposure to any subsurface hazardous materials present on the development site. Soil disturbance would not be required to be conducted in accordance with the stringent procedures described for the proposed action. Likewise, the rodent control measures undertaken during construction of the No Action Alternative may be less stringent than those undertaken with the proposed action.

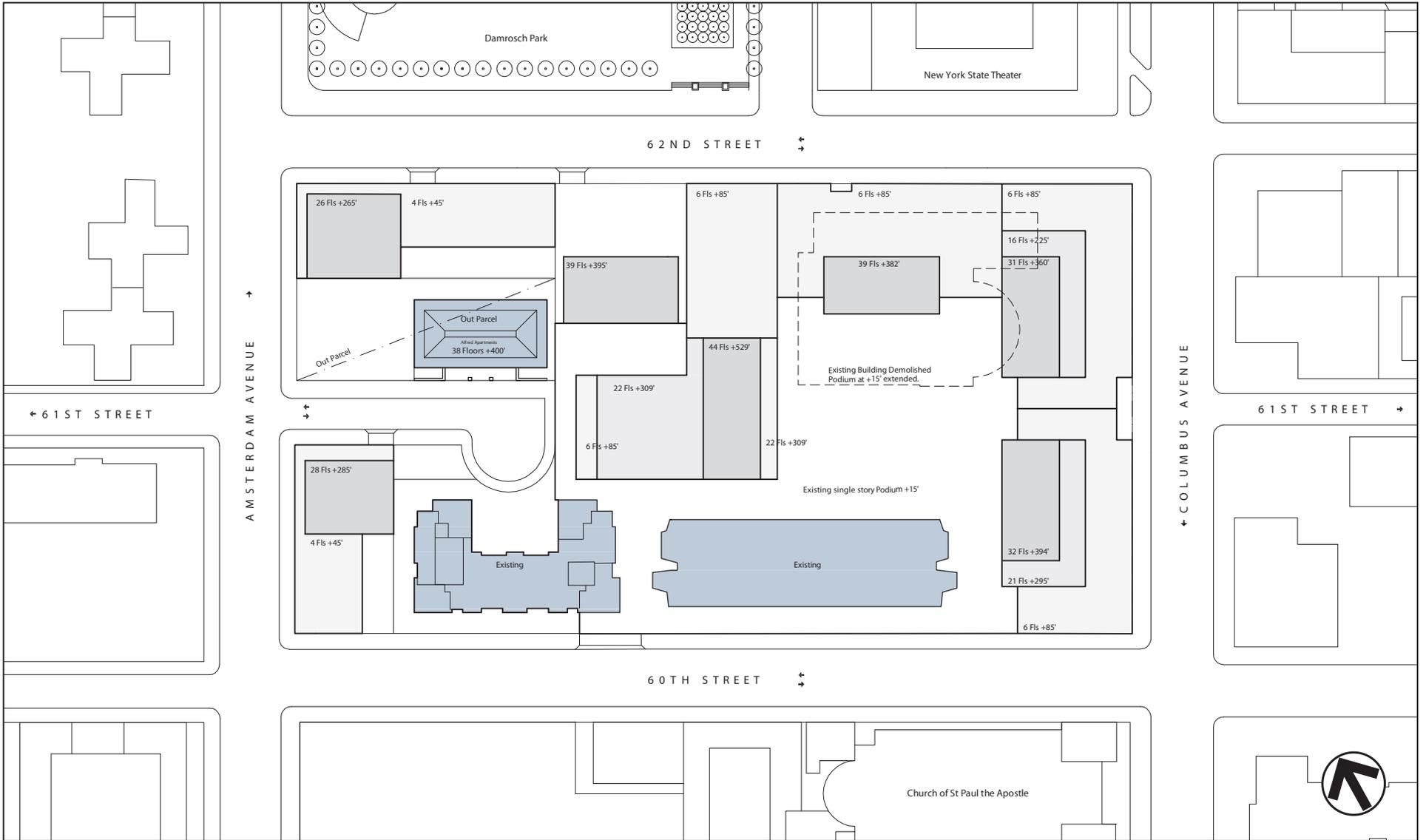
## **C. AS-OF-RIGHT ALTERNATIVE**

### **DESCRIPTION OF ALTERNATIVE**

The As-of-Right Alternative assumes that Fordham University would develop the full allowable floor area under the applicable C4-7 zoning for its campus, without the need for any special permits from CPC. The zoning floor area to be developed would be the same as the proposed action. The main difference would be the forms of the buildings which, in the As-of-Right Alternative, would have to conform to the bulk requirements of the applicable zoning regulations. Further, this alternative would not provide any accessory parking. The elimination of parking from the program would not affect the amount of zoning floor area, as the parking garages in the proposed action would be below grade and thus not counted as zoning floor area.

As shown in Figures 22-1 and 22-2, the primary difference in configuration between the As-of-Right Alternative and the proposed action is that the alternative would result in a much taller building in the center of the campus and shorter buildings around the perimeter. Similar to the No Action Alternative, the As-of-Right Alternative would have three private residential buildings (rather than two with the proposed action). At 26 and 28 stories, the two buildings on the northwest and southwest corners of the project site along Amsterdam Avenue would be much shorter than with the proposed action. Both would have a 4-story wing that would be built to the sidewalk line and maintain the street wall. The third residential building would be 39 stories tall and located midblock on West 62nd Street adjacent to the east side of The Alfred. It would be set back from the sidewalk line and have an open area at ground level on West 62nd Street. East of the residential building would be a new Fordham building with both dormitory and classroom space. The six-story base would front on West 62nd Street and face the West 61st Street cul-de-sac. The midrise portion of the building would be 22 stories tall, and finally the building would rise to become a 44-story tower with a rectangular foot print with its long facades on the east and west.

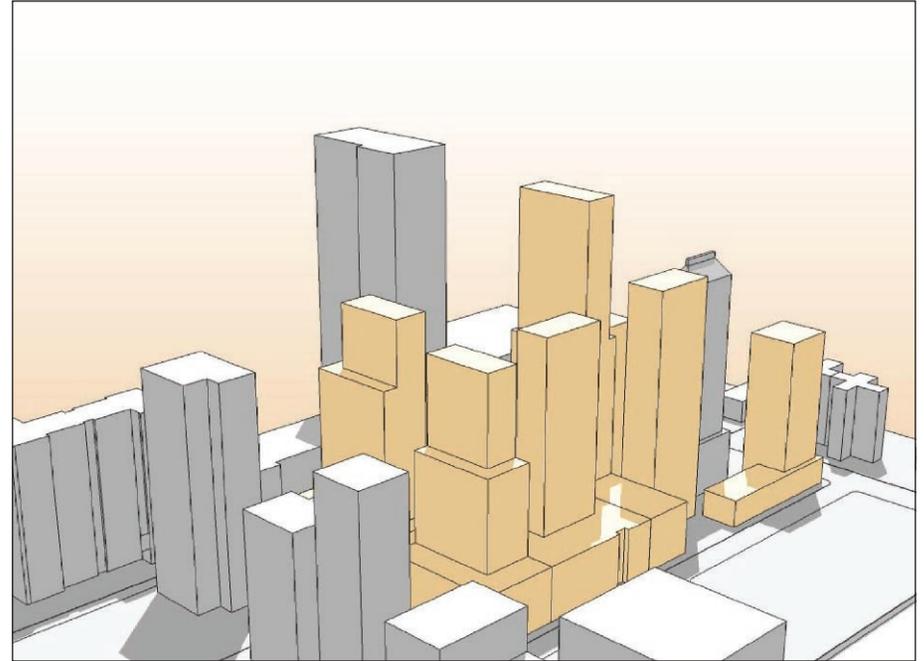
Phase II development of the As-of-Right Alternative would create buildings along the eastern portion of the West 62nd Street frontage and along Columbus Avenue. These buildings would all have a six-story base uniformly built to the sidewalk line except for a small indentation on the West 62nd Street façade and a larger indentation on Columbus Avenue in line with West 61st Street. The building facing West 62nd Street would rise to a 39-story tower that would be well



11.17.08



View from East



Aerial View from Northeast

set back from the sidewalk and have its longer facades facing north and south. The building at the northeast corner would have a midrise section reaching 16 stories tall before setting back and rising to an overall height of 31 stories. The rectangular foot print of this tower would have its long sides on the east and west. The building at the southeast corner of the campus would have a midrise portion 21 stories tall and then set back and rise to an overall height of 32 floors. Again the longer facades would face east and west.

In contrast to the proposed action, the As-of-Right Alternative would result in a continuous streetwall from midblock on West 62nd Street that would wrap around Columbus Avenue and continue west along West 60th Street where it would meet the existing podium. There would be no connection, either physical or visual, between Fordham's central internal open space and the sidewalks on these streets.

While this alternative would be as-of-right under the Zoning Resolution, individual academic and dormitory buildings would be subject to review under SEQRA if financing from the Dormitory Authority of the State of New York were used to fund construction.

## **AS-OF-RIGHT ALTERNATIVE COMPARED WITH THE PROPOSED ACTION**

### *LAND USE, ZONING, AND PUBLIC POLICY*

#### *2014 Land Use*

With the As-of-Right Alternative, Phase I development to be completed by 2014 would be similar to the proposed action. However, no parking would be provided for either the residential buildings or Fordham University. Similar to the proposed action, the northwest and southwest corners of the project site would be leased or otherwise conveyed to a developer for construction of two residential buildings. In addition, a mid-block portion of the site along West 62nd Street would be leased or otherwise conveyed to private developers for construction of a third residential building. As compared to the proposed action, this development would use the midblock area along West 62nd Street for residential development rather than academic and dormitory space.

Similar to the proposed action, Fordham would expand its educational facilities and its dormitory space by 2014; the amount of academic space and dormitory space on the campus would increase in this alternative. The existing Law School building, Lowenstein Center, McMahon Hall would continue to function. The As-of Right-Alternative would, like the proposed action, be compatible with the mixed-use residential and institutional land use pattern in the study areas.

#### *2014 Zoning*

The three residential towers as well as the academic/dormitory buildings constructed in Phase I of the As-of-Right Alternative would vary in height, configuration, and number from those contemplated as part of the proposed action. Because they would be constructed as-of-right, the buildings would not require any of the proposed special permits from CPC to waive height, setback, and minimum distance requirements and inner and outer court regulations and to allow accessory parking spaces.

The two new buildings on the northwest and southwest corners of the project site along Amsterdam Avenue would be built under the tower regulations of the Zoning Resolution and the others would be built pursuant to the Zoning Resolution's sky exposure plane bulk regulations.

Each of the Amsterdam Avenue buildings would be constructed on its own zoning lot, in accordance with the Special Lincoln Square District tower regulations. The building on the northwest corner of the block would contain approximately 230,000 square feet of floor area, and would consist of a 26-story tower set upon a 4-story base and set back 15 feet from each of Amsterdam Avenue and West 62nd Street. As required by the special district regulations, the tower would occupy between 30 and 40 percent of the area of the zoning lot. The other Amsterdam Avenue building would be constructed at the southeast intersection of the Avenue with West 61st Street, would contain approximately 199,000 square feet and would contain a 28-story tower also complying with the special district parameters. The third residential building would be a 39-story tower built along the northern edge of the existing plaza, containing approximately 308,000 square feet, constructed on the university's zoning lot and set back sufficiently from the street line to be within the sky exposure plane.

The CPC would not be asked to make findings regarding site design, design flexibility, and consistency with the purposes of the Special Lincoln Square District; or to make findings related to the need for parking, insufficiency of existing parking, effects on vehicular and pedestrian movement, and adequacy of reservoir space. While the proposed action would seek zoning actions specific to the project site, neither the proposed action nor the As-of-Right Alternative would affect zoning beyond the project site.

#### *2014 Public Policy*

The university campus—an important part of the Lincoln Square Urban Renewal Area since the 1960s—would be fully developed with residential, academic, and dormitory uses under the As-of-Right Alternative. Neither the proposed action nor the As-of-Right Alternative would affect the regulations of, or development in, the Clinton Urban Renewal Area, nor would either affect any other public policy relating to land use that applies to the project site or the surrounding area. Like the proposed action, this alternative would not result in any significant adverse impacts to public policy.

#### *2032 Land Use*

By 2032, the As-of-Right Alternative would produce the same land uses and floor area as the proposed action. The campus would be completed with new space for the Schools of Business, Social Service, and Education, the Quinn Library would be expanded, and additional dormitory facilities would be provided. The existing Law School building would be demolished during the implementation of Phase II.

The floor area devoted to institutional use (academic, and dormitory space) in this alternative would be the same as the proposed action.

Like the proposed action, the As-of-Right Alternative would be compatible with the mixed-use residential and institutional land use pattern in the study areas.

#### *2032 Zoning and Public Policy*

In the As-of-Right Alternative, there would be no need for land use actions such as the proposed special permits from CPC to waive height, setback, and minimum distance requirements and to allow accessory parking spaces.

Unlike conditions with the proposed action, CPC would not be asked to make findings regarding superior site design, design flexibility, and consistency with the purposes of the Special Lincoln Square District, or to make findings related to the need for parking, the insufficiency of existing

parking, effects on vehicular and pedestrian movement, and adequacy of reservoir space. The text change in connection with curb cuts on wide streets in the Special Lincoln Square District would not be contemplated.

The university campus, which was an important part of the Lincoln Square Urban Renewal Area and development in this area since 1960s, would be fully developed. The site would be developed to its intended potential under its C4-7 zoning designation.

Similar to the proposed action, the As-of-Right Alternative would not affect the regulations of or development in the Clinton Urban Renewal Area, nor would it affect any other public policy relating to land use that applies to the project site or the surrounding area. Similar to the proposed action, it would not result in any significant adverse impacts to public policy.

#### *SOCIOECONOMIC CONDITIONS*

Similar to the proposed action, the As-of-Right Alternative would not have a significant adverse impact on socioeconomic conditions in the study area. Neither would directly displace any residential population or displace businesses or institutions and neither would be expected to result in indirect residential displacement in the surrounding area (such as might occur if an action increases property values and subsequently rents in an area, making it difficult for some existing residents to afford their homes.) Neither the As-of-Right Alternative nor the proposed action would result in indirect displacement of businesses in the surrounding area either, such as might occur if an action increased property values and thus commercial rents in the area, making it difficult for some categories of business to remain at their current locations.

Similar to the proposed action, the As-of-Right Alternative would not have any adverse effects on specific industries. Overall, the implementation of the As-of-Right Alternative would not cause any significant adverse impacts on socioeconomic conditions.

#### *OPEN SPACE*

Neither the As-of-Right Alternative nor the proposed action would eliminate any existing publicly accessible open space resources. In both scenarios, the student and worker populations on the Fordham Lincoln Center campus would be increased over both existing conditions and future conditions without the proposed action, and therefore the demand on the open space in the surrounding area would be increased.

While open space ratios would decrease similarly with both the proposed action and the As-of-Right Alternative, some of the affected ratios would remain higher than DCP guidelines. However, this shortfall would be offset by the availability of significant open spaces—such as Central Park, Riverside Park, and Hudson River Park—just outside the study area. Therefore, neither the proposed action nor the As-of-Right Alternative would result in significant adverse impacts on open space and recreational facilities.

#### *COMMUNITY FACILITIES*

Similar to the proposed action, the As-of-Right Alternative would not result in any impacts to community facilities, including public schools, libraries, day care and health care facilities, and police and fire services.

*SHADOWS*

The following conclusions reflect analyses of full development in the year 2032 for the proposed action and the As-of-Right Alternative.

The building that would be constructed in the As-of-Right Alternative would cast incremental shadows on nearby open spaces. The incremental shadows from this alternative and from the proposed action would not be large enough or last long enough to cause significant adverse impacts to most sun-sensitive resources in the area, including St. Luke's-Roosevelt Hospital Entrance Plaza, West 59th Street Recreation Center, Amsterdam Houses Playground, West End Towers Park, Samuel N. Bennerson Playground, James Felt Plaza, Martin Luther King Jr. High School Plaza, Lincoln Center Plaza, Alice Tully Hall/Julliard Plaza, Richard Tucker Park, the Broadway Malls, Dante Park, The Regent Plaza, The Beaumont Plaza, and Central Park.

In contrast to the proposed action, the As-of-Right Alternative would cast less shadow on the playground at P.S. 191 across Amsterdam Avenue from the Fordham campus in the morning during the spring, summer and fall months. However, at times there would be more incremental shadow from the As-of-Right Alternative than the proposed action. Neither the incremental shadows of the As-of-Right Alternative nor the incremental shadows of the proposed action are considered significant adverse impacts because the playground is paved and used for active recreation.

Similar to the proposed action, the As-of-Right Alternative would cast shadows on Damrosch Park for long durations in all seasons. The As-of-Right Alternative would feature taller towers in the middle of the block along West 62nd Street in comparison to the proposed actions. These towers, while set back from West 62nd Street, would cast shadows similar in extent to those cast by Sites 5 and 6 of the proposed actions. For much of the year the paved western portion of the park is actually occupied by a tent in which private events take place including art shows, dinners, and other entertainment including the Big Apple Circus.

On the May/August and June analysis days, large areas of the park would remain in sunlight for much of the day under both the As-of-Right and proposed action conditions. On March 21 and September 21, larger baseline shadows and a shorter analysis day mean that remaining sunlit areas are more sensitive to incremental shadow. Similar to conditions with the proposed actions, northern areas of the park would continue to receive sunlight for most of the analysis day. However, again similar to the proposed action conditions, shadows would remove a substantial amount of sunlight from the eastern half of the park in the early afternoon and would likely cause a significant adverse impact. In December and January, when shadows are longest, incremental shadows would remove sunlight from the already heavily shadowed park similar to conditions with the proposed action causing a significant adverse impact.

Similar to the proposed action, the As-of-Right Alternative would create buildings on the eastern end of the campus. These buildings would be shorter than those of the proposed action, but would cast incremental shadow of similar duration on the planned Grove in Lincoln Center in the afternoons in spring, summer, and fall causing a significant adverse impact. With the As-of-Right Alternative, the shorter massing on the southeast corner of the campus would cast incremental shadow on the north windows of the Church of St. Paul the Apostle early on the June 21 analysis day. This incremental shadow would exit the church windows earlier than they would with the proposed action, but would still cause a significant adverse impact on this analysis day.

As with the proposed action, Fordham University's plaza at the center of the superblock would receive incremental shadows from the As-of-Right Alternative throughout the day in most

seasons, particularly in the morning from the buildings along Columbus Avenue and the central tower, and in the late afternoon from the buildings along Amsterdam Avenue. Existing buildings along West 60th Street on the south of the Fordham campus—Lowenstein and McMahon Hall—cast shadow on the plaza during the middle of the day in all seasons. The plaza is a privately owned open space, which Fordham makes available for public use. Therefore, the additional shadow due to the proposed action or the As-of-Right Alternative is not considered a significant adverse impact

As with the proposed action, the As-of-Right Alternative would have significant adverse shadow impacts on Damrosch Park, the Grove, and St. Paul the Apostle Church. However, as noted in Chapter 6, “Shadows,” for the proposed action the implementation of potential mitigation measures to address the significant adverse shadow impact on Damrosch Park in Phase II is part of an ongoing discussion between representatives of the New York City Department of Parks and Recreation (DPR) and Fordham University. Representatives of Lincoln Center have advised that they do not wish to address the issue of plant sensitivity at the Grove at this time, because of the long period of time that will elapse until construction of Phase II. If Fordham, DPR, and Lincoln Center do not ultimately reach agreement on implementation of mitigation measures, the increase in shadows would be considered an unavoidable significant adverse impact on Damrosch Park and the Grove as a result of the proposed action. However, under the As-of-Right Alternative, there would be no implementation of any mitigation measures and the significant adverse shadow impacts would remain unmitigated.

#### *HISTORIC RESOURCES*

LPC has determined that the project site has no archaeological significance. Therefore, neither the As-of-Right Alternative nor the proposed action would affect archaeological resources.

In general, similar to the proposed action, the As-of-Right Alternative would not have any significant adverse impacts on any of the architectural resources located in the study area. There are no properties on the project site that are architecturally significant. The alternative would not block significant views of any resource, significantly alter the visual setting of any resource, nor introduce incompatible contextual elements to any resource’s setting.

Unlike the proposed project, the As-of-Right Alternative would not be required to implement a Construction Protection Plan to protect resources that are located within 90 feet of proposed construction activities, such as the Lincoln Center for the Performing Arts and the Church of St. Paul the Apostle.

#### *URBAN DESIGN AND VISUAL RESOURCES*

Similar to the proposed action, the As-of-Right Alternative buildings would be constructed on an existing superblock. Therefore, the proposed action would not alter the block form and street pattern or the street hierarchy of the project site or the study area. Similar to the proposed action the building bulk would be greater than some buildings in the area but in keeping with many of the larger more modern buildings in the area. The As-of-Right buildings would be shorter around the perimeter, and the building at the center of the site would be much taller than those of the proposed action. The building uses and types would be the same as the proposed action and be similar to what is found in the area.

Similar to the proposed action, streetscape elements would be altered by development on a vacant lot and on tennis and basket ball courts as well as on lawn, plaza, and terrace areas.

However, the As-of Right Alternative would not complete the street wall on West 62nd Street where a plaza would create a large gap. It would provide transparency at the ground level, but only on the avenues. It would not provide the two new, wide-entrance stairways to the podium level plaza at the heart of the campus. There would be no physical or visual access from the sidewalk to the podium level plaza. In the interim between development of Phase I and completion of Phase II, an interim plaza would not be provided to enhance the Columbus Avenue frontage and an interim landscaped stairway would enhance the West 62nd Street frontage.

Similar to the proposed development, the As-of-right Alternative would not block significant views of any visual resources or obstruct important views and view corridors. None of the proposed action's special permits—which include waivers of certain height, setback, and minimum distance between buildings, courts, and minimum distance between legally required windows and walls and/or lot lines—would be needed.

### *NEIGHBORHOOD CHARACTER*

Like the proposed action, the As-of-Right Alternative would change the character of the project site, but would have a minimal effect on the neighborhood character of the area immediately surrounding the project site and the wider study area. The As-of-Right Alternative would result in three residential and four academic/dormitory buildings on the project site that would join other residential and institutional uses in the immediate vicinity. The new buildings may increase pedestrian and vehicular activity in this area, but would not be likely to materially change neighborhood character.

The As-of-Right Alternative would not introduce any land uses to the project site that do not exist in the study area. It would not result, directly or indirectly, in significant adverse socioeconomic impacts due to residential or business displacement, nor would it cause significant adverse impacts to a specific industry. As described above, the As-of-Right Alternative could have significant adverse impacts on architectural resources in the study area. The alternative would change the urban design and visual character of the project site, but the immediately surrounding area is already densely developed with residential and institutional uses and tall buildings. It would result in similar effects to traffic and pedestrian conditions as the proposed action, which would not adversely affect neighborhood character. The alternative would not result in any noise-related significant adverse impacts to neighborhood character.

No significant adverse impacts would result to neighborhood character due to the cumulative effect of moderate changes in the above impact categories. Overall, no significant adverse impacts to neighborhood character are likely to result from the As-of-Right Alternative.

### *HAZARDOUS MATERIALS*

The Phase I ESA identified potential historical and present sources of contamination on- and off-site:

- On-site sources included spills from hydraulic oil tanks, potential historical fuel oil tanks, a print shop, and an Armory Drill Room.
- Off-site (but on the same block) sources included a hospital, a laboratory, and a transformer vault.
- Off site (and not on the same block) sources included a hospital with two laboratories, an auto repair shop, a filling station, and garages with buried gasoline tanks.

Similar to the proposed action, the As-of-Right Alternative would require remedial measures in order to avoid adverse impacts during excavation for Phase I construction and during excavation and demolition for Phase II construction.

*INFRASTRUCTURE*

Like the proposed action, the As-of-right Alternative would not require detailed analysis for water supply or sanitary sewage and waste, as neither development scenario would result in an exceptionally large demand for water. Therefore, there would be no potential for significant adverse impacts on infrastructure.

*SOLID WASTE AND SANITATION*

Neither the proposed action nor the As-of-Right Alternative would require detailed analysis of solid waste generation and sanitation facilities and services. Therefore, there would be no potential for significant adverse impacts on solid waste and sanitation services.

*ENERGY*

Like the proposed action, the As-of-Right Alternative would not consume enough energy to significantly affect the transmission or generation of energy, nor would it generate substantial indirect consumption of energy. Therefore, there would be no potential for significant adverse impacts on energy with the As-of-Right Alternative.

*TRAFFIC AND PARKING*

With the As-of-Right Alternative, Fordham University would experience the same level of total trip-making as the proposed action. However, the overall project-generated traffic volumes would be slightly lower than those from the proposed action because staff travel via auto would be lessened absent the on-site proposed parking garage and the pricing incentives planned for Fordham staff with the proposed action. Table 22-1 presents a comparison of the 2014 and 2032 project-generated vehicle trips for each project component between the As-of-Right Alternative and the proposed action. In 2014, the As-of-Right Alternative would be estimated to generate 15, 34, 29, and 9 fewer vehicle trips during the AM, midday, PM, and pre-theater peak hours, respectively, than the proposed action. For the 2032 Build year, this alternative would generate 19, 39, 34, and 11 fewer vehicle trips during the same respective peak hours, as compared to the proposed action. However, since on-site parking would not be available, the additional staff-related vehicle trips attributed to campus population growth would use other area parking lots and garages, thereby slightly increasing the parking utilization at those facilities. This dispersion of site-generated traffic would also result in marginally different traffic volumes at the study area analysis locations. A review of the projected operating conditions at these locations concluded that the anticipated impacts would be similar to or at lower magnitudes than the impacts anticipated with the proposed action.

Table 22-1

Comparison of As-of-Right and Proposed Action Project-Generated Vehicle Trips

Year	Analysis Period	As of Right Alternative					Proposed Alternative				
		Students	Faculty	Visitors	External Dorm	TOTAL	Students	Faculty	Visitors	External Dorm	TOTAL
2014	AM	4	5	0	7	16	4	20	0	7	31
	Midday	11	9	0	14	34	11	43	0	14	68
	PM	11	9	0	29	49	11	38	0	29	78
	P/T	10	2	0	15	27	10	11	0	15	36
2032	AM	0	9	1	21	31	0	28	1	21	50
	Midday	7	20	0	31	58	7	59	0	31	97
	PM	22	19	1	54	96	22	53	1	54	130
	P/T	31	5	0	34	70	31	16	0	34	81

*TRANSIT AND PEDESTRIANS*

As shown in Table 22-2, in 2014 and 2032, the As-of-Right Alternative would result in slight increases in the number of subway and bus riders over what would be expected with the proposed action. In 2014, the As-of-Right Alternative would generate an additional 19, 40, 33, and 12 subway and bus riders during the AM, midday, PM and pre-theater peak hours, respectively. In 2032, the transit ridership increases would be 23, 47, 40, and 12 total riders during the same respective peak hours. These increases, when distributed to various transit elements, would not be expected to result in perceptible effects on the operating conditions of the elements analyzed, and, as with the proposed action, the As-of-Right Alternative is not anticipated to result in any significant adverse transit impacts in either 2014 and 2032.

Under the As-of-Right Alternative, there would be a slight increase over the proposed action in the number of Fordham staff and visitors using off-site parking lots and garages nearby and walking between these locations and the campus. Since these parking facilities are scattered throughout the study area, the differences in pedestrian trips at specific pedestrian elements would be nominal. As with the proposed action, the As-of-Right Alternative would not be expected to result in any significant adverse pedestrian impacts in 2014. All analyzed sidewalks, crosswalks, and corners would be anticipated to continue operating at acceptable levels of service in 2014. As with the proposed action, the As-of-Right Alternative would have significant adverse pedestrian impacts on the north crosswalk at Columbus Avenue and West 60th Street during the PM and pre-theater peak periods in 2032. The anticipated impacts would be similar to the impacts expected with the proposed action. Potential measures to mitigate the projected significant adverse pedestrian impacts on the north crosswalk would also be similar to those for the proposed action described in Chapter 21, "Mitigation".

*AIR QUALITY*

Indirect impacts are caused by potential emissions from mobile sources (i.e., vehicle trips generated by the project). A micro-scale analysis of affected roadway intersections would be required if the level of project generated traffic were to exceed regulatory thresholds. However, with the As-of-Right Alternative, as with the proposed action, the number of project generated vehicles would be under thresholds for environmental analysis (i.e., 75 peak hour trips for mid-town Manhattan) established in the *CEQR Technical Manual*. Therefore, there is no potential for indirect impacts from mobile sources.

**Table 22-2**  
**Comparison of As-of-Right and Proposed Action Project-Generated Person Trips**

Year	Analysis Period	Mode	As of Right Alternative					Proposed Action				
			Students	Faculty	Visitors	External Dorm	Total	Students	Faculty	Visitors	External Dorm	Total
2014	AM	Subway	60	22	1	26	109	60	4	1	26	91
		Bus	10	1	0	6	17	10	0	0	6	16
		Walk Only	27	4	1	20	52	27	5	1	20	53
		<b>Total</b>	205	35	2	61	303	205	35	2	61	303
	Midday	Subway	120	46	2	41	209	120	9	2	41	172
		Bus	21	4	0	9	34	21	1	0	9	31
		Walk Only	50	9	0	30	89	50	9	0	30	89
		<b>Total</b>	410	73	2	95	580	410	73	2	95	580
	PM	Subway	75	39	1	65	180	75	8	1	65	149
		Bus	11	2	0	13	26	11	0	0	13	24
		Walk Only	50	7	1	51	109	50	6	1	51	108
		<b>Total</b>	335	62	2	154	553	335	62	2	154	553
	P/T	Subway	49	12	0	42	103	49	1	0	42	92
		Bus	7	1	0	9	17	7	0	0	9	16
		Walk Only	30	2	0	34	66	30	4	0	34	68
		<b>Total</b>	212	19	0	101	332	212	19	0	101	332
2032	AM	Subway	14	45	2	54	115	14	24	2	54	94
		Bus	2	3	0	13	18	2	1	0	13	16
		Walk Only	6	9	2	43	60	6	10	2	43	61
		<b>Total</b>	221	72	5	129	427	221	72	5	129	427
	Midday	Subway	28	96	4	83	211	28	52	4	83	167
		Bus	6	7	0	18	31	6	4	0	18	28
		Walk Only	12	19	2	66	99	12	19	2	66	99
		<b>Total</b>	443	154	6	198	801	443	153	6	198	800
	PM	Subway	184	81	2	136	403	184	44	2	136	366
		Bus	31	6	0	30	67	31	3	0	30	64
		Walk Only	91	15	2	106	214	91	15	2	106	214
		<b>Total</b>	685	130	5	323	1,143	685	130	5	323	1,143
	P/T	Subway	143	25	0	88	256	143	14	0	88	245
		Bus	14	2	0	20	36	14	1	0	20	35
		Walk Only	63	6	0	70	139	63	5	0	70	138
		<b>Total</b>	465	41	0	211	717	465	41	0	211	717

Because the As-of-Right Alternative does not include parking garages, there is no need for a parking garage analysis. Similar to the proposed action, this alternative would not result in any significant adverse air quality impacts.

The results of the modeling analysis for the combined impacts of all development sites demonstrates that the proposed action would comply with the NAAQS for NO<sub>2</sub> at receptors placed both within and outside the Fordham campus boundaries. The As-of-Right Alternative would have the same floor area and would be expected to have the same overall emissions as the proposed action.

However, given the possibility that some project buildings may be shorter in this alternative, there could be a more direct effect on nearby residential buildings that have operable windows at elevations close to shorter stack heights of the project buildings. Additional analyses would need to be performed to determine if any sensitive receptors would be impacted by the lower stack heights in this alternative. However, because this alternative would be constructed as-of-right and would not require environmental review, no such analyses would be required.

*NOISE*

As described above, overall project-generated traffic volumes would be slightly lower with the As-of-Right Alternative than with the proposed action. Even with a higher number of vehicle trips, the proposed action would not be expected to produce significant increases in noise levels at any location near and/or adjacent to the project site. Therefore, the As-of-Right Alternative, with fewer vehicle trips than the proposed action, would not result in any significant adverse impacts on noise levels.

*CONSTRUCTION*

Construction of the As-of-Right Alternative would produce the same floor area and take place over the same time frame as construction of the proposed action. Thus, construction impacts would be similar to those projected with the proposed action. However, because construction would be as-of-right, it may occur without the measures to reduce impacts which would be incorporated into the proposed action. Those impact reduction measures were developed in consideration of the cumulative impacts of the various construction activities taking place concurrently and consecutively at the campus. No such analysis or reduction measures would be required for the As-of-Right Alternative. Therefore, construction activities under the As-of-Right alternatives would be more likely to result in significant adverse impacts than with the proposed action.

*PUBLIC HEALTH*

The As-of-Right Alternative would result in a similar amount of overall development to the proposed action. The alternative would result in similar overall air emissions from building heating boilers, but could result in a direct effect on nearby residential buildings, because some stack heights would be lower than in the proposed action. The As-of-Right Alternative, which would create slightly fewer vehicle trips than the proposed action, would not result in any significant adverse impacts on operational noise levels.

During construction of the As-of-Right Alternative, the contractor would not be required to abide by the strict emission and noise reduction measures that would be incorporated into the proposed action. Therefore, it is possible that significant adverse impacts to air quality and noise could occur during construction under the As-of-Right Alternative.

Demolition and soil disturbance would occur during the construction of the As-of-Right Alternative, which would potentially increase the pathways for human exposure to any hazardous materials present on the development site. Demolition and soil disturbance would not be required to be conducted in accordance with the stringent procedures described for the proposed action. Likewise, the rodent control measures undertaken during construction of the As-of-Right Alternative may be less stringent than those undertaken with the proposed action.

**D. NO UNMITIGATED IMPACT ALTERNATIVE**

The No Unmitigated Impact Alternative explores modifications to the proposed action that would mitigate impacts in the areas of shadows and noise during construction.

**SHADOWS**

The proposed action would result in adverse shadow impacts to three resources: Damrosch Park, the planned Grove seating area in Lincoln Center plaza, and the windows on the north façade of the church of St. Paul the Apostle.

There is no feasible alternative that would meet the goals of the proposed action that would not result in significant adverse shadows impact.

**CONSTRUCTION NOISE**

There is no feasible alternative that would meet the goals of the proposed action that would not result in significant construction noise impacts. \*