

## 22 Alternatives

### Introduction

This chapter presents and analyzes alternatives to the Proposed Actions. SEQRA requires that alternatives to a proposed action be identified and evaluated in an EIS so that decision makers may consider whether alternatives exist that would minimize or avoid adverse environmental effects. As noted in the 2014 *CEQR Technical Manual*, alternatives selected for consideration in an EIS are generally those that are feasible and have the potential to reduce, eliminate, or avoid a proposed action's impacts considering the objectives and capabilities of the project sponsor. The selection of alternatives to a proposed action is determined by considering the nature of the specific action, its stated purpose and need, potential impacts, and the feasibility of potential alternatives.

Three alternatives to the Proposed Actions are evaluated in this chapter, the No Action Alternative, the No Unmitigated Significant Adverse Impacts Alternative, and the Potential City Planning Commission (CPC) Modification Alternative. As required by SEQRA, the No Action Alternative demonstrates environmental conditions that would exist if the Proposed Actions were not implemented, providing a baseline for the evaluation of potential impacts associated with the Proposed Actions. In the No Action Alternative, the Proposed Actions are not adopted, and current zoning regulations remain in place. The No Unmitigated Significant Adverse Impacts Alternative provides an assessment of an alternative that would result in no unmitigated impacts, demonstrating the measures that would have to be taken to eliminate the potential unmitigated impacts that have been identified for the Proposed Actions. While this alternative may not be feasible in relation to the objectives and capabilities of the project sponsor, it may be included to demonstrate that no alternative exists that could meet the Proposed Actions' goals without the potential to result in unmitigated impacts. The Potential CPC Modification Alternative is included to evaluate potential impacts of anticipated modifications to the Proposed Actions through the CPC review process. Other potential alternatives to the Proposed Actions were considered but did not substantively reduce the impacts of the Proposed Actions while still meeting the project's stated purpose and need.

## **Principal Conclusions**

As described in **Chapter 1, Project Description**, the Proposed Actions are necessary to facilitate a clear and consistent regulatory framework for natural resource preservation and neighborhood development. Each component of the proposal, acting in isolation and more often in concert with one another, would enable more value-added discretionary review, with more transparent as-of-right outcomes. As described below, neither alternative would meet the goals and objectives of the Proposed Actions.

### ***No Action Alternative***

The No Action Alternative assumes no discretionary actions and that the Proposed Actions would not be implemented. The significant, adverse impacts anticipated because of the Proposed Actions would not occur under the No Action Alternative. However, because current zoning regulations would remain in place and existing development trends are expected to continue, the No Action Alternative would fail to meet the purpose and goals of the Proposed Actions.

The purpose of the Proposed Actions is to provide a clear and consistent framework for natural resource preservation that balances neighborhood development and ecological goals. The zoning text and map amendments would codify best practices; streamline regulations to strengthen and prioritize natural resources preservation; and create clear development standards, resulting in better and more predictable outcomes. Through clear standards, the purpose of the Proposed Actions is to create streamlined processes that would allow small properties (less than 1 acre) to apply directly to DOB for permitting and require large properties (1 acre or more) and sensitive sites to undergo discretionary review for development. The goals of the Proposed Actions would be achieved by creating the SNRD while keeping the distinct features of NA-2 intact.

### ***No Unmitigated Significant Adverse Impacts Alternative***

The No Unmitigated Significant Adverse Impact Alternative considers whether the Proposed Actions could be modified to eliminate the unmitigated, significant, adverse impacts. The Proposed Actions could potentially result in unmitigated, significant, adverse impacts related to archaeological resources and hazardous materials; therefore, this alternative entails modifying the Proposed Actions specifically to avoid these potential impacts.

Although the No Unmitigated Significant Adverse Impact Alternative would result in no unmitigable, adverse impacts, the analysis finds that the alternative would require substantial modifications to the Proposed Actions to the extent that the purpose and need would not be realized. Therefore, because the No Unmitigated Significant Adverse Impact

Alternative would not meet the objectives of the Proposed Actions, it is not considered a feasible alternative.

### **Potential CPC Modification Alternative**

The Potential CPC Modification Alternative identifies changes to the proposed zoning text under consideration by CPC. This alternative would result in modifications to some specific provisions of the SNRD. Like the Proposed Actions, the Potential CPC Modification Alternative is not expected to cause a significant change in the overall amount, type, or location of development in the proposed SNRD in Riverdale-Fieldston compared to the future No-Action condition. The Potential CPC Modification Alternative is expected to result in the same significant adverse impacts related to archaeology and hazardous materials, as the Proposed Actions. Given there are no known development sites at this time, no practical mitigation measures can be identified. Therefore, like the Proposed Actions, the Potential CPC Modification Alternative has the potential to result in unavoidable, significant adverse impacts related to archaeological resources and hazardous materials.

### **No Action Alternative**

The No Action Alternative examines environmental conditions that would exist in the future analysis year (2029) without implementation of the Proposed Actions.

#### ***Description of Alternative***

The No Action Alternative assumes that the Proposed Actions are not implemented, and discretionary actions are not undertaken. Conditions under this alternative are the same as the No Action scenario discussed in the preceding chapters. Under the No Action Alternative, no updates to the zoning text or maps would occur, and existing zoning regulations would remain in the areas affected by the Proposed Actions. More specifically, the existing special district regulations would not be modified, and the existing special district and subdistrict boundaries would remain.

Although the No Action Alternative would potentially eliminate the adverse effects of the Proposed Actions, the goals and objectives of the Proposed Actions would not be met, nor would any of the associated benefits be realized. The No Action Alternative would not create a clear and consistent framework for natural resource preservation that balances neighborhood development and ecological goals. More specifically, natural resource preservation best practices would not be codified; special district regulations would not be streamlined to reflect the three principles of prioritizing protection of core habitats, preserving large habitats on private properties, and creating connective corridors for resilient ecosystem; and clear development standards resulting in better and more predictable outcomes would not be established. The No Action Alternative would not

create a streamlined process that allows small properties (less than 1 acre) to apply directly to DOB for permitting while requiring discretionary review for large properties (1 acre or more) and sensitive sites; therefore, a reduction in the number of applications requiring CPC review would not be realized.

As described in **Chapter 1, Project Description**, to assess the possible effects of the Proposed Actions, an RWCDs was developed for the future without the Proposed Actions (No Action scenario), and the future with the Proposed Actions (With Action scenario) for a 10-year period. The RWCDs comprises a range of prototypical analysis sites that were selected for environmental analysis for the No Action and With Action scenarios. The RWCDs includes four prototypical analysis sites that are intended to represent the range of conditions that eliminating certain discretionary actions under the Proposed Actions would affect. Refer to Appendix 2 for detailed descriptions and illustrations of each site's No Action scenario, which are summarized below in **Table 22-1**.

Under the No Action Alternative, each prototypical analysis site is assumed to maximize as-of-right development permitted under the existing zoning. Because the existing special districts include various discretionary actions that are required for certain types of development, those actions are not assumed to be granted in the No Action Alternative. For example, because the alteration or modification of natural features outside the construction zone requires discretionary approval, amenities located outside the construction zone are not assumed to be granted under the as-of-right No Action Alternative. Additionally, under the No Action Alternative, sites within the existing SNAD NA-2 may demonstrate no feasible as-of-right development because any development on a lot containing only steep slopes requires CPC authorization. The No Action Alternative may include Chair or CPC certifications because these actions are considered ministerial in nature. If the site meets the criteria for the certification, it is assumed that the certification would be granted under the No Action Alternative.

In the No Action Alternative, no changes to the current zoning framework or the existing number of as-of-right development sites are expected. Compared to the Proposed Actions, a greater proportion of development sites would require discretionary land use actions (i.e., CPC authorizations and special permits.) Therefore, the No Action Alternative assumes less as-of-right development than the Proposed Actions.

**Table 22-1. No Action Alternative – Prototypical Analysis Sites**

Site	Zoning District	Lot Area (Square Feet)	Development Assumptions	FAR	Building Square Feet	Lot Coverage (%)	Trees
1	R1-2	6,000	2-story, 1-family detached home enlargement	0.5	3,000	25	Removed: 1; Preserved: 3; New: 3; <b>Total: 6</b>
2	R2	4,500	2-story, 1-family detached home	0.5	2,250	25	Removed: 4; Preserved: 5; New: 4; <b>Total: 9</b>
3	R1-1	12,000	Existing conditions (vacant site) to remain	0.0	0	0	Removed: 0; Preserved: 9; New: 0; <b>Total: 9</b>
4	R1-2	8,000	2-story, 1-family detached home	<u>0.5</u>	<u>4,000</u>	30	Removed: 6; Preserved: 2; New: 11; <b>Total: 13</b>

**\* This table has been modified for the FEIS.**

### ***No Action Alternative Compared with The Proposed Actions***

The effects of the No Action Alternative compared with those of the Proposed Actions are provided below.

#### Land Use, Zoning and Public Policy

Like the Proposed Actions, the No Action Alternative would not result in significant, adverse impacts on land use, zoning, or public policy. Changes to the existing zoning or public policy framework within the special district are not anticipated under the No Action Alternative.

By 2029, new residential development and enlargements are estimated to occur at an additional 10.1 percent of NA-2 lots. New development would decrease the supply of vacant land.

As exhibited in **Table 22-1** and in Appendix 2, the No Action Alternative assumes new as-of-right development or enlargements would occur on three of the four prototypical analysis sites, compared to four sites under the Proposed Actions. New buildings and enlargements on the prototypical analysis sites would be constructed to comply with all height, yard, setback, and parking regulations of the underlying zoning district or modifications set forth in the existing special district regulations. The new developments and enlargements are expected to be generally consistent with the uses and densities that are typical of underlying zoning and the special district. While not contemplated under CEQR, property owners are expected to continue to seek discretionary approvals as they do under existing conditions.

#### Socioeconomic Conditions

Similar to the conclusions presented for the Proposed Actions, the No Action Alternative would not result in significant, adverse impacts related to socioeconomic conditions. The development of prototypical analysis sites under the No Action Alternative would not directly displace any residents, businesses, or employees; would not affect real estate market conditions in a way that would result in indirect displacement of residents or businesses; and would not have an adverse effect on a specific industry such as the construction industry or the housing market. Consequently, like the Proposed Actions, the No Action Alternative would not result in direct or indirect residential displacement, direct or indirect business displacement, or adverse effects on a specific industry.

#### Community Facilities and Services

The No Action Alternative, like the Proposed Actions, would not have a significant, adverse impact on community facilities and services. Prototypical analysis sites under the No Action Alternative would not displace or otherwise directly affect community facilities or services, nor would any site result in a net increment of residents that would exceed

thresholds for detailed analysis of public schools, publicly funded childcare facilities, libraries, health care facilities, or police and fire protection services facilities.

#### Open Space

The No Action Alternative, similar to the Proposed Actions, would not result in direct or indirect impacts on open space resources. A review of the prototypical analysis sites indicates that development under the No Action Alternative would not encroach on, cause a loss of, or limit public access to open space; also, it would not introduce residential or worker populations that would exceed the thresholds for a preliminary open space assessment for indirect effects. Thus, the No Action Alternative, similar to the Proposed Actions, would not result in direct or indirect impacts on open space resources.

#### Shadows

Similar to the Proposed Actions, the No Action Alternative would not have a significant, adverse impact on shadows. As-of-right development under the No Action Alternative is expected to affect small, peripheral areas of sunlight-sensitive resources in the immediate vicinity of the prototypical analysis sites. No prototypical analysis sites would introduce new development or enlargements that would result in an incremental height increase of 50 feet or more. Like the Proposed Actions, one site would introduce new buildings adjacent to sunlight-sensitive shadow resources. However, potentially affected resources would continue to receive direct sunlight throughout the day, and no natural resources are expected to be permanently shaded to a degree that would affect public use and enjoyment or plant and animal survival. Similar to the Proposed Actions, the No Action Alternative would not have a significant, adverse shadow impact.

#### Historic and Cultural Resources

The No Action Alternative would not eliminate any discretionary land use actions. The discretionary review processes in the No Action Alternative would require environmental review for certain developments, if warranted. This process would ensure that if archaeological resources were present on a development site, appropriate measures would be taken to disclose and mitigate significant, adverse impacts, if identified. Therefore, the No Action Alternative would not have an adverse effect on potential archaeological resources.

With respect to potential historic architectural resources, privately owned properties that are designated as NYCLs or in New York City Historic Districts are protected under the New York City Landmarks Law and by DOB's TPPN #10/88. Thus, similar to the Proposed Actions, adverse impacts on architectural resources, including construction-related impacts, are not expected.

### Urban Design and Visual Resources

Similar to the Proposed Actions, the No Action Alternative would not result in significant, adverse impacts related to urban design and visual resources. As noted in the 2014 *CEQR Technical Manual*, as-of-right development does not warrant an urban design assessment. Therefore, similar to the Proposed Actions, the No Action Alternative would not have any adverse urban design impacts.

### Natural Resources

Review of the prototypical analysis sites indicates that the No Action Alternative would not directly displace any water resources; wetland resources; upland resources; built resources; or significant, sensitive, or designated resources such that adjacent natural resources would be adversely affected. Therefore, like the Proposed Actions, no adverse impacts on natural resources would occur in the No Action Alternative.

The No Action Alternative would not create a framework for guiding new development in areas with significant natural features that is more protective of those resources than the existing framework. Accordingly, the beneficial natural resource effects expected under the Proposed Actions would not be realized under the No Action Alternative. Anticipated benefits associated with the Proposed Actions include: beneficial effects on water resources as a result of more protective requirements to minimize impacts to and protect and enhance buffer areas; improved wetlands functions (i.e., conveying, storing, and filtering surface water hydrology runoff) as a result of stronger protections that minimize the number and size of hard surfaces in environment surrounding wetland resources; beneficial effects on upland resources as a result of stronger biodiversity and tree preservation regulations; and minimization of disturbance to existing habitat and avoidance of habitat fragmentation as a result of maintaining or enhancing buffers around designated resources.

### Hazardous Materials

The No Action Alternative would preserve discretionary land use actions. Development under the No Action Alternative would proceed similar to existing conditions. The discretionary land use review processes in the No Action Alternative would require environmental review for certain developments, if warranted. This process would ensure that if hazardous materials were present on a development site, appropriate measures would be taken to disclose and mitigate significant, adverse impacts, if identified. The No Action Alternative would not increase ground disturbance relative to the existing conditions. Therefore, significant, adverse impacts related to hazardous materials are not expected.

### Water and Sewer Infrastructure

Similar to the Proposed Actions, the No Action Alternative would not affect water and sewer infrastructure. The relatively modest size of the

as-of-right development anticipated on each of the prototypical analysis sites under the No Action Alternative would be too small to adversely affect water supply and wastewater and stormwater conveyance and treatment. Like the Proposed Actions, the No Action Alternative would not have an adverse impact on water and sewer infrastructure.

#### Energy

Like the Proposed Actions, the No Action Alternative would not result in significant, adverse impacts related to energy. Under the No Action Alternative, prototypical analysis site developments would not be large enough to generate levels of energy significant enough to affect the City's energy systems. Similar to the Proposed Actions, incremental energy consumption under the No Action Alternative would not adversely affect the generation or transmission of energy.

#### Transportation

Like the Proposed Actions, the No Action Alternative would not result in significant, adverse transportation impacts related to traffic, transit, pedestrian, or parking facilities. Similar to the Proposed Actions, prototypical analysis sites would be distributed throughout the western Bronx, and incremental development at each site would not exceed the minimum development densities in Table 16-1 of the *CEQR Technical Manual*. Fewer than 50 peak hour vehicle trips, 200 peak hour subway/rail or bus transit riders, and 200 peak hour pedestrian trips would be generated at any one prototypical analysis site. Therefore, like the Proposed Actions, the No Action Alternative would not have the potential for significant, adverse transportation impacts.

#### Air Quality

Similar to the Proposed Actions, the No Action Alternative Emissions from traffic demand in the study area would increase as a result of background growth, other as-of-right development, and other development projects likely to occur within the affected areas. However, like the Proposed Actions, development densities for each prototypical analysis site would not exceed the thresholds for a mobile source screening assessment.

With respect to stationary sources, development under the No Action Alternative would be as-of-right and is not be expected to result in adverse air quality impacts from emissions related to fossil fuel-fired heat and hot water systems of nearby buildings. Similar to the Proposed Actions, the No Action Alternative would not encourage the development of industrial uses, nor is it expected to introduce new sensitive receptors in or close to existing industrial uses or manufacturing-zoned areas. The No Action Alternative would not result in major or large emissions sources, nor would it result in large-scale development that could be affected by large or major emissions sources. Based on the large and major emissions sources screening analysis completed for the Proposed

Actions, existing large or major emission facilities are unlikely to affect incremental development introduced by the prototypical analysis sites. Therefore, like the Proposed Actions, adverse air quality impacts are not expected under the No Action Alternative.

#### Greenhouse Gas Emissions and Climate Change

Similar to the Proposed Actions, the No Action Alternative would not cause adverse impacts with respect to GHG and climate change. As-of-right development of prototypical analysis sites would not involve energy-intense projects or result in development greater than 350,000 square feet. Therefore, like the Proposed Actions, the No Action Alternative would not result in adverse impacts.

#### Noise

Similar to the Proposed Actions, the No Action Alternative would not result in significant, adverse noise impacts. Like the Proposed Actions, prototypical analysis sites would not generate vehicular traffic increases of 100 percent or more, which is equivalent to a noise level increase of 3 dBA or more. In addition, the No Action Alternative would not increase placement of sensitive receptors near trains, airports, or other mobile source generators. Therefore, adverse noise impacts attributed to mobile sources would not occur. Stationary source noise impacts are expected because it is assumed that rooftop mechanical equipment for all development would be enclosed and comply with New York City Noise Code requirements. Accordingly, similar to the Proposed Actions, adverse noise impacts would not occur under the No Action Alternative.

#### Public Health

Like with the Proposed Actions, the No Action Alternative would not result in significant, adverse impacts related to air quality, water quality, hazardous materials, or noise. Adverse public health impacts are not expected as a result of the No Action Alternative.

#### Neighborhood Character

Similar to the Proposed Actions, the No Action Alternative would not result in significant, adverse impacts on any of the technical areas that contribute to neighborhood character, including land use, socioeconomic conditions, open space, historic and cultural resources, urban design and visual resources, shadows, transportation, and noise. Therefore, like the Proposed Actions, the No Action Alternative would not result in a significant, adverse impact on neighborhood character.

#### Construction

Like the Proposed Actions, construction impacts are unlikely to occur under the No Action Alternative. Construction duration for as-of-right development sites under the No Action Alternative is assumed to be short term (less than two years). Thus, significant, adverse construction

impacts are not expected under the No Action Alternative, similar to the Proposed Actions.

## **No Unmitigated Significant Adverse Impacts Alternative**

The No Unmitigated Significant Adverse Impacts Alternative demonstrates the measures that would need to be taken to eliminate the Proposed Actions' potential unmitigated impacts on archaeological resources and hazardous materials.

### ***Description of Alternative***

The No Unmitigated Significant Adverse Impacts Alternative examines a scenario in which the components of the Proposed Actions are changed specifically to avoid the unmitigated, significant, adverse impacts associated with the Proposed Actions. The potential for unmitigated, significant, adverse impacts is attributed to an increase in ground disturbance at some prototypical analysis sites that may be allowed as-of-right under the Proposed Actions. The Proposed Actions would eliminate certain discretionary review procedures for applicable small sites, which would allow for more development to occur as-of-right and could increase ground disturbance over the No Action scenario. For example, the removal of the required authorization pursuant to ZR 105-422, Authorization of a development, enlargement or site alteration on a Tier II site or portion of a zoning lot having a steep slope or steel slope buffer within the SNAD, would allow for as-of-right development of applicable small sites that otherwise would require CPC or Chair actions.

An increase in as-of-right development and other proposed regulations could lead to increased ground disturbance. For instance, the Proposed Actions would introduce lot coverage restrictions based on ecological subarea, which could allow higher lot coverage than currently permitted. Tree planting and biodiversity area requirements based on ecological subarea are also proposed, which could also allow for greater ground disturbance than currently permitted. Unlike the existing rules, the proposed rules would allow minor disturbances to the critical root zone of the tree beyond the structural root zone. The proposed change would facilitate as-of-right construction of site amenities outside the applicable (i.e., 15 feet or 8 feet) construction buffer by allowing amenities to be located where they would minimally disturb tree critical root zones, which could lead to incremental ground disturbance.

The assessment of prototypical analysis sites indicates that the Proposed Actions could increase ground disturbance on one prototypical analysis site (site 3). This as-of-right development could occur on a site where hazardous materials or archaeological resources may be present. As such, potential adverse impacts with respect to hazardous materials and

archaeological resources cannot be eliminated on this site. Because development resulting from the Proposed Actions on these sites would be as-of-right, the City would not have a mechanism to mitigate such potential adverse effects, and impacts could remain unmitigated. Substantial changes to the Proposed Actions would be necessary to “remove” the applicable regulations that may allow for incremental ground disturbance to eliminate the potential for unmitigated, significant, adverse impacts.

Based the description of prototypical analysis sites presented in Appendix 2, the proposed regulatory changes that may result in incremental ground disturbance over the No Action scenario are summarized in **Table 22-2**.

**Table 22-2. Proposed Regulatory Changes with the Potential to Increase Ground Disturbance**

Prototypical Analysis Site / Proposed SNRD Ecological Area	Ground Disturbance Increment (Percentage)	Primary Reason(s)
3 / Base Protection Area	from 0 to 50	Removal of required authorization pursuant to ZR 105-421, Modification of topographic features on Tier I sites within the SNAD

\* This table has been modified for the FEIS.

Maintaining the required authorization pursuant to ZR 105-421 (Modification of topographic features on Tier I sites within the SNAD) for base protection areas would preclude as-of-right development on prototypical analysis site 3, thereby removing the potential for unmitigated, significant, adverse impacts.

The purpose of the Proposed Actions is to provide a clear and consistent framework for natural resource preservation that balances neighborhood development and ecological goals. The primary objective of the Proposed Actions is to update and refine zoning regulations to strengthen and rationalize natural resource preservation. The update would codify best practices, streamline regulations to reflect updated ecological science, and create clear development standards, all of which would result in better and more predictable outcomes.

To fulfil the Proposed Actions’ purpose requires a comprehensive zoning update that includes numerous interrelated elements that are only effective when implemented collectively. Thus, to effectively achieve the Proposed Actions’ objectives, a multifaceted framework was developed that comprises numerous zoning text amendments and map changes. The proposed zoning changes include removing and modifying required discretionary actions, removing and modifying existing rules and regulations, and introducing new rules and regulations. The proposed changes to rules and regulations depend on each other, such that excluding certain proposed rules or implementing individual zoning

changes, would not fulfill the Proposed Actions' need. To achieve the Proposed Actions' goals would require undertaking the proposed comprehensive package of regulatory changes.

### **Potential CPC Modification Alternative**

In response to comments received during the public review process, the CPC is considering modifications to the Proposed Zoning Text Amendment that seeks to address concerns raised to the CPC. The Potential CPC Modification Alternative examines environmental conditions that would exist in the future analysis year (2029) with the Proposed Actions, as modified by the CPC.

#### **Description of Alternative**

The Potential CPC Modification Alternative would be identical to the Proposed Actions as described in **Chapter 1, Project Description**, with the exception of the changes under consideration by CPC, below:

- (1) **Review Structure:** Include a provision in the special district to require applicants share their DOB SNRD application materials with the Community Board in advance of filing with DOB. This would provide public notice, permit an opportunity for local discussion of detailed SNRD plans, and offer a simpler process for homeowners than is the case under existing regulations.
- (2) **Special Rules for Plan Review Sites:** On sites over an acre, change the permitted size of minor enlargements or site alterations within 15 feet of existing buildings (143-416) that can go directly for DOB approvals. The intent of the modification is to allow for limited improvements around existing buildings such as upgrades to building systems or addition of ramps or second means of egress for buildings to comply with the Americans with Disabilities Act or building code without requiring discretionary review.
- (3) **Bulk Regulations:** Provide discretion to the CPC to combine bulk modifications to produce a site plan that best preserves natural features on large sites (1 acre or more) (143-452a). This would entail removal of this provision in the proposed zoning text, which precludes certain combinations of bulk modifications. Each bulk modification would be limited to the permitted maximum or minimum adjustment as specified in the special district regulations. Applicants seeking the authorization would be required to meet the findings for the modification.
- (4) **Tree and Biodiversity Regulations, Habitat Preservation sites:** Modifications of tree and biodiversity requirements on sites with habitat preservation areas:

- (a) To balance habitat areas and tree requirements, a text change would allow up to 35 percent of tree requirements for the remainder of the lot to be satisfied by the trees located in the habitat preservation area (143-413a).
- (b) To support habitat preservation areas on large subdivided residential lots, a text change would allow a portion of the habitat preservation area located on the same zoning lot as a residence to count toward the biodiversity requirement (143 -413b).
- (5) **Elevated Buildings over Critical Root Zone:** To remain consistent with rules for elevated decks and porches, a text change would allow elevated building or other structure to extend over a critical root zone and not be considered a disturbance (143-133133b).
- (6) **Topographic and Geological Resources:** To meet special conditions and safety needs along the steep slope adjacent to the Metro North line, a text changes would exclude from maximum height restrictions for retaining walls within 300 feet of the right of way of the Metro North line (143-122). By not having a height limit for retaining walls adjacent to Metro North, it will ensure the regulations do not create a safety limitation.
- (7) **Certain clarifications and corrections:** Text clarifications to the following sections to maintain the original intent of the text: 143-02, 143-021; 143-05; 143-10; 143-111; 143-131, 143-134 143-14; 143-251; 143-411;143-413. Remove inapplicable language in the following sections: 143-21 143-27; 143-41, 143-412; 143-415; 143-417; 143-42.

**Potential CPC Modification Alternative Compared with The Proposed Actions**

The Potential CPC Modification Alternative would not substantively change the conclusions presented in the FEIS. The potential changes would not modify the amount or type of development that could occur at the four prototypical analysis sites as compared to the Proposed Action, and therefore, there would be no change to the amount of development, massing or to the uses assumed at these sites. Like the Proposed Actions, the Potential CPC Modification Alternative is not expected to cause a significant change in the overall amount, type, or location of development in the proposed SNRD in Riverdale-Fieldston as compared to the future No-Action condition. The Potential CPC Modification Alternative would not induce development or significantly alter the amount, density, form, or type of new development expected by the build year absent the proposed modifications.

Changes related to the Review Structure and the clarifications and administrative corrections would not alter the analysis presented in the

FEIS. Process changes as they relate to DOB applications are not the subject of this environmental review and would not alter any conclusions. This provision would address concerns raised by the CPC and the public about enforcement of the proposed regulations and community engagement while transitioning to a strict as-of-right framework. Clarifications and corrections would align technical zoning text with the intent of the proposed zoning amendment and remove language only applicable in Staten Island, as the actions relating to Staten Island applicability have been withdrawn. These changes would not substantively change the proposed actions as analyzed for the purposes of environmental review and would not change the analysis or conclusions presented in the FEIS.

Changes related to elevated structures over critical root zones and topographic and geologic resources would be applicable to as-of-right sites in the future, those presented as prototypical analysis sites in the EIS. The potential text change related to elevated buildings being permitted above a tree's critical root zone would not substantively change any of the analysis or prototypes. Floor area and bulk regulations would continue to apply but may be slightly shifted on a site due to this provision. For sites located along the steep slope adjacent to the Metro North line, removing provisions related to retaining wall heights would ensure safety, and would not have substantive changes to urban design or neighborhood character. These changes would not substantively change the proposed actions as analyzed for the purposes of environmental review and would not change the analysis or conclusions presented in the FEIS.

Changes to special rules for Plan Review Sites would modify the threshold for minor enlargement of site alterations at which a Plan Review Site would be exempt from seeking an authorization for development. In the proposed zoning text amendment, Plan Review Sites making minor enlargements under 5,000 square feet of floor area or site alterations not exceeding 10,000 square feet, within 15 feet of existing buildings would be permitted as-of-right. The Potential CPC Modification Alternative would modify the provision to better align with the intent of the regulations. For sites greater than 3 acres, minor enlargements and site alterations would be permitted as-of-right within 15 feet of existing buildings for total hard surface area increases under 2,500 square feet, with an additional 2,500 square feet of hard surface area permitted for compliance with the American's with Disabilities Act or building code. For sites between 1 and 3 acres, minor enlargements or site alterations would be permitted as-of-right within 15 feet of existing buildings for hard surface area under 1,500 square feet, with an additional 1,500 square feet of hard surface area permitted for compliance with the Americans with Disability Act or building code, with floor area not to exceed 3,000 square feet. This change would allow for limited improvements around existing buildings as-of-right and

would not result in substantive changes to the conclusions presented in the FEIS.

Changes to provisions governing bulk modifications and tree and biodiversity on habitat preservation sites would affect regulations applicable to future Plan Review Sites, those analyzed as Conceptual analysis sites in the EIS. As such, each of these future applications would be subject to a separate, future environmental review at the time an application is submitted to DCP. These changes may slightly alter bulk arrangement on Plan Review Sites or alter the number of trees or biodiversity planting on Plan Review Sites with habitat preservation. For example, in Conceptual analysis site 2, these potential changes would allow the site to use trees and plantings within the habitat preservation area to satisfy tree and planting requirements generated for this site. This potential change could result in a reduction to 9 new trees, from 58 new trees and an elimination of additional biodiversity plantings outside of the habitat preservation area. These outcomes would not substantially change the conceptual analysis presented in the FEIS. As stated in the Conceptual Analysis Chapter, future environmental review conducted at the time an application is submitted to DCP would analyze a specific development proposal and would identify any significant adverse impacts.

The Potential CPC Modification Alternative is not expected to substantively change the proposed actions as analyzed through representative prototypes and would not alter the analysis or conclusions presented in the FEIS. This alternative is expected to result in the same significant adverse impacts related to archaeology and hazardous materials, as the Proposed Actions. Given there are no known development sites at this time, no practical mitigation measures can be identified. Therefore, like the Proposed Actions, the Potential CPC Modification Alternative has the potential to result in unavoidable, significant adverse impacts related to archaeological resources and hazardous materials.

## **Conclusion**

This chapter examines three potential alternatives to the Proposed Actions: the No Action Alternative, the No Unmitigated Significant Adverse Impacts Alternative, and the Potential CPC Modification Alternative. The first two alternatives are expected to eliminate the potential for unmitigated, significant, adverse impacts on archaeological resources and hazardous materials that have been identified for the Proposed Actions. However, neither alternative would meet the primary objectives of the Proposed Actions, which include providing a clear and consistent framework for natural resource preservation that balances neighborhood development and ecological goals; and updating and refining zoning regulations to strengthen and rationalize natural resource preservation. The third alternative would seek to better meet the goals

and objectives of the proposal and respond to concerns raised through the public review period. However, the Potential CPC Modification Alternative could result in the same potential significant adverse impacts to archaeological resources and hazardous materials as the Proposed Actions as a result of potential increases in ground disturbance.

Therefore, the analysis concludes that no feasible alternatives are available that would result in no unmitigated impacts and meet the Proposed Actions' goals.

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