28.0 Response to Comments on the Draft Scoping Document and DEIS

A. RESPONSES TO COMMENTS ON DRAFT SCOPING DOCUMENT

Based on the evaluations contained in an Environmental Assessment Statement (EAS) for the Proposed Action, the CPC issued a Positive Declaration on May 20, 2005 establishing the need to prepare an EIS. Simultaneous with the issuance of the Positive Declaration, a Draft Scoping Document was issued detailing the proposed scope and content of the DEIS. A public scoping meeting was held on the Draft Scoping Document on June 28, 2005, during which the public was provided an opportunity to comment on the Draft Scoping Document. A public comment period on the Draft Scoping Document was held open until July 8, 2005. Based on comments received at the public scoping meeting and during the public comment period, a Final Scoping Document was prepared and issued on February 15, 2006.

The comments on the Scoping Document are summarized below, with a response provided beneath each comment. Each comment is followed by a number in parenthesis ( ) referring to the speaker(s) to whom the comment is attributed.

1. Commentators

1. New York Industrial Retention Network (NYIRN)
2. City of New York Department of Parks & Recreation (NYCDPR)
3. Metropolitan Waterfront Alliance (MWA)
4. New York City Department of Transportation (NYCDOT)

SOCIOECONOMIC CONDITIONS

COMMENT #1

This rezoning proposal is a way to foster continued development, waterfront access, and blue-collar job creation in the growing industrial sector of film production. It provides an opportunity to establish a stronger link between the studio and nearby industrial companies, which would help to ensure that the local community can recapture some of the value generated by the new development and extend the positive impacts on the local blue-collar job base. Regardless of the substantial benefits of the project, the EIS should consider the following:

- the impacts of the proposed action on the industrial job base in a one-mile radius from the project site;
- the cumulative impact of all of the recent and forthcoming rezonings (e.g., creation of a new CBD, Hunter's Point, and Dutch Kills) on the industrial job base of greater Long Island City (zip code 11101);
- impacts on industrial businesses and jobs in the adjoining M1-4 district from increased traffic, increased land costs and rents, construction noise and traffic,

increased environmental enforcement because of proximity to hundreds of new residential units, and increased incentives for landlords to keep industrial space off the market in anticipation of future rezoning actions;

- the proposed action's consistency with the Mayor's Industrial Policy;
- specific mitigation measures to offset any potential impacts such as increased funding for the Long Island City Industrial Business Zone; strict monitoring of variance applications in industrial areas of greater Long Island City; restricting non-industrial, as-of-right uses in the adjacent M1-4 zone along the 21st Street corridor north of the bridge and south of the Sunnyside Railyard; adjustments in truck routes to avoid residential-industrial conflicts, and interagency coordination to avoid residential-industrial conflicts.

The NYCDCP should consider what would happen if Silvercup were to abandon this plan or sell the site after approval of the proposed action. Since MX zoning would allow a pure residential/commercial development as-of-right, the option of mandating a certain percentage of the development area for light industrial uses should be explored. (1)

RESPONSE

The impact analyses in the EIS will be done in accordance with the *CEQR Technical Manual*. Any significant impacts will be identified and analyzed, as will any mitigation measures in respect of such impacts.

In accordance with the *CEQR Technical Manual*, three study areas will be used for the assessment of impacts of the indirect effects of the Proposed Action on businesses, including effects related to increased property values and rents. The first study area includes a 12 block area directly east of the Project Site for which a detailed inventory of businesses will be developed. This is the area that would be most vulnerable to potential effects of the Proposed Action. The second encompasses all or portions of six census tracts within ½ mile of the Project Site, including the M1-4 zone along the 21st Street corridor, in which a wide range of construction, manufacturing, wholesale trade, retail trade, transportation, warehousing, information, finance, insurance, real estate, professional services, educational, health and social services, arts and entertainment, and public administration businesses are located. The third encompasses the entire 11101 Zip Code area in which are located over 2,400 firms employing approximately 51,000 people in the year 2004.

Traffic- and construction-related impacts will be analyzed in those respective chapters of the EIS.

The assessment will include an analysis of the consistency of the Proposed Action with the existing and proposed policies of the City Office of Industrial and Manufacturing Businesses, including consistency with the newly created Industrial Business Zone for the Long Island City area.

Light industrial uses are not included as part of the Proposed Action or studied as an alternative since they would not meet the goals and objectives of the Proposed Action, which involve the creation of a mixed-use development centered on a core of film and television studios. Rezoning to permit light industrial uses would be the subject of a separate environmental and land use review.

OPEN SPACE

COMMENT # 2

As shown on the City's bicycle map, there are several recommended bicycle routes in the vicinity of the project site, including an on-street route along Vernon Blvd, a recommended bike route along the Queensbridge alley, and a planned greenway route along the Queensbridge Park waterfront. These proposed routes are all part of NYCDPR's proposed Queens East River North Shore Greenway, a planned 10.6 mile greenway which runs from the Pulaski Bridge in Queens up to Ralph DeMarco Park, then east past La Guardia Airport to the Flushing Bay Esplanade. The NYCDCP's 1993 Greenway Plan for New York City highlights the East River section of the Queens East River and North Shore Greenway as a priority greenway route and the NYCDCP and NYCDPR expect to complete the master plan for the greenway this year. NYCDPR also hopes to incorporate the planned Silvercup West public waterfront esplanade into the proposed greenway, as the long term plan for the greenway includes a continuous waterfront route along the Queens East River shoreline. (2)

RESPONSE

Comment noted.

COMMENT # 3

We are deeply concerned about public access to the waterfront and the quality of the open space adjacent to it. Private property owners everywhere have a poor record of ensuring and maintaining public open space access to the water. We believe that greater public control or ownership of the waterfront may be necessary for the development and maintenance of the waterfront esplanade. (3)

RESPONSE

The Applicant will be required under the terms of the Restrictive Declaration to provide public access to the waterfront. The Applicant will enter into a Maintenance and Operation Agreement with the NYC Department of Parks and Recreation (DPR), to maintain the public access areas in accordance with strict regulations and standards set forth and enforced by DPR. The Applicant will be required to post a bond to ensure that the required waterfront public access areas will be maintained in accordance with these standards.

COMMENT # 4

We believe that forward-looking waterfront planning looks first at the water. For instance, understanding the depth and currents are essential to knowing where to site boating access, water taxi terminals and emergency egresses. Our idea of the parkland should no longer be confined to green space, but should extend into blue. For too long, plans for the water have failed to think about water as a an active space and have closed off opportunities for access. We hope that the Silvercup West plan incorporates innovative and forward looking design along and through its East River waterfront edge. (3)

RESPONSE

Comment noted.

INFRASTRUCTURE

COMMENT #5

Surface runoff and combined sewage outfalls in our rivers is inextricably linked to our practices on land. With an increase in residential units, it is essential to take into consideration infrastructure issues. Plans for the site should seek to minimize the development of impermeable surfaces. We believe that the DEIS and subsequent documents must include a detailed study on CSO's and identify ways to mitigate them. (3)

RESPONSE

The impact of the project on stormwater and CSOs will be addressed in the EIS per the requirements of CEQR.

TRAFFIC AND PARKING

COMMENT #6

Please have the consultant provide the official signal timings. The official signal timings should be used in the analyses. (4)

RESPONSE

A copy of NYCDOT's official signal timings will be submitted as backup material of the EIS. These timings will be used in the analyses unless actual conditions in the field note that different timings are in use or if the on-record timings are being overridden by traffic control agents.

COMMENT #7

Please have the consultant identify corridors for travel time studies. (4)

RESPONSE

Travel time studies will be conducted for the following corridors:

- Vernon Boulevard between 40th Avenue and Borden Avenue
- 43rd Avenue between Vernon Boulevard and Jackson Avenue
- 44th Drive between 5th Street and Jackson Avenue
- 11th Street between Pulaski Bridge and 44th Drive
- 49th Avenue between 5th Street and Skillman Avenue
- Jackson Avenue between Borden Avenue and Queens Boulevard
- Northern Boulevard between Queens Boulevard and 40th Avenue
- Queens Plaza South between Jackson Avenue and Crescent Street
- Queens Plaza North between Northern Boulevard and Crescent Street
- Queen Plaza Mainline between Jackson Avenue and Crescent Street
- Queens Boulevard between Jackson Avenue and Van Dam Street
- Van Dam Street between Skillman Avenue and Bradley Avenue
- Thomson Avenue between 30th Street and 34th Street
- Queens Midtown Expressway between Greenpoint Avenue and 30th Street

COMMENT #8
Please have the consultant provide detailed travel demand assumptions used in developing the "Trip Generation Summary Table" (Table 4). (4)

RESPONSE
A trip generation technical memorandum and summary tables were prepared and submitted to NYCDCP as part of scoping and approved for use in the traffic and transit studies. This information will be presented in the EIS.

COMMENT #9
Please have the consultant provide justification for the peak hours identified.

RESPONSE
The determination of peak traffic analysis hours was developed in consultation with NYCDCP as part of project scoping. NYCDCP approved the hours analyzed.

COMMENT #10
Please have the consultant provide detailed trip assignment maps for the proposed project to determine appropriate intersections for traffic analysis.

RESPONSE
Detailed trip assignment maps were prepared, submitted, and approved by NYCDCP as part of scoping.

COMMENT #11
Please have the consultant provide more details related to the redesigned 43rd Avenue and the proposed open space on the City-owned property at the end of 43rd Avenue, including detailed schematics, as well as who will be responsible for the design, construction and maintenance. (4)

RESPONSE
The Applicant will confer with NYCDOT with respect to the design of 43rd Avenue.

COMMENT #12
Please provide details related to the proposed curb cuts, shown on the proposed site plan (Figure 1E), such as the width of each curb cut and their distance from the nearest intersection. Additionally, instead of two parking entrances/exits, we recommend maintaining one driveway for the entrance and one driveway for the exit. (4)

RESPONSE
Site plan details will be provided in the EIS. The design includes two driveways, which are analyzed in the EIS. Both driveways as developed by the project architects would allow for both ingress and egress. If traffic impacts are identified that are related to vehicle ingress and egress from the parking garage, alternative driveway configurations will be considered.

COMMENT #13
Please have the consultant indicate the number of parking spaces designated for each use (i.e., retail, residential, catering facility, etc.), and determine the adequacy of the proposed parking to accommodate the demand of each use. (4)

RESPONSE
The Traffic and Parking analyses in the EIS will delineate the number of parking spaces by land use, along with the utilization of spaces for each use.

TRANSIT AND PEDESTRIANS

COMMENT #14
With a proposed 1,000 units of residential housing and proposed increase of 2,000 jobs to the community; extension of the bus lines 19A, 67 and 39 and water transportation options need to be explored. (3)

RESPONSE
The effects of the Project on relevant transit systems will be assessed in the EIS per the requirements of CEQR. Potentially affected bus lines will be identified and analyzed. Extension of bus lines would be a decision made by MTA/NYCT once the Project is operational and the agency can gauge the amount of use that such route extensions may potentially have. Given the proximity of the Project Site to a number of bus and subway lines, it is not anticipated that water transportation would be essential to provide adequate access to the Project Site. If the EIS analysis reveals the potential for significant adverse impacts on the transit system that could not be mitigated with reasonable transit improvements, water transportation may be explored as an alternative measure.

COMMENT #15
The Transit and Pedestrian chapter should include an assessment of proposed and existing on-street bicycle lanes as part of the City's bicycle network. (2)

RESPONSE
There are no existing on-street bicycle routes in the Study Area. However, a number of roadways are being considered as potential bicycle routes in the area. Vernon Boulevard could be a possible Class 3 bicycle route as part of the East River-North Shore Greenway Plan. Other routes could include sections of 11th, 28th, 29th Streets, Borden Avenue, and Queens Plaza North and South. As per conversations with DCP in early 2006, these are potential routes but have not been confirmed or finalized, and therefore impacts on such possible routes will not be analyzed in the EIS.

B. RESPONSES TO COMMENTS ON DEIS

In accordance with CEQR requirements, a public hearing was held on May 24, 2006 at 10 AM in Spector Hall at the New York City Department of City Planning. Comments on the DEIS for the proposed project were received at the hearing, and for a 10-day period following the public hearing until June 5, 2006.

This chapter identifies the commentators on the DEIS, summarizes the comments and provides responses. The individuals who attended the public hearing and provided oral and/or written

comments, as well as those whose written comments were received following the hearing, are listed below. Each of these commentators is assigned a number.

The comments on the DEIS are summarized below, with a response provided beneath each comment. Similar comments are grouped together and may be attributed to more than one speaker. Each comment is followed by a number in parenthesis ( ) referring to the speaker(s) to whom the comment is attributed.

1. Commentators

a) Commentators at the Public Hearing, May 24, 2006

1. Margaret Chin, Deputy Executive Director of Asian Americans for Equality*
2. Lisa Deller, Chair of Land Use Committee for Community Board 2 in Queens*
3. Jonathan Furlong, Advocacy Associate for Habitat for Humanity New York City*
4. Devon Bertram, representing Earth Pledge*
5. Russell Hollander, Eastern Executive Director of Directors Guild of America*
6. Marnie McGregor, representing Pratt Center for Community Development*
7. Monty Mitchell, architect, resident of Long Island City, and member of Long Island City Interblock Association*
8. R. Lea Singer, resident of Astoria and Community Information Specialist of the Rivka Network*
9. Michael Slattery, Senior Vice-President of the Real Estate Board of New York, reading statement of Steven Spinola, President*
10. Joel Shapiro, Long Island City resident*
11. Lisa Gomez, City Planning Commission
12. Amanda Burden, Chair of the City Planning Commission
13. Karen Phillips, City Planning Commission
14. Christopher Kui, City Planning Commission
15. Kenneth Knuckles, City Planning Commission
16. Angela Cavaluzzi, City Planning Commission
17. Angela Battaglia, City Planning Commission
18. Dolly Williams, City Planning Commission
19. Pat O'Brien, Queens Community Board #2
20. Steven Cooper, Queens Community Board #2
21. Claire Doyle, ARROW
22. Irwin Cantor, City Planning Commission
23. Eric Bard, Long Island City Community Boathouse
24. Joseph Conley, Community Board #2
25. Timothy Duvall, The Foundry
26. William Egan, Executive Vice President of the Queens Chamber of Commerce
27. Alberto Rios, Silvercup Studio employee
28. Keith Gulliner, Wit's End
29. Matt Dienstag, LeNoble Lumber Co., Inc.
30. Reverend Ronald Hamlin, reading statement of Reverence Mitchell Taylor, East River Development Alliance
31. Reverend Bobby Moore, Senior Pastor at Astoria Baptist Church
32. Carl Sturges, Michael Schrom & Co.
33. Jane Gol, City Planning Commission

* Written testimony provided at hearing (see Attachment 2: DEIS Written Comments)

b) Commentators who Submitted Written Comments Subsequent to the Public Hearing (see Attachment 2: DEIS Written Comments)

34. Tracey Lall, local resident
35. Fredric Bell, Executive Director of AIA New York Chapter, and William Gati, President of AIA Queens Chapter

PROJECT DESCRIPTION

COMMENT #1

The Department of City Planning, along with Community Boards #1 and #2, the Long Island City Business Development Corporation and the Metropolitan Waterfront Alliance should host an informational meeting for the residents of Astoria-Long Island City so that they are made aware of the status of every plot of property on the waterfront, and so that the City can hear community concerns about housing and open space. The community has not received timely information on the development of the project or had the opportunity to participate in the planning process. (8)

RESPONSE

In accordance with the City's Uniform Land Use Review Process and City Environmental Quality Review, the Project has been the subject of public hearings before Queens Community Board 2, the Queens Borough President, and the City Planning Commission, at which members of the public have had the opportunity to express their opinions concerning all aspects of the Project. In accordance with these procedures, the draft and final scoping documents and the DEIS for the Project have been made available for public review.

In addition to these required hearings, the Applicant has presented the proposed project to a wide range of local civic, religious, and tenant organizations, including the following: the Queensbridge Tenants Association; key local clergy leaders at Friendship Baptist Church, representatives of the Ravenswood, Woodside and Astoria Tenants Associations, the Queens NAACP and the Friends of Queensbridge Park.

Although the Project Site is located in Community District 2, in recognition of the Project's proximity to Community District 1, the project team made a full presentation to the District Cabinet of Community Board 1. The Project and in particular its landscape plan were also presented to a coalition of Astoria and Long Island City open space advocates.

COMMENT #2

Commentators expressed appreciation for the community facility and open space included in the project design. (6) (7)

RESPONSE

Comment noted.

COMMENT # 3
The proposed state-of-the-art, mixed-use facility will catapult New York City as the premier city in the U.S. for all television and film production for the next 20 years. The project will be enhanced by new commercial space, recreational and open space, and housing, thus enhancing the City's reputation as a great place to live and work. (1)

RESPONSE
Comment noted.

COMMENT # 4
The project will benefit neighboring residents through its $26 million investment in two acres of publicly accessible open space, including a waterfront esplanade. Developers will also be doing remediation and restoring a landmarked building. (9)

RESPONSE
Comment noted.

COMMENT # 5
This project plan is consistent with the Bloomberg Administration's overall, five-borough economic development strategy. (9)

RESPONSE
Comment noted.

COMMENT # 6
The project will bring more film and television productions to the City. This supports economic viability for New York City as a whole, and particularly local businesses that support the production industry. (5) (28) (29) (32)

RESPONSE
Comment noted.

COMMENT # 7
One Commentator supported the project because it will make Queens a destination to visit. (26)

RESPONSE
Comment noted.

COMMENT # 8
One commentator asked how many square feet of production space are in New York City. (33)

RESPONSE
The film production deficiency in New York relates to studio space larger than 6,000 SF. There are 36 sound stages having this minimum critical sound stage size. The total square footage of these

sound stages is 440,029 square feet. The Silvercup West project would add eight sound stages, each with 18,000 square feet.

COMMENT #9
The project should aim for LEED certification. (4) (23)

RESPONSE
The Applicant has stated that it intends to seek Leadership in Energy and Environmental Design (LEED) certification for the Project.

COMMENT #10
Commentators were interested in the presence of a school for film industry, a community facility, and other cultural initiatives at the project site. (2) (18)

RESPONSE
The preferred development program reserves approximately 126,000 gsf for community facility use. The Applicant is in the process of looking for a tenant or tenants for this space.

LAND USE, ZONING AND PUBLIC POLICY

COMMENT #11
The Silvercup project as proposed requires allowances in zoning. The surrounding area will remain light industrial. Aside from being unfair to adjacent property owners, this sort of spot zoning prohibits balanced commensurate growth. (8) (10)

RESPONSE
Spot zoning is defined as a change in zoning which does not reflect a community's comprehensive plan or is not based on community-wide considerations. As described in Chapter 2, "Land Use, Zoning and Public Policy", the proposed amendment of the zoning map along the East River waterfront to a special mixed use district is consistent with decades long land use trends in Long Island City, and the City's long-stated policy of supporting zoning changes along the Hunters Point East River waterfront to allow for a mix of uses.

COMMENT #12
A commentator urged the City Planning Commission to extend the mixed-use district to the other side of Vernon Boulevard so as to encourage the mix of artists, manufacturing and residential uses currently developing, and in so doing, helping to prevent the possible proliferation of big-box retail. (7)

RESPONSE
Comment noted. The application currently under consideration concerns only the Project Site. The potential rezoning of areas beyond the Project Site is outside the scope of the DEIS.

COMMENT #13
Concern was expressed about the application of an R10 zoning district in Queens. Furthermore, it was suggested that since the development is not using the full FAR of the R10 district, classification as an R9 would be more appropriate. (7) (22)

RESPONSE
As detailed in the DEIS, the proposed development's FAR would be defined by the restrictive declaration regardless of whether the R9 or R10 zoning district were applied. The R10 district would encompass the development needs without exceeding the FAR. Rezoning the site as an R9 district would not permit the development of the FAR proposed, as the project has an overall FAR of approximately 7.9, whereas the maximum FAR allowed in an R9 district on a waterfront lot is 7.52.

COMMENT #14
A commentator requested clarification about whether the project would be built in phases or in a single effort. (11)

RESPONSE
As explained in the DEIS in Chapter 19, "Construction Impacts," the project would be constructed over a three-year period as a single-phase development.

COMMENT #15
The proposed design of Silvercup West is both elegant and functional, and will serve as a visual gateway to and from the Borough of Queens. The proposed mixed-use space is to be commended for bringing 24-hour utilization and helping to realize the economic potential of Long Island City. (9) (35)

RESPONSE
Comment noted.

COMMENT #16
One commentator asked how Silvercup West will fit into the greater Waterfront Revitalization Plan and waterfront development on the Queens East River. (8)

RESPONSE
Silvercup West would redevelop an underutilized section of the Northern Hunters Point waterfront, consistent with the policies included in the *Citywide Comprehensive Waterfront Plan,* the *Northern Hunters Point Study*, the Waterfront Access Plan, and the NYCDCP *Strategic Plan* (2005), particularly those related to waterfront access. View corridors, likewise, would be realized by the Proposed Action, consistent with plans and policies included in the *Citywide Comprehensive Waterfront Plan*.

The Proposed Action would support the City's efforts to redevelop the Long Island City waterfront, and would provide additional housing, open space and public access to the East River. The Proposed Action includes a 500-foot-long Esplanade along the East River. As required by the Northern Hunters Point WAP, the Esplanade would connect with an Upland Connection and Visual Corridor along the northern boundary of the Project Site.

SOCIOECONOMIC CONDITIONS

COMMENT #17

The M1-5/R10 district the developers are proposing would include the standard inclusionary zoning features of R10. However, as we have seen in recent rezonings, this is not the appropriate model when an entire new community is being created. Under the standard R10 program, with its 4 to 1 ratio of market-rate units to affordable units, and a bonus up to a residential FAR of 12, the Silvercup West project would include only 40 units of affordable housing, and it would require increasing the residential FAR and heights even further than what is proposed. (6)

RESPONSE

The basis for the comment is incorrect. The rezoning of the Project Site would not include any inclusionary housing requirements. As detailed in the DEIS, the Proposed Action would not result in significant adverse impacts related to the direct or indirect displacement of residents in Long Island City. The current inventory of affordable housing units in the area would not be affected by the Proposed Action. The analyses in the EIS did not identify any significant adverse impacts that would require the provision of affordable housing. In addition, the inclusion of affordable housing on site is not consistent with the goals and objectives of the Project. The Applicant has stated that the proposed market rate housing is needed to subsidize the capital costs of the studio portion of the Project, and that the reduction in the number of market units that would result from building affordable housing on site would negatively affect the economic viability of the Project.

Further, the construction costs of building affordable units within the proposed high rise building would be significant. Information respecting the foregoing has been provided by the Applicant and is on file with the Department of City Planning.

The Applicant is considering the development of affordable housing off site. Any such development would be independent of the Proposed Action. If and when a development plan is proposed, and a location(s) chosen, it would be subject to independent environmental review, in the event there are any discretionary actions associated with it.

COMMENT #18

Several commentators were concerned about the development providing long-term jobs for the community and hiring locally. (2) (14) (15) (16)

RESPONSE

The DEIS did not identify any significant impacts related to displacement of businesses that the provision of new jobs would serve to mitigate. It is anticipated that the Proposed Action would result in the creation of numerous new jobs relating to the various uses proposed. While not part of the Project under review, Silvercup Studios has historically contributed to programs offering community outreach for job training programs and has hired local residents itself. The film productions that rent space in Silvercup Studios, and would rent space in the Project, employ the services of local businesses, which in turn hire local residents. Testimony at the public hearing from LeNoble Lumber Co. and the East River Development Alliance attests to this.

COMMENT #19
The project should offer job training and/or job outreach programs, particularly for veterans at the Borden Avenue Veteran's Shelter and residents of Queensbridge Houses. (2) (15) (16)

RESPONSE
The DEIS did not identify any significant adverse impacts related to displacement of businesses that the provision of new jobs would serve to mitigate. It is anticipated that the Proposed Action would result in the creation of numerous new jobs relating to the various uses proposed. While not part of the Project under review, Silvercup Studios, as evidenced by its historic efforts, is committed to meeting the needs of the community through its contribution to job outreach programs. The East River Development Alliance provided testimony at the public hearing that it is currently in discussions with Silvercup to fund programs relating to job training and outreach for members of the neighboring community, including residents of Queensbridge Houses.

COMMENT #20
The proposed project will provide thousands of construction and permanent jobs, generate millions of dollars in tax revenue, and create new housing. It will bring 2,300 jobs during construction and 3,900 permanent jobs to the community, and developers will design a job training program. (9)

RESPONSE
Comment noted. The DEIS did not make specific predictions concerning the number of jobs that would be created as a result of the Proposed Action.

COMMENT #21
The mixed-use nature of the project and the number of jobs that will be created will serve as a model for combining job creation and residential development in the future. (6)

RESPONSE
Comment noted.

COMMENT #22
The project will create jobs, allowing employees to make better incomes. (27)

RESPONSE
Comment noted.

COMMENT #23
The development will have positive impacts on the Queensbridge Houses by erasing imaginary lines between the two areas. (31)

RESPONSE
Comment noted.

COMMENT #24
Silvercup Studios has shown a commitment to the East River Development Alliance (ERDA) and the neighborhood surrounding the project site. ERDA is currently in discussions with Silvercup to fund programs relating to job training and outreach. (30)

RESPONSE
Comment noted.

COMMENT #25
The project is flawed because of a lack of affordable housing. It will only be for the affluent. Inclusion of affordable housing in this development is important because it will set a precedent for other development sites on the Queens waterfront.
(1) (2) (3) (6) (8) (14) (15) (20) (22) (24) (35)

RESPONSE
The analyses in the EIS did not identify any significant adverse impacts that would require the provision of affordable housing. In addition, the inclusion of affordable housing on site is not consistent with the goals and objectives of the Project. The Applicant has stated that the proposed market rate housing is needed to subsidize the capital costs of the studio portion of the Project, and that the reduction in the number of market units that would result from building affordable housing on site would negatively affect the economic viability of the Project. Further, the construction costs of building affordable units within the proposed high rise building would be significant. Information respecting the foregoing has been provided by the Applicant and is on file with the Department of City Planning.

The Applicant is considering the development of affordable housing off site. Any such development would be independent of the Proposed Action. If and when a development plan is proposed, and a location(s) chosen, it would be subject to independent environmental review, in the event there are any discretionary actions associated with it.

COMMENT #26
Affordable housing should not be achieved by an increase in density over that currently proposed for the project. Perhaps the space now programmed for community facility use could be used for affordable housing instead. (24)

RESPONSE
Please see the response to Comment #25. Use of the space currently programmed for the community facility for the provision of affordable housing would not be consistent with the goals and objectives of the Project Sponsor, because the floorplate of the proposed community facility, with a large amount of interior space, cannot be configured for residential space.

COMMENT #27
The conditions of the Community Board's recommendation to approve the project relating to affordable housing were as follows:

"The developer will agree to include affordable housing at the project as follows:

- 10% of the 1,000 residential units in the approved residential tower will be set at "affordable rent" for residents [at or below 80% of the median income],
- In the event the office building and/or community facility are not built and additional residential units are constructed, 20% of the units will be set at "affordable rent" for residents [at or below 80% of the median income]
- In the event the developer deems it is not feasible to include these affordable units in the approved residential tower, the developer will construct no less than 100 affordable housing units at an alternate location, within the Community Board 2 area." (2) (3) (6) (8)

RESPONSE
Please see the response to Comment #25.

COMMENT #28
The project should use inclusionary zoning tools and the City Planning Commission should ensure that at least 20% of the housing units created are affordable housing. (1) (3) (6) (8)

RESPONSE
Please see the response to Comment #25.

COMMENT #29
To have an open waterfront, development along it needs to make people feel comfortable. Without affordable housing, this area of Queens is going to become a ghetto of the affluent. If the Applicant cannot afford to provide affordable housing, the City should pay for it. Community Board 2 favors middle income housing because that is the population being displaced. (20)

RESPONSE
Please see the responses to Comment #25.

COMMENT #30

There should be an as-of-right base which would allow the project to include approximately 700,000 square feet of residential development. Then, there should be a 33% density bonus available—which would allow the project to rise to the proposed 936,381 square feet of residential development—if the project includes at least 20% affordable units affordable to residents earning up to 80% of the area median income (approximately $56,200 for a family of 4). As in other rezonings, the units could be provided on-site or off-site, within a ½-mile radius or in Community Board 2. This should apply to any residential development built on site—to both the South Complex where 1,000 residential units are currently proposed, and to any additional residential development that would be built. (6)

RESPONSE

Please see the responses to Comment #25. As stated, the full proposed density of market rate housing is needed to subsidize the capital costs of the studio space..

COMMENT #31

Commentators were interested in whether the developer has sought subsidies for the project including a 421 A tax incentive. (6) (17)

RESPONSE

The Applicant has not applied for any tax incentives or subsidies relating to affordable housing, including the 421 A program, which is available to all newly constructed multifamily housing constructed in Queens that meets program criteria. The Applicant has applied to the New York State Brownfield Cleanup Program, which awards tax credits for remediation and redevelopment of contaminated properties.

OPEN SPACE

COMMENT #32

The project, as an example of waterfront zoning opening access to the waterfront, could be enhanced by the removal of the Department of Transportation salt pile and linking to Queensbridge Park by extending the parkland under the 59th Street Bridge. Public access should be supported by the greatest amount of public use on the multiple levels. (35)

RESPONSE

The salt pile would be removed as a result of the proposed action. Furthermore, the Esplanade component of the Proposed Action would be designed to permit a future extension of the walkway under the Queensboro Bridge, to Queensbridge Park. Public open space to be provided by the Proposed Action would not be limited to the Esplanade. As described more fully in the Chapter 1 of the DEIS, the project includes public open space on an elevated public overlook at the western façade of the Core Complex. Additional public open space is located at Terra Cotta Plaza and at Vernon/43rd Plaza.

COMMENT #33
The development could strain the use of Queensbridge Park, therefore another park should be developed in the area. (21)

RESPONSE
As detailed in the DEIS, the Proposed Action would not result in significant adverse direct or indirect impacts to open space resources. The Project would enhance some of the existing open spaces by providing waterfront access that would otherwise be unavailable at the site.

COMMENT #34
The Esplanade should use permeable surfaces and native plantings. (23)

RESPONSE
The surfaces that will be provided on the proposed Esplanade conform to the requirements promulgated by the City for shore public walkways pursuant to Waterfront Zoning in the New York City Zoning Resolution (Section 62-676 of the Zoning Resolution) and the requirements of the American with Disabilities Act (ADA). Plant species conform to the requirements contained in Appendix A of Waterfront Zoning, (Section 62-00 ZR). Native plants will be used where possible, including certain trees and groundcovers.

TRAFFIC AND PARKING

COMMENT #35
More concern needs to be taken to reduce congestion from the exiting of trucks across the easement to Astoria Park to prevent congestion. (7)

RESPONSE
Comment noted. It is not within the scope of the Project to reduce any existing congestion that might exist. Traffic capacity improvements identified as mitigation for the proposed project would be able to fully mitigate adverse impacts of the project, including the access and egress of all vehicular traffic, including truck traffic, at the project site and at other locations analyzed in the traffic study area.

COMMENT #36
A commentator said that attention was not being paid to traffic on Vernon Boulevard. (25)

RESPONSE
The traffic studies conducted within the EIS address five key intersections along the Vernon Boulevard corridor, including key intersections at Borden Avenue, 44th Avenue , 43rd Avenue, Queens Plaza South, 41st Avenue, the access/egress locations to the project site, and others. As detailed in the DEIS, significant adverse impacts were identified for a number of locations along Vernon Boulevard, and mitigation measures have been identified that would fully mitigate these impacts.

COMMENT #37
The waterfront esplanade should be widened to include bike paths. Alternate methods of getting to the site, such as ferries and bikes, should be incorporated into the waterfront access plan. (7)

RESPONSE
The width of the waterfront esplanade for almost 50 percent of its length is more than twice the required dimension of 40 feet. The northern and southern "bosque" areas are almost 90 feet in width. Bicycle racks are located at the Upland Connection and at the foot of 43rd Avenue, to encourage visitors to bike to the Esplanade.

It is impossible to further increase the width of the waterfront esplanade, due to the dimensional requirements of a state of the art movie or television production studio. In today's marketplace, a new sound stage must be at least 110 feet wide to accommodate sets that are 100-feet wide, the typical width for many feature film sets, with a fire walkway on either side. Proportionally, studios must be built at a ratio of at least 2:3 in width to length. Thus, a 110-foot-wide stage would have to be at least 165 feet in length, though a bit longer is preferable to accommodate multiple sets laid out in a row. These are the dimensions of Silvercup West's proposed sound stages. In addition, industry standards require support spaces and areas for movement of scenery to be placed along side of the sound stages themselves, resulting in the width of the Core Complex as designed. The dimensional constraints of the Project Site do not allow for the provision of the needed structural width and an esplanade any wider than that proposed.

This spring, the Department of Parks and Recreation in conjunction with the Department of City Planning and Department of Transportation, issued its Draft Bikeway and Greenway plan for western Queens. The north-south bikeway in the Northern Hunters Point area is along Vernon Boulevard. Thus, the proposed design of the shore public walkway is consistent with current City policy.

As described in the DEIS, the Project Site is in close proximity to a number of subway and bus lines. Therefore the Site is sufficiently accessible via public transportation without the provision of ferry service. It is unknown whether a single project at this site could support a ferry operation.

TRANSIT AND PEDESTRIANS

COMMENT #38
It appears that, given that the 21st Queensbridge F subway line is the closest to the project, it would be possible to create a new entrance to this station on the west side of Vernon Boulevard (i.e., in Queensbridge Park). The F train platform extends from 14th St to around 12th St., so it would be conceivable to run an underground passageway to this location, and, given the existing electrical substations at this location in the park, it would not unduly affect the park's aesthetics.

This would allow safe pedestrian passage from the subway, and, by providing a subway entrance close to the project, would greatly encourage the use of public transport amongst workers and residents. (34)

RESPONSE
As detailed in the DEIS, the project site is within a reasonable walking distance of a number of existing subway lines, and the Proposed Action would not result in a significant adverse impact related to pedestrian movements at, to or from any subway stations.

NATURAL RESOURCES

COMMENT #39

The developer should consult with the Audubon Society regarding ways to avoid impacts on migratory birds. (23)

RESPONSE

The Project Sponsor has stated that it will consider the measures identified by the New York City Audubon Society as part of its "Project Safe Life" initiative to reduce the potential for bird strikes, including during bird migratory seasons.

URBAN DESIGN / VISUAL RESOURCES

COMMENT #40

More retail needs to be located along the Vernon Boulevard side to mitigate the impact of the frontage of the parking garage on Vernon Boulevard. (7)

RESPONSE

The Urban Design chapter of the DEIS concluded that the Proposed Action would not result in significant adverse impacts on urban design conditions. The parking garage will be entirely located within the body of the building and be wrapped on all four sides by active ground floor uses. The only visible evidence of the accessory parking garage will be at the two entrance/egress locations on Vernon Boulevard. The garage design would not result in significant adverse impacts on urban design or visual resources and would not require mitigation. Moreover, the Vernon Boulevard frontage of the building will be developed with a series of different uses that are intended to activate the streetscape and link the project to the adjacent neighborhood. Going from north to south along the Vernon Boulevard frontage, the building will provide the following ground level uses: the entrance to the office tower and community facility complex, the entrance to the catering facility, the entrance to Silvercup Studios, retail store frontage, and the entrance to a residential tower. In addition, although not part of the Proposed Action, the Applicant has received approval from the Landmarks Preservation Commission to restore the New York Architectural Terra Cotta Company building on Vernon Boulevard for future reuse, possibly cultural or commercial. The need for these entrances, and the area taken up by the New York Architectural Terra Cotta building do not leave room for any more retail on this frontage.

COMMENT #41

The commercial tower should be set back further above 85 feet to reduce the impact of the bulk on the adjoining 59th Street Bridge tower and Queensbridge Park. Also, the base height is too high and should be set back. (7) (10)

RESPONSE

As indicated in the DEIS, the Proposed Action would not cause a significant adverse impact on urban design or on important views, including views of the Queensboro Bridge or Queensbridge Park. It would also not create a significant adverse impact on the Queensboro Bridge in terms of context or prominence. The arrangement of the towers, with their varying heights, is intended to accentuate the catenary arch of the bridge, and the use of x-bracing on the exterior of the towers, which the Applicant intends to incorporate into the project design, would reflect similar structural forms within the bridge. Setbacks are not needed to mitigate impacts arising from the bulk of the structure.

Moreover, inclusion of the requested setbacks would not meet the goals and objectives of the Applicant. Such setbacks would preclude the achievement of the straight vertical architectural design chosen for the commercial tower, which is intended to contribute to the visual experience of a "bold gateway" around the Queensboro Bridge approach into Queens.

The studio space, which comprises the base of the proposed structure, is designed to meet industry standards for height, width, length, and the provision of support spaces in accessible locations. Because the proposed project includes two layers of four studios each stacked on top of one another, which must all meet these minimum industry requirements, a set back within the base or a decrease in height would prevent the development from meeting the goals and objectives of the Applicant.

COMMENT #42

Concern was expressed about the bulk and scale of the development, and that it would act as a precedent for over-development of the Queens waterfront. Commentators also objected to the increase in density at this location. (7) (13) (19)

RESPONSE

The City has a long-stated policy of supporting zoning changes along the Hunters Point East River waterfront; however, the proposed project was analyzed and evaluated solely on its own merits. Any future zoning changes proposed for other locations on the Queens waterfront would be similarly evaluated on their own merits. Although the DEIS identified significant adverse impacts for traffic and bus service resulting from the proposed density, mitigation was identified for these impacts. The DEIS did not identify any significant adverse impacts related to the physical bulk and scale of the Project, such as impacts on urban design or visual resources, or impacts from shadows.

This location provides an opportunity to provide a "gateway to Queens" from the vantage of the Queensboro Bridge as well as a corridor to the East River waterfront. The proposed development would provide substantial uses that would complement uses and trends in the area, such as the studios, the catering hall, the community facility, the offices, and the waterfront esplanade.

COMMENT #43

The commentator requested an explanation of the purpose of the "pot-like" structures in the landscape plans. (10)

RESPONSE

It is unclear as to precisely which "pot-like" structures in the landscape plans are referred to by this commentator. There are three structures that could be characterized as "pot-like:" (1) the decorative air vents placed at several locations, including within Vernon/43rd Plaza; (2) the Upland Connection bollards, the design of which is inspired by the terra cotta chimney pots once manufactured on the Site and (3) the large round seating structures also inspired by turn-of-the-century terra cotta friezes, which are located at the end of 43rd Avenue.

COMMENT #44
One commentator questioned whether the architectural aesthetics can be maintained if economics dictate that the structure be concrete. (22)

RESPONSE
As detailed in the DEIS, the proposed bulk and building envelope would not result in significant adverse impacts related to urban design. The types of building materials, which would not be defined by the approvals being sought, were not considered in that analysis. However, it is the Applicant's belief that the design vision as currently planned for the Proposed Action can be achieved if the structure is developed with concrete. The Applicant has stated that it is committed to developing a project with a high quality design.

COMMENT #45
A commentator at the public hearing requested a diagram of the Vernon Boulevard elevation. (12)

RESPONSE
The requested information is provided in the DEIS (Figure 1-7D).

COMMENT #46
The scale of the project as proposed would impact the quality of light and historic views of the bridge and the Manhattan skyline. The DEIS (ES-44) states, "*To ensure the economic viability of the Proposed Action, the residential and commercial towers must provide a maximum amount of uninterrupted views of the East River, the Manhattan skyline and the historic Queensboro Bridge*." This will occur at the expense of adjacent property owners. Essentially Vernon Boulevard will become a 117+ foot canyon wall flanked by peaks to the south and adjacent to and obscuring the bridge. More importantly, the density of the project will alter one's perception of Manhattan as approached via the bridge. It will homogenize both sides of the River. (10)

RESPONSE
As detailed in the DEIS, the Proposed Action would not result in a significant adverse impact on urban design, important public views or significant historic resources. Instead, it would provide a new gateway to Queens and the Long Island City neighborhood. The Queensboro Bridge would remain a prominent feature of the riverscape, with the lowest tower of the Project (stepping up from 429 feet tall on the western edge to 537.5 feet tall on the eastern edge) sited 100 feet away from the bridge, and the tallest proposed tower (600 feet tall) located on the southern portion of the site, 500 feet away. The new public access to the waterfront that would be created as part of the Proposed Action would provide new views of the bridge not previously available.

The nearest Project tower would be located about 100 feet south of the Queensboro Bridge, a distance slightly greater than the width of an average city street, and comparable to the distance between the western end of the Queensboro Bridge and the high-rise structures in Manhattan. However, the resulting urban form and streetscape in Queens would be significantly different from that in Manhattan and would not directly mimic urban design conditions in Manhattan, as the high rise landscape would not be continued upland of the Project Site, where industrial business zones are intended to be established, or to its north, where Queensbridge Park and the Ravenswood Power Plant are located.

COMMENT #47
The design of the proposed project follows with historic architecture of the area, and the location of the Silvercup sign on the waterfront keeps with the historic use of waterfront signs on manufacturing areas. (7)

RESPONSE
Comment noted.

COMMENT #48
The project should limit its signage. (2)

RESPONSE
The proposed Silvercup sign is intended to be a reference to the area's history and a statement about its future as a center of the film industry.

As discussed in the DEIS, the sign would be in keeping with the rooftop signage that has historically characterized Long Island City. The red, illuminated Silvercup Studios sign on the Main Lot, originally advertising Silvercup Bread, has stood since 1952 as a familiar icon to New Yorkers, now symbolizing Long Island City and its vibrant creative community.

The visibility of the existing signs has long served to identify Long Island City from Manhattan and other areas. The proposed sign is intended to continue to announce the existence of a growing business district to travelers on the Queensboro Bridge and in Manhattan. The new sign would not project above the building but would be contained within the western façade of the Core Complex.

COMMENT #49
The height of the project would exceed the height of the Citicorp building. The bulk should be more in line with that of Queens West. (13)

RESPONSE
The comment is incorrect. The Citibank building is approximately 650 feet tall, taller than the highest tower of the proposed Silvercup West building, which would have a height of 588 feet. The Queens West multi-phase project includes more than 12 buildings with a total floor area exceeding 5 million square feet. This compares with the Proposed Action with a total of approximately 2.8 million square feet. The Project would relate to the Citibank building due to similarities in building type and height but would correlate even more closely to the Queens West and proposed River East towers along the waterfront immediately to the south of the Proposed Action. Although of a relatively large scale compared to much of Long Island City, the proposed development would be consistent with, and from a design standpoint would relate to, the other approved and existing high-rise developments along the Queens waterfront.

COMMENT #50
The design seems to create competition between the Queensboro Bridge and the proposed office building. (13)

RESPONSE
As described in the DEIS, the Proposed Action is designed to complement the bridge through both the arrangement of its towers and by the incorporation of architectural details that reflect the bridge

structure and would not result in significant adverse impact. The arrangement of towers is intended to accentuate the catenary arch of the Queensboro Bridge, with the tallest in the southeast corner of the Project Site, descending to the shortest tower on the northern edge of the site, nearest the bridge. This configuration would also minimize encroachment on views of the Queensboro Bridge and maximize visibility of its easternmost tower from the river and from the new vantage points on the waterfront. The Applicant intends to include x-bracing on the towers to reflect similar structural forms within the Queensboro Bridge.

In addition, the nearest Project tower would be located about 100 feet south of the Queensboro Bridge, a distance slightly greater than the width of an average city street, and comparable to the distance between the western end of the Queensboro Bridge and the high-rise structures in Manhattan (Figure 8-5).

COMMENT #51

One commentator voiced concern about the design of the bollards proposed in the Project's landscape design, observing that the bollards that have appeared through the City since September 11th are not aesthetically pleasing. (18)

RESPONSE

The landscape design has been developed with contextual aesthetic elements. The Esplanade would feature illuminated bollards, uplights and building-mounted fixtures to provide light without impeding views with raised fixtures. Landscaping on the Project Site would feature terra cotta-inspired elements to enhance visitors' experience and heighten their appreciation of the historic context. As indicated in Figure 8-3 in the DEIS, design of the bollards has been taken into consideration.

COMMENT #52

The project should not obscure the Queensboro Bridge. (7) (8) (13)

RESPONSE

As detailed in the DEIS, the Proposed Action would provide new opportunities for visitors to view the Queensboro Bridge from the proposed outdoor plazas, Esplanade, and rooftop terrace and other vantage points. Views of the bridge from Queensbridge Park would remain unobstructed. Consequently, the Proposed Action would not result in significant adverse impacts to Urban Design.

The arrangement of towers would accentuate the catenary arch of the Queensboro Bridge, with the tallest in the southeast corner of the Project Site, descending to the shortest tower on the northern edge of the site, nearest the bridge. This configuration would also minimize encroachment on views of the Queensboro Bridge and maximize visibility of its easternmost tower from the river and from the new vantage points on the waterfront.

In addition, the nearest Project tower would be located about 100 feet south of the Queensboro Bridge, a distance slightly greater than the width of an average city street, and comparable to the distance between the western end of the Queensboro Bridge and the high-rise structures in Manhattan (Figure 8-5).

WATERFRONT REVITALIZATION PROGRAM

COMMENT #53
The project should be commended for extending waterfront access down 43rd Avenue. This project is an example of waterfront zoning in industrial neighborhoods. (3) (7)

RESPONSE
Comment noted.

COMMENT #54
A commentator questioned whether this development complies with Policy #9, page 27, of the Waterfront Revitalization Program: "protect scenic resources that contribute to the visual quality of the NYC coastal area" and specifically point 9.1.A: "ensure that new buildings and other structures are compatible with and add interest to existing scenic elements, such as landmarks." (8)

RESPONSE
The DEIS included an assessment of the Proposed Action's consistency with this policy, along with all of the other policies of the WRP, and determined that it was consistent. As detailed in the DEIS, the Project's new esplanade at the water's edge would open views to the waterfront. In addition, the transformation of a vacant site to include a mixed-use development, including a 500-foot-long continuous publicly-accessible waterfront esplanade, view corridor and upland connection, as well as structures designed to enhance the visual experience of the on-site landmark New York Architectural Terra Cotta Company building and the adjacent landmark Queensboro Bridge, would improve the visual quality of the waterfront.