

STATEMENT FROM HOWARD SMITH RE 12/7/20 BOT MEETING

The notion of compromise seems to have taken quite a beating in the world around us. But perhaps the stakeholders in this project are capable of arriving at one in the spirit of Mayor Butler's motto of "united, understanding, and respect." I would like to offer some food for thought towards that end.

There would appear to be three primary stakeholder groups representing underlying interests that are not totally in conflict:

- 1) The owner and the developer are understandably attempting to optimize return on investment. Yet neither of them lives here, so they will not personally have to deal with the impact of a building on that scale (which is about 50% longer than any stretch of buildings in the riverfront area and 50% higher than existing zoning allows). It is not unreasonable to expect someone seeking a zoning amendment of this significance to show some sensitivity to public concerns regarding the impact.
- 2) Village officials would like to see some revitalization of the area in a manner that increases the diversity and affordability of housing in the community and that results in increased tax revenue. There is justification, given that the property is arguably underperforming in terms of its best use and tax revenue generating potential. However, the Village has a well-established history of wisely requiring developers seeking zoning amendments to provide significant and proportionate benefit to people who already live in the community, not just those who would be moving in. Plus, the TOD concept has yet to be tested in the river town communities above Yonkers.
- 3) Public sentiment is overwhelmingly opposed to the project as proposed. These concerns include mass and height of the building, dwelling unit density, parking, environmental considerations, traffic and school age children implications that will exacerbate the substantial impact on the station area and the schools of the Edge on Hudson development, and the precedent that will be set for future development*. People are not opposed to all new development ... just to projects on a scale that is so out of character with the community.

The first thing you see when you pull up the developer's website is the Yonkers waterfront. We are a Village, not one of the Big Five cities in NY State. A "Big box" project is not exactly the ideal poster child for the village's first foray into Transit Oriented Development. Perhaps a more appropriate course of action at this

stage would be for the Board of Trustees not to move forward with a public hearing on the requested zoning amendments. You already know what you will hear, which is continued expression of questions and concerns that have not yet been adequately addressed ... even if people only have three minutes to express them and are confined to disembodied Zoom boxes in the process. Instead, how about deferring the public hearing process and encouraging the Planning Board to work with the property owner and developer to come back with a more sensitively scaled and designed, lower density, mixed use proposal. Perhaps a three-story residential structure above self storage that allows for some kind of view corridor along its expanse?

Developers typically overreach with the scope of their proposals. In this case it appears as if the mass of this project has been arbitrarily dictated by the existing 300-foot-long slab and the maximum 60-foot height limit set by the Village. This developer's all or nothing protestations aside, can he seriously argue that trading a second level of self storage for three levels of housing in a 40ish-ft-tall four-story building is financially untenable at the rents he is proposing? Since two less aggressive proposals were previously submitted, it is reasonable to assume that the owner believed they were financially viable.

A compromise such as this could still advance the owner's and developer's interest in generating a reasonable profit while at the same time advancing the Village's goals and addressing many of the concerns that have been expressed by the public. It would avoid delays caused by litigation and reassure citizens that this process is being done with them, not to them.

*Ongoing Concerns

- There is no single building anywhere in the station area that is close to being 300 feet long and the only buildings as tall or taller than the proposed building are 2 HUD towers which did not have to comply with local zoning requirements.
- The 75 dwelling units per acre density of the proposal is unprecedented and "somewhat disproportionate" according to the 6/11/20 Chazen Technical Report.
- Parking availability relies upon theoretical TOD assumptions about personal vehicle ownership, that are not necessarily aligned with the actual driving need realities of people living in the village, and upon an agreement granting use of property owned by the MTA that has not yet been finalized.
- Traffic implications do not consider a July 2016 VHB preliminary traffic analysis projecting a 25% increase in traffic volume for that area based upon several station area development scenarios. Just saying that Edge on Hudson, which provides parking for about 3400 vehicles, is in Sleepy Hollow doesn't mitigate its impact.

- One of the school age children assumptions results in a net cost in excess of revenue for the same school district that is already facing a net cost in excess of revenue for the 217 students that Edge on Hudson is projected to generate.
- The height and mass of the building were misrepresented in the viewshed analysis material provided by the developer and the analysis did not include several important public viewpoints in the vicinity.
- Environmental concerns not fully addressed in moving to adopt a Negative Declaration have been expressed, including the fact that the slab will be disturbed to a significantly greater degree than originally disclosed.
- It will set a precedent for other new development projects on this scale, most likely starting with the neighboring Depot Plaza property. Does anyone seriously believe the 29 South Depot Plaza project, consisting of apartments that will rent for up to \$4100/month, would be pursued if the owner of the neighboring Lot 39 property plans to continue operating as is? (see photo below) Does anyone seriously believe it was simply a coincidence that the Lot 39 property was purchased a few months after Ferraro purchased Lots 37 and 38 by someone who is well known to the extended Ferraro family?

