COMMENT ALTS-1:
41. An adequate presentation of alternatives has not been offered in the DEIS as there is no reduced yield alternative with which to compare the impacts of the instant application. Instead, the alternatives presented, with the exception of the no-action alternative, provide similar levels of expected impacts as the proposed development (i.e., alternative public access design, alternative east side configuration, and reduced height alternatives). This narrow range of alternatives do not provide information to assist decision-makers in arriving at a considered conclusion as to whether the proposed development yield strikes the most appropriate balance between achieving project goals and minimizing environmental impacts, or if this balance can be more suitably served by a reduction in yield.

Steven Perotta, Cashin Spinelli & Ferretti, LLC, letter dated July 20, 2009.

RESPONSE ALTS-1:
An EIS is required to have "a description and evaluation of the range of reasonable alternatives to the action that are feasible, considering the objectives and capabilities of the project sponsor."[1] An EIS is not mandated to include a reduced yield alternative and such an alternative would not be consistent with the objectives of the Applicant or the City.

It is noted, however, that the initial proposal submitted by the Applicant after entering into a public-private partnership with the City's redevelopment agencies included a development scenario with 1,120 residential units, as well as 200-suite hotel complex, approximately 50,000 square feet of office space, approximately 23,000 square feet of restaurants/catering, and approximately 73,000 square feet of retail/restaurant/cultural/entertainment space. That proposal was compliant with the bulk requirements of the MW-3 district, which permits a maximum residential density of 20 units per acre (1,120). The proposed action is, in effect, already a lower density alternative.

COMMENT ALTS-2:
Reduced Height Alternative, Page 18, Paragraph 1- It is not clear how by reducing the maximum height to 10 stories a "wall" of uniform buildings would result. This would not necessarily be the case.

Satish Sood, Deputy Commissioner, Nassau County Planning Commission, letter dated April 21, 2011.

RESPONSE ALTS-2:
As described in Section I and II.M, the design of the proposed project has been modified since publication of the DEIS to consider lower building heights. The commenter is correct that the building design for any particular scenario or set of criteria could vary. As described in Section I, the IDA/CDA recognized the necessity of permitting a degree of flexibility for a Master Plan PUD that will likely be developed in several phases over a multi-year development period. This included flexibility in the height and number of stories of individual buildings, provided that the aggregate gross square footage remains the same and that no individual building would exceed the heights set forth in the DEIS Plan or FEIS Plan.

[1] 6 NYCRR Part 617.9(b)(5)(v)

In order to assess the potential visual impacts from possible variations in building height that may occur over the build-out period, an additional series of view diagrams, view simulations, and shadow studies has been prepared for an "intermediate" scenario with an average height that is lower than the DEIS Plan, but higher than the FEIS Plan. This scenario depicts a configuration with building elements of varying heights ranging from 4 to 8 stories on the east parcel and from 4 to 12 stories on the west parcel. See Exhibits I-28 through I-29J for a comparison of the three building height scenarios.

COMMENT ALTS-3:
The DGEIS does not consider an alternative that discusses build-out under the MW-3 (excluding the PUD Overlay District.) The DGEIS should consider this alternative.
Satish Sood, Deputy Commissioner, Nassau County Planning Commission, letter dated April 21, 2011.

RESPONSE ALTS-3:
Consideration of the build-out of the project site without a PUD was not part of the adopted scoping document. In addition, the base MW-3 District permits only maritime commercial uses. This severely limits the feasibility of redevelopment and would not result in the creation of a transit-oriented, mixed-use development with substantial publicly-accessible open space that would advance the City's planning objectives as outlined in the Master Plan. In addition, this alternative would fail to effectively capitalize on the City's substantial investment in the ferry and environmental remediation or support revitalization of the downtown.