



## **CITY PLANNING COMMISSION**

December 3, 2014/ Calendar No. 6

C 140401 PQR

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IN THE MATTER OF an application submitted by the Department of Environmental Protection and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of property (Block 2776, Lot 12) and the acquisition of easements (Block 2772, parts of lots 36 and 37) generally located at Cannon and Burke avenues and Prices Lane to facilitate the construction of storm water collection sewers and outfalls in Community District 2, Borough of Staten Island.

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This application for acquisition of property was filed on May 20, 2014 by the Department of Environmental Protection and the Department of Citywide Administrative Services to facilitate the construction of storm water collection sewers and outfalls in Community District 2, Borough of Staten Island.

### **BACKGROUND**

The Department of Environmental Protection (DEP) and the Department of Citywide Administrative Services (DCAS) seek approval for the acquisition of property (Block 2776, Lot 12) and the acquisition of easements (Block 2772, parts of lots 36 and 37) generally located at Cannon and Burke avenues and Prices Lane in the Travis neighborhood of Staten Island, Community District 2. The requested approvals would facilitate the construction of storm sewers in the Travis section of Staten Island.

DEP is proposing a comprehensive stormwater management system for the Travis neighborhood to alleviate flooding. A portion of the new stormwater management system involves the construction of a network of new storm sewer pipes, the replacement of aging water mains and sanitary sewers, and one short extension of a new sanitary sewer in Victory Boulevard. Most work will be located in the beds of streets, however, some privately-owned land and two small easements will need to be acquired to achieve a continuous path for storm water outflow.

The project area is located in the southwestern part of Travis and is generally bounded by Victory Boulevard to the south and east, DPR's Meredith Woods Park and Meredith Avenue to the north and the West Shore Expressway to the west. It is primarily zoned R3-2 and M1-1 and is generally developed with attached and detached residences, natural parkland to the north, and vacant wetland areas.

The proposed infrastructure improvements include the installation of new stormwater collection sewers and two new storm sewer outfalls. One outfall would have a Bluebelt-style Best Management Practice (BMP) system to attenuate stormwater runoff velocities and capture sediments. The proposed BMP would include grading and ecological landscaping along with a drainage connection to an existing tidal creek downstream of the BMP. Most of the BMP would be constructed on a site to be acquired under this application (Block 2776, Lot 12), but would also include a drainage swale across Meredith Woods Park, which is under the jurisdiction of the New York City Department of Parks and Recreation (DPR). The site to be acquired (Block 2776, Lot 12) is adjacent to Meredith Woods Park to the north, and a small DEP pumping station to the west. Surrounding land uses include attached and detached residences along Cannon Avenue to the south and east, parkland to the north, and vacant wetland areas and the West Shore Expressway to the west. The site is currently undeveloped, consisting of vacant freshwater and tidal wetlands. The flag shaped lot has 40 feet of frontage on Cannon Avenue and is approximately 220 feet long and 150 feet wide with a lot area of approximately 33,733 square feet.

In addition to the acquisition of the land for the the BMP, the acquisition of easements on portions of two adjacent lots (Block 2772, lots 36 and 37) are necessary to bridge the gap between two dead end streets: Burke Avenue and Prices Lane. The proposed easement on Burke Avenue (Block 2772, Lot 37) is approximately 1,550 sq ft. in area and would be located within the open landscaped front yard of an existing single-family detached residence. The proposed easement on Prices Lane would be contiguous to the easement on Lot 37, and would be located over a 1,150 square foot portion of a 2,580 square foot lot (Block 2772, Lot 36) which is vacant and undeveloped. This would allow construction of a continuous storm sewer in the beds of streets from Victory Boulevard north along Burke Avenue, then along the easement from Burke Avenue to Prices Lane and northward to Cannon Avenue and the proposed BMP.

## **ENVIRONMENTAL REVIEW**

This application (C 140401 PQR) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), the SEQRA regulations set forth in Volume 6 of the New York

Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The CEQR number is 13DEP002R. The lead agency is the Department of Environmental Protection.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on April 28, 2014.

### **UNIFORM LAND USE REVIEW**

This application (C 140401 PQR) was certified as complete by the Department of City Planning on July 21, 2014, and was duly referred to Community Board 2 and the Borough President, in accordance with Title 62 of the Rules of the City of New York, Section 2-02 (b).

### **Community Board Public Hearing**

Community Board 2 held a public hearing on this application on September 15, 2014, and, on September 16, 2014, by a vote of 35 to 0 with no abstentions, adopted a resolution recommending approval of the application.

### **Borough President Recommendation**

This application (C 140401 PQR) was considered by the Staten Island Borough President, who issued a recommendation approving this application on October 21, 2014.

### **City Planning Commission Public Hearing**

On October 22, 2014 (Calendar No. 1), the City Planning Commission scheduled November 5, 2014 for a public hearing on this application (C 140401 PQR). The hearing was duly held on November 5, 2014 (Calendar No. 5). There were three speakers in favor and none opposed.

A representative from a planning firm associated with the project appeared in favor of the proposal. He described the capital project and how the new stormwater management system would alleviate flooding in the Travis area.

A representative from the DEP appeared in favor of the proposal. He explained the design and construction of the BMP which uses wetlands and ponds instead of pipes to collect and filter stormwater. He stated that DEP crews will maintain the Cannon Avenue BMP site regularly as they do with all BMPs which are part of DEP's permanent stormwater drainage infrastructure. He noted that DEP often works with the Parks Department to create BMPs that direct stormwater to streams in adjacent parks such as Meredith Woods Park in this case. He explained that DEP only acquires the amount of land that is essential for a project. This sometimes results in the acquisition of a portion of a lot instead of the entire lot. He noted that property owners get advance notice of their intent to acquire property or easements via the ULURP process and that the DEP must get CPC approval of the acquisition ULURP application before they can enter into purchase negotiations. He stated that construction work in the easements at Burke Avenue and Prices Lane would only last a few weeks and that after the work was completed the sites would be replanted. After the sites are replanted the property owners would be responsible for maintaining their yards.

A representative from DDC appeared in favor of the proposal. He addressed questions about the development potential of Block 2772, lot 36 which is a small vacant lot in an R3-2 district. He noted that even without the proposed easement, the lot was only about 2,400 square feet in area and 43 feet deep and had limited development potential.

There were no other speakers and the hearing was closed.

#### **WATERFRONT REVITALIZATION PROGRAM CONSISTENCY REVIEW**

This application (C 110122 ZMR) was reviewed by the Department of City Planning for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), as amended, approved by the City Council on October 13, 1999 and by the New York State Department of State on May 28, 2002, pursuant to the New York State Waterfront Revitalization and Coastal Act of 1981 (New York State Executive Law, Section 910 et seq.). The designated WRP number is 12-044.

The City Planning Commission, acting as the City Coastal Commission, having reviewed the waterfront aspects of this action, finds that the actions will not substantially hinder the achievement of any WRP policy and hereby determines that this action is consistent with WRP policies.

## **CONSIDERATION**

The Commission believes that the acquisition of property and easements to facilitate the construction of storm water collection sewers and outfalls, is appropriate.

The City Planning Commission notes that the site to be acquired on Cannon Avenue is a vacant parcel located on the western edge of a residential area, next to a natural park and the West Shore Expressway. Most of the parcel is freshwater wetland and freshwater wetland adjacent area and is zoned M1-1. The Commission believes that the acquisition and use for storm water management employing a Bluebelt Best Management Practice (BMP) design is well-suited to the wetland parcel which is located at a low point in the Travis storm water drainage area. The Commission believes that the acquisition of easements across 2,700 square feet of two privately-owned residential parcels is appropriate. The easements will close a gap between two mapped and improved streets and allow a continuous storm sewer system in the beds of streets from Victory Boulevard north to the Cannon Avenue site.

Block 2772, Lot 37, is already developed with a single family detached house and the proposed easement would be located in the house's undevelopable front yard. The proposed easement on Block 2772, Lot 36 would not substantially affect the lot's already limited development potential, due to its existing shallow lot depth of 43 feet and its existing substandard lot area of 2,580 square feet which is below the R3-2 minimum lot size of 3,800 square feet.

The Commission believes that the acquisition of property and easements will allow completion of essential new storm water management infrastructure and alleviate flooding in the community of Travis.

**RESOLUTION**

**RESOLVED**, that the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

**RESOLVED**, the City Planning Commission, in its capacity as the City Coastal Commission, having reviewed the waterfront aspects of this action, finds that the actions will not substantially hinder the achievement of any WRP policy and hereby determines that this action is consistent with WRP policies; and be it further

**RESOLVED**, that this application submitted by the Department of Environmental Protection and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of property (Block 2776, Lot 12) and the acquisition of easements (Block 2772, parts of lots 36 and 37) generally located at Cannon and Burke avenues and Prices Lane to facilitate the construction of storm water collection sewers and outfalls in Community District 2, Borough of Staten Island, is approved.

The above resolution (C 140401 PQR), duly adopted by the City Planning Commission on December 3, 2014 (Calendar No. 6), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

**CARL WEISBROD**, Chairman  
**KENNETH J. KNUCKLES, ESQ.**, Vice Chairman  
**RAYANN BESSER, IRWIN G. CANTOR, P.E., ALFRED C. CERULLO, III,**  
**MICHELLE R. DE LA UZ, JOSEPH I. DOUEK, RICHARD W. EADDY,**  
**CHERYL COHEN EFFRON, ANNA HAYES LEVIN, ORLANDO MARIN,**  
**LARISA ORTIZ**, Commissioners



**Community/Borough Board Recommendation**  
Pursuant to the Uniform Land Use Review Procedure

Application #: <b>140401PQR</b>	Project Name: <b>Travis Meredith Infrastructure</b>
CEQR Number: <b>13DEP002R</b>	Borough(s): <b>Staten Island</b> Community District Number(s): <b>2</b>

*Please use the above application number on all correspondence concerning this application*

**SUBMISSION INSTRUCTIONS**

- Complete this form and return to the Department of City Planning by one of the following options:
  - EMAIL (recommended):** Send email to [CalendarOffice@planning.nyc.gov](mailto:CalendarOffice@planning.nyc.gov) and include the following subject line: (CB or BP) Recommendation + (6-digit application number) e.g., "CB Recommendation #C100002SQ"
  - MAIL:** Calendar Information Office, City Planning Commission, Room 2E, 22 Reade Street, New York, NY 10007
  - FAX:** (212) 720-3356 and note "Attention of the Calendar Office"
- Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable

*Project Description*

**IN THE MATTER OF** an application submitted by the Department of Environmental Protection and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of property (Block 2776, lot 12) and the acquisition of easements (Block 2772, parts of lots 36 and 37) to facilitate the construction of storm water collection sewers and outfalls.

Applicant(s): Department of Environmental Protection 59-17 Junction Blvd Flushing, NY 11373 Department of Citywide Administrative Services 1 Centre Street 20th floor South NY, NY 10007		Applicant's Representative: James Garin 718-595-5501  Randal Fong 212-386-0618
Recommendation submitted by: <b>Community Board 2, Staten Island</b>		
Date of public hearing: <b>9-15-14</b>	Location: <b>Community Board 2 460 Brielle Avenue, S I NY 10314</b>	
Was a quorum present? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		<i>A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members</i>
Date of Vote: <b>9-16-14</b>	Location: <b>Community Board 2 460 Brielle Avenue, S I NY 10314</b>	
<b>RECOMMENDATION</b>		
<input checked="" type="checkbox"/> Approve <input type="checkbox"/> Approve With Modifications/Conditions <input type="checkbox"/> Disapprove <input type="checkbox"/> Disapprove With Modifications/Conditions		
<b>Please attach any further explanation of the recommendation on additional sheets, as necessary.</b>		
Voting # In Favor: <b>35</b> # Against: <b>0</b> # Abstaining: <b>0</b> Total members appointed to the board: <b>49</b>		
Name of CB/BB officer completing this form <b>Dana T. Magee</b>	Title <b>Chair</b>	Date <b>9-18-14</b>

Application #: C140401PQR CEQR #: 13DEP002R	Project Name: Travis Meredith Infrastructure  Borough(s): Staten Island Community District Number(s): 2
<i>Please use the above application number on all correspondence concerning this application</i>	

*Docket Description:*

IN THE MATTER OF an application submitted by the Department of Environmental Protection and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of property (Block 2776, Lot 12) and the acquisition of easements (Block 2772, (part of) Lots 36 and 37) to facilitate the construction of storm water collection sewers and outfalls.

Recommendation:

<input checked="" type="checkbox"/> Approve	<input type="checkbox"/> Approve With Modifications/Conditions
<input type="checkbox"/> Disapprove	<input type="checkbox"/> Disapprove With Modifications/Conditions

*Explanation of Recommendation, Conditions or Modification:*

Related Applications:
<p><b>Contact:</b> Address questions about this recommendation to: <b>OFFICE OF THE STATEN ISLAND BOROUGH PRESIDENT</b> <b>ATTN: LAND USE DIRECTOR</b></p> <p>Address: 10 Richmond Terrace, Staten Island, NY 10301 (Room G-12) Phone: 718.816.2112 Fax: 718.816.2060</p>
<p><i>James S. Oddo</i> _____</p>
<p>October 21, 2014 _____</p>
<p>James S. Oddo President of the Borough of Staten Island</p>
<p>DATE</p>