



IN THE MATTER OF an application submitted by Frank Sarcona and the New York City Department of Environmental Protection pursuant to Sections 197-c and 199 of the New York City Charter for an amendment to the City Map involving:

- the elimination of a portion of Albourne Avenue between Maguire Avenue and Minturn Avenue; and
- the adjustment of grades necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in Community District 3, Borough of Staten Island, in accordance with Map No. 4216 dated December 10, 2008 and signed by the Borough President.

The application (C 090248 MMR) for an amendment to the City Map was filed by Frank Sarcona on December 17, 2008. It involves the elimination of a portion of Albourne Avenue between Maguire Avenue and Minturn Avenue, and the adjustment of grades necessitated thereby, including authorization for any acquisition or disposition of real property related thereto, in Community District 3, Borough of Staten Island to facilitate the applicants development of a new residential two family home and to protect Blue Belt property from future roadway development.

BACKGROUND

The subject portion of Albourne Avenue proposed to be eliminated is approximately 340 feet in length, mapped to a width of 80 feet, and is mostly unimproved. This portion of street is comprised of the following tax lots: a portion of Lot 58 in Block 6944, which is under the ownership of DEP; small portions of Lots 65, 75, 84, 88 and 93 in Block 6944, all under private ownership; and a portion of Lot 158 in Block 6944, which is under the private ownership of the applicant. Lot 158 lies entirely within the mapped street and is comprised of the mostly unimproved portion of Albourne Avenue that is proposed to be eliminated, as well as a portion of Albourne Avenue that is open and in use for two-way traffic, located to the west of Minturn Avenue. The latter mentioned section of Albourne Avenue was granted Corporation Council Opinion (CCO) of dedication as a street in June 1999 and will remain mapped. The mostly wooded Lot 58 owned by DEP contains some wetlands, and has been designated a Staten Island

Blue Belt Area for storm water management. DEP also maintains an existing 12-inch diameter sanitary sewer line which runs through the applicants property in lot 158 within the northeasterly portion of the street proposed to be eliminated. As part of the demapping action, DEP requires an access easement for maintenance and servicing of the existing sanitary sewer line.

Currently, the northwesterly portion of Lot 158, within the portion of Albourne Avenue proposed to be eliminated, is the primary access-way for the northerly abutting residential property, Lot 88 in Block 6944, via a paved drive, ranging in width from 15 feet to 35 feet. Although there exists a secondary access-way at the rear of Lot 88 via a shared 16.5-foot-wide improved record street called DePew Place, the front of the house and garage face Albourne Avenue, which has served as the property's main vehicular access-way for many years without any formal rights of way or easements.

The applicant has agreed to provide an access easement to DEP to access lot 158. This easement will vary in width from 25 feet to 30 feet and will also grant rights of ingress and egress to the owner of Block 6944, Lot 88.

The site is located in an R3X zoning district within the Special South Richmond Development District in the Prince's Bay neighborhood. The surrounding uses are one- and two-family detached dwellings. The project site is located approximately one quarter mile south of the Richmond Parkway and one mile east of the West Shore Expressway.

An Interagency Mapping Conference was held on February 12th, 2009. No agencies indicated any objections to the proposed map change.

ENVIRONMENTAL REVIEW

This application (C 090248 MMR) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and 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 designated CEQR Number is 09DCP038R. The lead is the City Planning Commission.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on January 8, 2013.

UNIFORM LAND USE REVIEW

This application (C 090248 MMR), was certified as complete by the Department of City Planning on January 21, 2014, and was duly referred to Staten Island Community Board 3 and the Staten Island 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 3 held a public hearing on this application (C 090248 MMR) on February 12, 2014, and on February 25, 2014, by a vote of 31 in favor with 0 opposed and 0 abstentions, adopted a resolution recommending approval of the application with the following conditions:

- The owner (applicant), Frank Sarcona, has agreed to amend the site plan to provide a 17 foot wide paved easement to provide access to the demapped portion of Albourne Avenue for Lots 88 & 93.
- The 30' x 30' frontage space on Lot 88 be relocated to the paved area of Lot 88.

BOROUGH PRESIDENT RECOMMENDATION

This application (C 090248 MMR) was considered by the Borough President of Staten Island, who issued a recommendation of approval on April 7, 2014.

CITY PLANNING COMMISSION PUBLIC HEARING

On April 2, 2014 (Calendar No. 1), the City Planning Commission scheduled April 23, 2014 for a public hearing on this application (C 090248 MMR). The hearing was duly held on April 23, 2014 (Calendar No. 28). There was one speaker in favor of the application and none in opposition.

The applicant's representative spoke in favor of the application, describing the proposed map change and stating why he believed that the amendment to the City Map was appropriate.

There were no other speakers and the hearing was closed.

WATERFRONT REVITALIZATION PROGRAM CONSISTENCY REVIEW

This application (C 090248 MMR) 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 New York 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 Resources Act of 1981, (New York State Executive Law, Section 910 *et seq.*) The designated WRP number is 11-035.

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 City Planning Commission believes that this amendment to the City Map is appropriate.

The Commission notes that the portion of Albourne Avenue proposed to be eliminated from the City Map is under both City and private ownership, is largely unimproved and is not open to pedestrians or traffic. The portion of the street under DEP jurisdiction contains wetlands along with a DEP sanitary sewer line and has been designated as a Staten Island Blue Belt Area for stormwater management.

The portion of the applicant's property in the bed of the mapped street is largely unimproved with the exception of a narrow paved drive that serves as the primary access way to an abutting property owner. The Commission notes that the applicant has agreed to provide a varying width access easement that will serve both DEP and the abutting property owner. The access easement will contain a 17 foot wide paved driveway that will provide access to the owner of Lot 88. The Commission also notes that New York City's Department of Transportation had no objections to the proposal, deeming the street unnecessary for current or future traffic patterns. The

Commission believes that eliminating the subject portion of Albourne Avenue will protect Blue Belt property from future roadway development.

The Commission acknowledges the recommendation of the Community Board 3 that a 30' x 30' frontage space on Lot 88 be maintained as a vehicular turnaround. However, the Commission recognizes that the application is only for elimination of a portion of Albourne Avenue between Maguire Avenue and Minturn Avenue, and that easements or other encumbrances on the adjoining private property are outside of the scope of this application.

RESOLUTION

Therefore, the City Planning Commission, deeming the proposed amendment to the City Map and any related acquisition or disposition to be appropriate, adopts the following 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, that 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; and be it further

RESOLVED, by the City Planning Commission, pursuant to Sections 197-c and 199 of the New York City Charter that based on the environmental determination and the consideration described in this report, the application (C 090248 MMR) for the amendment to the City Map involving:

- the elimination of a portion of Albourne Avenue between Maguire Avenue and Minturn Avenue; and
- the adjustment of grades necessitated thereby;

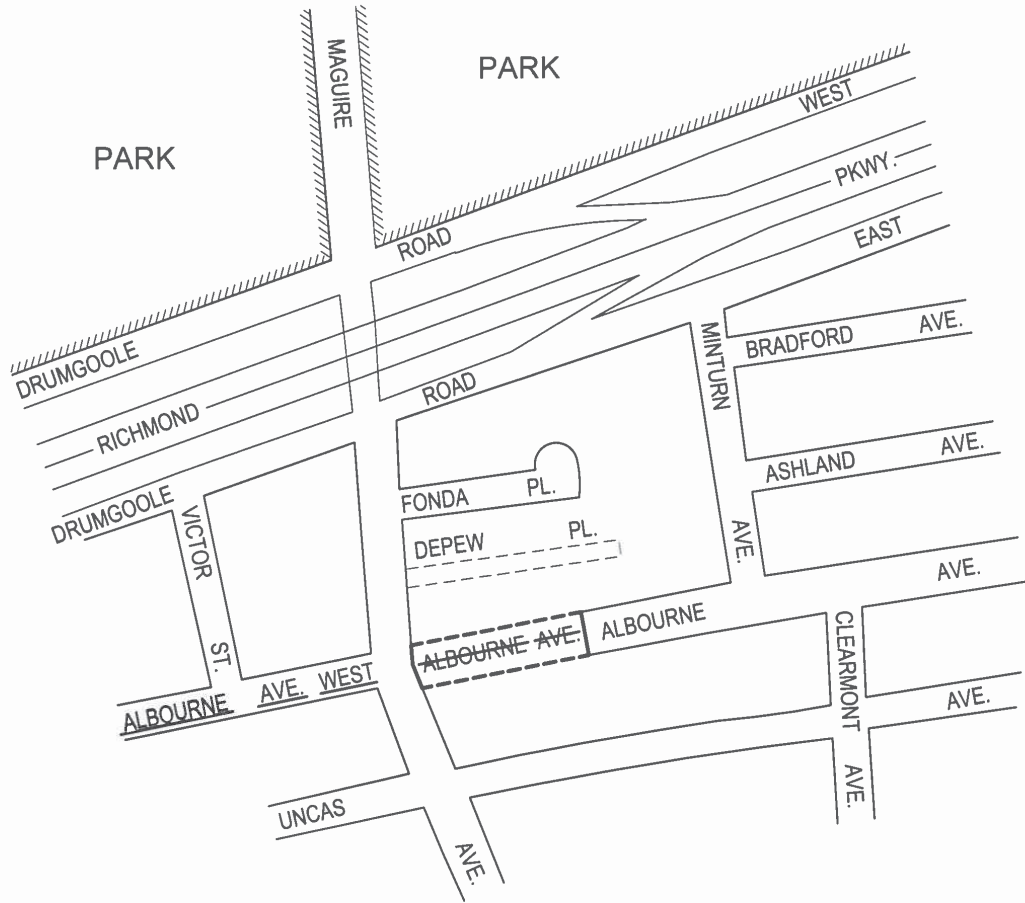
including authorization for any acquisition or disposition of real property related thereto, in Community District 3, Borough of Staten Island, in accordance with Map No. 4216, dated December 10, 2008, and signed by the Borough President is approved.

All such approvals being subject to the following conditions:

- a. The subject amendment to the City Map shall take effect on the day following the day on which certified counterparts of Map No. 4216 are filed with the appropriate agencies in accordance with Section 198 subsection c of the New York City Charter; and
- b. The subject amendment to the City Map shall not be filed with the appropriate agencies in accordance with condition “a” above until the applicant shall have executed a mapping agreement protecting the city's interest, approved as to form and sufficiency by the Corporation Counsel and accepted by the City Planning Commission (the “Mapping Agreement”).

The above resolution (C 090248 MMR), duly adopted by the City Planning Commission on May 21, 2014 (Calendar No. 13), 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
ANGELA M. BATTAGLIA, RAYANN BESSER, IRWIN G. CANTOR, P.E.,
MICHELLE R. DE LA UZ, MARIA M. DEL TORO, JOSEPH I. DOUEK,
ANNA HAYES LEVIN, ORLANDO MARIN, Commissioners



CITY PLANNING COMMISSION
CITY OF NEW YORK
DIAGRAM SHOWING PROPOSED
MAP CHANGE
ON SECTIONAL MAP
33b
BOROUGH OF
STATEN ISLAND

New York, Certification Date
JANUARY 21, 2014

Irene Sadko, P.E.
I. Sadko, P.E.
Chief Engineer



- NOTE:
- Indicates line of street legally adopted.
 - Indicates line of street proposed to be established.
 - - - Indicates line of street proposed to be eliminated.
 - - - - Indicates line of street in use or shown on approved subdivision map.
 - /// Indicates Park line heretofore established and hereby retained.

THIS DIAGRAM IS FOR ILLUSTRATIVE PURPOSES ONLY.

| | |
|------------------------------------|---|
| Application #: C 090248 MMR | Project Name: Albourn Avenue Demapping |
| CEQR Number: 09DCP038R | Borough(s): Staten Island |
| | Community District Number(s): 3 |

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 and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ"
 - 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.

Docket Description:

IN THE MATTER OF an application submitted by Frank Sarcona and the New York City Department of Environmental Protection pursuant to Sections 197-c and 199 of the New York City Charter for an amendment to the City Map involving:

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RECEIVED

JAN 27 2014

Community Board #3

| | | | |
|--|---|--|--|
| Applicant(s): Frank Sarcona 383 Bradford Avenue Staten Island, NY 10309 | | NYC DEP Mr. Dana Gumb 59-17 Junction Boulevard Corona, NY 11368 718-595-4549 | Applicant's Representative: Dennis Dell 'Angelo 18 Roosevelt Street Staten Island, NY 10304 718-720-4105 |
| Recommendation submitted by: Staten Island Community Board 3 | | | |
| Date of public hearing: 2/12/14 | Location: Community Board 3 - Land Use Committee 655 Rossville Ave. | | |
| Was a quorum present? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> | A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members. | | |
| Date of Vote: 2/25/14 | Location: 640 - GENERAL Board Meeting 6451 Hylan Blvd., S.I. NY | | |
| RECOMMENDATION | | | |
| <input type="checkbox"/> Approve | <input checked="" type="checkbox"/> Approve With Modifications/Conditions SEE ATTACHED | | |
| <input type="checkbox"/> Disapprove | <input type="checkbox"/> Disapprove With Modifications/Conditions | | |
| Please attach any further explanation of the recommendation on additional sheets, as necessary. | | | |
| Voting | | | |
| # In Favor: 31 # Against: 0 # Abstaining: 0 Total members appointed to the board: 36 | | | |
| Name of CB/BB officer completing this form Frank Munno | Title CHAIRMAN | Date 3/10/14 | |

*The
City
of
New York*



BOROUGH OF STATEN ISLAND
COMMUNITY BOARD 3

655-218 Rossville Avenue, Staten Island, N. Y. 10309

Telephone: (718) 356-7900

Fax: (718) 966-9013

Email: sicb3@cb.nyc.gov

Website: www.nyc.gov/sicb3

March 10, 2014

NYC Department of City Planning
22 Reade Street, Room 2E
New York, New York 10007

Re: **Explanation of Recommendation**
Application No. C090248MMR
CEQR No. 09DCP038R
Albourn Avenue Demapping

Dear City Planning:

On February 25, 2015 Community Board 3 voted to approve the above referenced application with the following modifications and conditions:

1. The owner, Frank Sarcona, has agreed to amend the site plan in order to provide a 17' paved easement to provide access to the demapped portion of Albourn Avenue for Lots 88 & 93.
2. The 30' x 30' frontage space on Lot 88 be relocated to the paved area of the lot 88. (diagram attached)

Very truly yours,

A handwritten signature in black ink that reads "Frank Morano".

Frank Morano
Chairman of the Board

cc: Borough President James Oddo
Robert Englert, Borough President's Office
Councilman Vincent Ignizio
Len Garcia-Duran, Borough Director City Planning
Dennis D. Dell'Angelo, Architect


BOROUGH PRESIDENT RECOMMENDATION
 Pursuant to the Uniform Land Use Review Procedure

 Application #: C 090248 MMR
 CEQR #: 09DCP038R

 Project Name: Alboume Avenue Demapping
 Borough(s): Staten Island
 Community District Number(s): 3

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

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Recommendation:


Approve



Approve With Modifications/Conditions



Disapprove



Disapprove With Modifications/Conditions

Explanation of Recommendation, Conditions or Modification:
Related Applications:
Contact:

Address questions about this recommendation to:

OFFICE OF THE STATEN ISLAND BOROUGH PRESIDENT
ATTN: LAND USE DIRECTOR

 Address: 10 Richmond Terrace, Staten Island, NY 10301 (Room G-12)
 Phone: 718.816.2112
 Fax: 718.816.2060

April 7, 2014

 James S. Oddo
 President of the Borough of Staten Island

DATE