



CITY PLANNING COMMISSION

December 2, 2009 / Calendar No. 9

N 090384 ZRR

IN THE MATTER OF an application submitted by Northrop Grumman Information Technology Inc., pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning the Special South Richmond Development District (Article X, Chapter 7) Appendix A, relating to modification of designated open space boundaries in Community District 3, Borough of Staten Island.

The application (N 090384 ZRR) for amendment of the Zoning Resolution was filed by Northrop Grumman Information Technology Inc. on April 10, 2009 to modify the boundaries of Designated Open Space (DOS) within the Special South Richmond Development District in connection with a proposal to construct a 120-foot high telecommunications tower at 645 Rossville Avenue in the Woodrow section of Community District 3 of Staten Island.

RELATED ACTIONS

In addition to the amendment of the Zoning Resolution, which is the subject of this report, implementation of the proposed development also requires action by the City Planning Commission on the following applications which are being considered concurrently with this application:

C 090383 ZSR Special permit pursuant to Section 107-73 of the Zoning Resolution to modify the Special South Richmond Development District height limitation of 50 feet to construct a 120-foot high telecommunications tower.

N 090385 ZCR Certification for a zoning lot containing Designated Open Space;

BACKGROUND

A full description of the background and requested actions appears in the report on the related special permit application (C 090383 ZSR).

ENVIRONMENTAL REVIEW

This application (N 090384 ZRR), in conjunction with the application for the related action (C 090383 ZSR), 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 09DCP074R. The lead agency is the City Planning Commission.

A summary of the environmental review and the conditional negative declaration appears in the report on the related application for the special permit (C 090383 ZSR).

PUBLIC REVIEW

On June 29, 2009, this text amendment application (N 090384 ZRR) was duly referred to Community Board 3 and the Borough President for information and review in accordance with the procedure for referring non-ULURP matters, along with the application for a special permit (C 090383 ZSR) which was certified as complete by the Department of City Planning on June 29, 2009 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 on September 16, 2009, and on September 23, 2009, by a vote of 33 in favor, with 1 opposed and 0 abstentions, adopted a resolution

recommending disapproval of the application. The recommendation of the community board was non-complying since the public hearing and the vote were conducted after the 60-day period for review.

A summary of the recommendation of the Community Board appears in the report on the related application for the special permit (C 090383 ZSR).

Borough President Recommendation

This application was considered by the Staten Island Borough President who issued a recommendation disapproving the application on October 6, 2009.

A summary of the recommendation of the Borough President appears in the report on the related application for the special permit (C 090383 ZSR).

City Planning Commission Public Hearing

On October 21, 2009 (Calendar No. 4), the City Planning Commission scheduled November 4, 2009 for a public hearing on this application (N 090384 ZRR). The hearing was duly held on November 4, 2009 (Calendar No. 11). There was one speaker, as described in the report on the related application for the special permit (C 090383 ZSR), and the hearing was closed.

Waterfront Revitalization Program Consistency Review

This application 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 09-044.

This action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.

CONSIDERATION

The Commission believes that this amendment to the Zoning Resolution is appropriate.

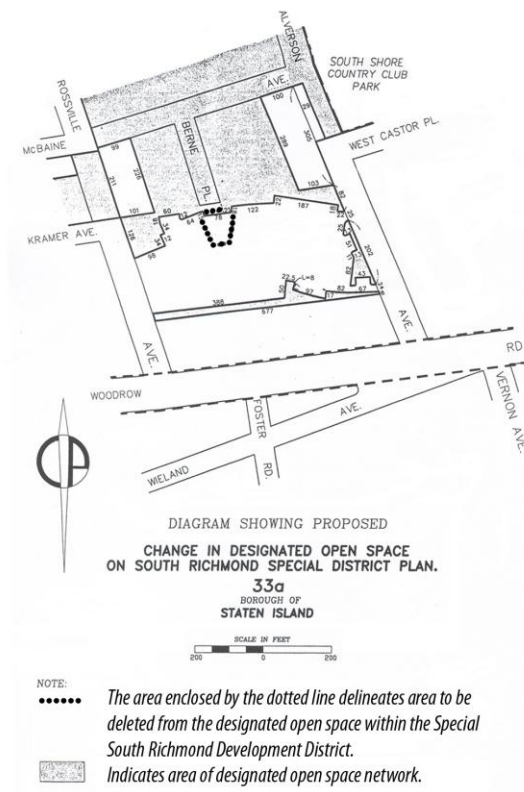
A full consideration appears in the report on the related application for the special permit (C 090383 ZSR).

RESOLUTION

RESOLVED, that the City Planning Commission finds that the action described herein will have no significant impact on the environment subject to the applicant executing a conditional negative declaration that provided a mechanism whereby to avoid any potential hazardous material impacts, under which the existing Restrictive Declaration in regard to the adjoining property (Block 6145, Lots 13 and 16) would be amended, executed, and recorded to additionally include the subject property (Block 6145, Lots 40 and 300). The provisions relating to potential hazardous material impacts previously contemplated for inclusion in the hazardous materials declaration have instead been incorporated by the City Planning Commission as conditions of the resolution for the related special permit action (C 090383 ZSR), thereby satisfying the requirements of the conditional negative declaration; and be it further

RESOLVED, that the City Planning Commission, in its capacity as the City Coastal Commission, has reviewed the waterfront aspects of this application and finds that the proposed action is consistent with WRP policies; and be it further

RESOLVED, by the City Planning Commission, pursuant to Section 200 of the New York City Charter, that based on the environmental determination and consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended as follows:



The above resolution (N 090384 ZRR), duly adopted by the City Planning Commission on December 2, 2009, (Calendar No. 9), 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.

AMANDA M. BURDEN, FAICP, Chair,
KENNETH J. KNUCKLES, Esq., Vice Chairman
ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E.,
ALFRED C. CERULLO, III, BETTY Y. CHEN, MARIA M. DEL TORO,
RICHARD W. EADDY, NATHAN LEVENTHAL, ANNA HAYES LEVIN,
SHRILEY A. MCRAE, KAREN A. PHILLIPS, Commissioners.

RAYANN BESSER, Commissioner, Voting No.