



CITY PLANNING COMMISSION

October 22, 2003/Calendar No. 24

N 030140 MEX

IN THE MATTER OF an application submitted by Providence Rest Nursing Home, involving the elimination of three sewer easements between Stadium Avenue and Eastchester Bay, Community District 10, Borough of the Bronx, in accordance with Map No. 13101, dated April 28, 2003 and signed by the Borough President.

WHEREAS, on February 8, 1924 (Cal No. 168), the Board of Estimate approved the delineation of a 20-foot wide sewer easement running from Porter Place (now eliminated) to Eastchester Bay, as shown on the Borough President's (BP) Map No. 10386. On March 23, 1950, (Cal No. 58b) the Board of Estimate approved application CP 6008, eliminating Porter Place, and Waterbury Avenue and delineating a 10 foot-wide sewer easement, within the bed of the eliminated streets and a 35 foot-wide easement extending from Stadium Avenue to Eastchester Bay, as shown on the B. P. Map No. 11270. On March 10 1955 (Cal No. 80), the Board of Estimate approved application CP 11238, relocating the 35 foot-wide easement as shown on the B. P. Map No. 11437. All said maps were signed by the Borough President, and

WHEREAS, Providence Rest Nursing Home, has filed an application (N 030140 MEX) to amend the City Map to remove the sewer easements previously delineated on BP Map Nos. 10386, 11270 and 11437, and

WHEREAS, the sewers originally intended to be placed within said easements were never built. The New York City Department of Environmental Protection has determined that such sewer easements can be eliminated, and

WHEREAS, the Topographical Bureau of the Borough President of The Bronx has reviewed and submitted to the Commission Alteration Map No. 13101 dated April 28, 2003 and signed by the Borough President of the Bronx showing the elimination of three sewer easements previously delineated, and

WHEREAS, this application (N 030140 MEX) for an amendment to the city map is related to one other application (C 020286 ZSX) being considered concurrently with this application:

C 020286 ZSX Special Permit for the enlargement of an existing nursing home, and

WHEREAS, this application (N 030140 MEX), in conjunction with the related application (C 020286 ZSX), 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 02DCP032X. The lead agency is the Department of City Planning. After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on June 2, 2003, and

WHEREAS, this application (N 030140 MEX), in conjunction with the related application (C 020286 ZSX), was reviewed by the Department of City Planning for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), adopted by the Board of Estimate on September 30, 1982 (Calendar No. 17), 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 02-013. The lead agency is the Department of City Planning. This action was determined to be consistent with the policies of the WRP, and

WHEREAS, This application (N 030140 MEX), along with the related application (C 020286 ZSX) was referred by the Department of City Planning to Community Board 10 and the Borough President on June 2, 2003, and

WHEREAS, Community Board 10, did not issue a recommendation, and

WHEREAS, the Borough President issued a Recommendation approving the application; for the special permit it was approved with conditions, and

WHEREAS, the Commission has determined that the application warrants approval, the Commission therefore adopts the following resolution:

RESOLVED, by the City Planning Commission, that, based on the environmental determination and the consideration described in this report, the application (N 030140 MEX) submitted by

Providence Rest Nursing Home, for an amendment to the City Map involving the elimination of three sewer easements located between Stadium Avenue and Eastchester Bay, Community District 10, Borough of the Bronx, in accordance with Map No. 13101, dated April 28, 2003 and signed by the Borough President is APPROVED 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. 13101 are filed with the appropriate agencies in accordance with Section 198 subsection c of the New York City Charter.

AMANDA M. BURDEN, AICP, CHAIR

KENNETH J. KNUCKLES, Esq, VICE CHAIRMAN

**ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E., ANGELA R. CAVALUZZI, R.A.,
RICHARD W. EADDY, ALEXANDER GARVIN, JANE D. GOL, CHRISTOPHER KUI,
JOHN MEROLO, KAREN A. PHILIPS, DOLLY WILLIAMS, Commissioners.**