



CITY PLANNING COMMISSION

November 19, 2003/Calendar No. 13

C 010661 MMR

IN THE MATTER OF an application submitted by the Department of Sanitation, pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 *et seq.* of the New York City Administrative Code, for an amendment to the City Map involving:

- the establishment of Victory Boulevard west of the West Shore Expressway;
- the discontinuance and closing of a portion of Victory Boulevard west of the West Shore Expressway;
- the delineation of a sewer easement;
- the adjustment of grades necessitated thereby;
- and any acquisition or disposition of real property related thereto,

Community District 2, Borough of Staten Island, in accordance with Map No. 4172 dated July 3, 2003 and signed by the Borough President.

The application (C 010661 MMR) for an amendment to the City Map was filed by the Department of Sanitation (DOS) on May 18, 2001, pursuant to sections 197-c and 199 of the New York City Charter and Section 5-430 *et seq.* of the New York City Administrative Code. It involves the establishment of Victory Boulevard west of the West Shore Expressway; the discontinuance and closing a portion of Victory Boulevard west of the West Shore Expressway and the delineation of a sewer easement.

RELATED ACTIONS:

In addition to the amendment to the City Map which is the subject of this report, implementation of the applicant's proposal also requires action by the City Planning Commission on the following application which is being considered concurrently with this application:

C 010660 PCR An application submitted by DOT pursuant to section 197-c of the NYC Charter for the site selection and acquisition of property for use as a rail extension.

BACKGROUND

The proposed amendment will establish a roadway currently known as Victory Boulevard from a point 240.05 feet westerly of the West Shore Expressway West Service Road to a point 1,711.57 feet westerly therefrom. The street width will transition from 70 feet to 80 feet wide to its new terminus

Victory Boulevard, currently exists as a record street for approximately 2,000 feet in length. It is partially open and in use. However it is mapped 70 feet-wide for a length of approximately 240.05 feet from its intersection with West Service Road. Additionally there is a mapped 30 foot-wide sewer easement running approximately 523 feet easterly from the westerly terminus of Victory Boulevard.

The proposed amendment will facilitate the development of the Staten Island Transfer Station (SITS) which involves the construction of an extension of the Travis Branch of the Staten Island Railway that will connect to the SITS. The railroad extension tracks will cross the westerly end of Victory

Boulevard at grade. This extension will consist of two tracks, a main line and a passing track. The extension will vary in width between a minimum of 60 feet and a maximum of 140 feet, crossing over Lots 1, 225, and 300 within Block 2705, properties owned by Consolidated Edison (ConEd), Visy Paper and the NRG Electric Generating Facility and a portion of Victory Boulevard. Both, the proposed map change and the extension are located within an M3-1 zone.

The Transfer Station will be constructed to the south of Victory Boulevard on a portion of Block 2685, Lot 100, a city-owned, undeveloped property, in an area formerly occupied by DOS administrative offices and bordering Little Fresh Kills and wetlands.

In addition to the amendment to the City Map which is the subject of this report, implementation of the applicant's proposal also requires action by the City Planning Commission on a site selection and acquisition application (C 010660PCR), which is being considered concurrently with this application.

An Interagency Conference was held on June 26, 2001. No agencies or utilities objected to the proposal and a mapping pre-certification report dated February 7, 2002 was issued.

ENVIRONMENTAL REVIEW

This application (C 010661 MMR) together with the related application (C 010660 PCR) 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 99DOS002Y. The lead agency is the Department of Sanitation.

A summary of the environmental review and the Final Environmental Impact Statement appears in the report on the related application for the site selection and acquisition (C 010660 PCR)

UNIFORM LAND USE REVIEW

This application (C 010661 MMR) together with the related application (C 010660 PCR) was certified as complete by the Department of City Planning on August 11, 2003, and was duly referred to Community Board 2 and the Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

Community Board Public Hearing

Community Board 2 held a public hearing on this application (C 010661 MMR) together with the related application (C 010660 PCR), on September 9, 2003, and on September 16, 2003, by a vote of 31 to 0 with 3 abstentions, adopted a resolution recommending approval of the application.

Borough President Recommendation

This application (C 010661 MMR) together with the related application (C 010660 PCR) was considered by the Borough President, who issued a recommendation approving the application on September 22, 2003.

City Planning Commission Public Hearing

On October 8, 2003 (Calendar No. 14), the City Planning Commission scheduled October 22, 2003 for a hearing on this application (C 010661 MMR) together with the related application (C 010660 PCR). The hearing was duly held on October 22, 2003 (Calendar No. 14) in conjunction with the public hearing on the related application (C 010660 PCR).

There was one speaker in favor of the application as described in the report of the related application (C 010660 PCR) for site selection and acquisition of property 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), 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 WRP00-88.

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

CONSIDERATION

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

Because the westernmost portion of Victory Boulevard is a dead-end unmapped roadway and is not necessary for the traffic circulation system or affect the neighboring properties, the discontinuance and closing of this portion of Victory Boulevard will have no impact on traffic in the area. It will allow DOS to develop the rail extension of the existing Travis Branch of the Staten Island Railway, therefore facilitating the long-term export of Department-managed waste to-out -of City disposal facilities. Due to the nature of the project and the railway tracks crossing on a portion of Victory Boulevard, the Commission believes that the easement across neighboring properties and the street area being discontinued and closed are appropriate. The track layout has been designed to minimize interference with the access roads from Victory Boulevard to adjacent properties.

The establishment of Victory Boulevard west of the West Shore Expressway in turn will benefit

the present properties abutting both sides of the street. The current roadway has been physically open and in use as a street since the 1900's. The roadway configuration will not change.

A full consideration and analysis of the issues and the reasons for approving this application appear in the report on the related application the site selection and acquisition (C 010660 PCR).

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 having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on October 16, 2000, with respect to this application (CEQR No. 99DOS002Y), the City Planning Commission finds that the requirements of Part 617, State Environmental Quality Review, have been met and that, consistent with social, economic and other essential considerations:

1. From among the reasonable alternatives thereto, the action(s) to be approved is/are ones which minimize(s) or avoid(s) adverse environmental impacts to the maximum extent practicable; and
2. The adverse environmental impacts revealed in the environmental impact statement will be minimized or avoided to the maximum extent by incorporating as conditions to this approval those mitigative measures that were identified as practicable.

The report of the City Planning Commission, together with the FEIS, constitutes the written statement of facts, and of social, economic and other factors and standards, that form the basis of the decision, pursuant to Section 617.9(c)(3) of the SEQRA regulations; 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 that, pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 *et seq.* of the New York City Administrative Code, that based on the environmental determination and the consideration described in this report, the application (C 010661 MMR) for an amendment to the City Map involving: the establishment of Victory Boulevard west of the West Shore Expressway; the discontinuance and closing of a portion of Victory Boulevard west of the West Shore Expressway; the delineation of a sewer easement; the adjustment of grades necessitated thereby and any acquisition or disposition of real property related thereto, Community District 2, Borough

of Staten Island, in accordance with Map No. 4172 dated July 3, 2003 and signed by the Borough President, is approved.

and be it further

RESOLVED that, pursuant to Section 5-432 of the New York City Administrative Code, the City Planning Commission determines that such closing or discontinuance will further the health, safety, pedestrian or vehicular circulation, housing, economic development or general welfare of the City; and be it further

RESOLVED that, pursuant to Section 5-433 of the New York City Administrative Code, the City Planning Commission adopts three (3) counterparts of Map No. 4172 dated July 3, 2003 providing for the discontinuance and closing of a portion of Victory Boulevard west of the West Shore Expressway, more particularly described as follows:

IN THE MATTER OF discontinuing and closing a portion Victory Boulevard, between the terminus of the newly established Victory Boulevard and the U.S. Pierhead and Bulkhead line, with an area of 83,337 square feet, as shown on alteration Map No. 4172.

BEGINNING at a point on the northerly line of Victory Boulevard. Said point being distant approximately 2195.24 feet westerly from the intersection of the northwesterly corner of the West Shore Expressway west service road and Victory Boulevard, as shown on the City Map;

- a. **THENCE** southerly, along the new westerly terminus line of Victory Boulevard a distance of 80.00 feet to a point on the southerly line of Victory Boulevard;
- b. **THENCE** westerly, along a southerly record line a distance of 552.01 feet forming an interior angle of 90 degrees with the previous course, to a point;
- c. **THENCE** westerly, along said line a distance of 407.66 feet forming an interior angle of 163 degrees, 24 minutes, 28 seconds, with the previous course, to a point ;
- d. **THENCE** northerly, along the former westerly terminus line of Victory Boulevard a distance of 132.86 feet forming an interior angle of 75 degrees, 42 minutes, 48 seconds, with the previous course, to a point;
- e. **THENCE** easterly, along a northerly record line a line, a distance of 366.47 feet forming an interior angle of 96 degrees, 38 minutes, 33 seconds with the previous course, to a point;

- f. **THENCE** easterly, along said line, a distance of 540.35 feet forming an interior angle of 204 degrees, 14 minutes, 12 seconds with the previous course, to the point or place of **BEGINNING**.

as shown on alteration Map No. 4172

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. 4172 are filed with the appropriate agencies in accordance with Section 198 subsection c of the New York City Charter and section 5-435 of the New York City Administrative Code;
- a. the subject street to be discontinued and closed shall be discontinued and closed on the day following the day on which such maps adopted by this resolution shall be filed in the offices specified by law.

The above resolution, duly adopted by the City Planning Commission on November 19, 2003 (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.

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, JANE D. GOL, CHRISTOPHER KUI, JOHN MEROLO, KAREN PHILIPS, DOLLY WILLIAMS, Commissioners.