



**CITY PLANNING COMMISSION**

---

April 27, 2005/Calendar No.26

C 050154 PCR

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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 site selection and acquisition of properties, including the beds of certain streets, generally bounded by Sand Lane, Quintard Street, Father Capodanno Blvd. and Patterson Avenue, Community District 2, Borough of Staten Island for the storage and conveyance of storm water.

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The application for site selection and acquisition of 73 privately owned lots, 9 city owned lots and 19 street beds (fee simple acquisition), totaling 35 acres, was filed by the Department of Environmental Protection (DEP) and the Department of Citywide Administrative Services (DCAS) on October 28, 2004, for the conveyance and storage of stormwater.

**BACKGROUND**

In 1961 the City of New York commissioned an Official Map and Drainage Plan for Staten Island that has never been fully implemented. The 1961 Official Map contains a conventional grid system engineered to provide gravity drainage to collector sewers. The Plan indicates that sewers would be located in streets mapped in the beds of streams which constitute the low points in the drainage basins. After more

than 40 years, the Plan is obsolete.

Much of South Richmond, as well as parts of Mid-Staten Island, continue to lack sanitary and/or storm sewers. As a solution for the need for infrastructure in this part of Staten Island, the Department of City Planning's (DCP) 1989 report entitled South Richmond's Open Space Network, An Agenda for Action: Stormwater and Open Space Management recommends that wetlands be used for stormwater management and open space.

The key stream corridors and wetlands found in South Richmond and other areas of Staten Island to be used for stormwater management are collectively called "the Bluebelt." DEP began to implement the recommendations of the 1989 report in 1993. In response, the City has proceeded to acquire property containing wetlands and streams while also developing management plans for selected drainage basins. The proposed action, site selection and acquisition of property in the South Beach area, is part of this process and is within the new South Beach system.

The South Beach parcels (the subject of this application) are associated with the South Beach watershed and covered by the South Beach Drainage Plan. The watershed includes the neighborhoods of South Beach, Linden Park, Grasmere and

Arrochar. The parcels are part of the South Beach Wetland System NA-7. This application will allow for the preservation of the existing storm water conveyance capacity for these wetlands and allow for restoration to increase this function as well as others.

#### **ENVIRONMENTAL REVIEW**

This application (C 050154 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 05DEP0108R. The lead agency is the Department of Environmental Protection.

This application was determined to be a Type II action which requires no further environmental review.

#### **UNIFORM LAND USE REVIEW**

This application (C 050154 PCR) was certified as complete by the Department of City Planning on December 20, 2004, and was duly referred to Community Board 3 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 on February 1, 2005, and on February 15, 2005 by a vote of 30 to 0 with no abstentions, adopted a resolution recommending approval of the application.

**Borough President Recommendation**

This application was considered by the Borough President, who issued a recommendation approving the application on February 28, 2005.

**City Planning Commission Public Hearing**

On March 16, 2005 (Calendar No. 21), the City Planning Commission scheduled March 30, 2005, for a public hearing on this application (C 050154 PCR). The hearing was duly held on March 30, 2005 (Calendar No. 35).

There were nine speakers in favor and two in opposition. The first speaker in favor was a representative of the DEP's director of the bluebelt program, who gave a brief description of the project. There was a speaker from the South Beach Civic

Association, one from the Dongan Hills United Civic Association and one from the Coalition for the South Beach Pond Park Preserve, who as local civic leaders had fought for years to preserve wetlands and to bring the bluebelt concept to their area. A local music teacher and a landowner, also spoke in favor of the bluebelt. Two project consultants for DEP, one current and one former, also spoke of the bluebelts' importance. A representative of the City Councilman from District 50), spoke of the councilman's support for the mid-island bluebelt.

The first speaker in opposition was a consultant for the owner of Block 3491, Lots 19, 20, 41 and 81, which are proposed for acquisition. He proposed removal of these lots from the application, so the owner could construct a housing development for disabled veterans. He also believed that these lots are not wetlands. The second speaker in opposition was a former congressman who expressed similar arguments. There were no other speakers and the hearing was closed.

#### **CONSIDERATION**

The Commission believes that the application for site selection and acquisition of privately-owned and city-owned

property in South Beach is appropriate.

The DCP's 1989 report entitled An Agenda for Action: Stormwater and Open Space Management identified the need for an alternative approach to traditional stormwater management methods. In 1993, DEP began the preparation of comprehensive sanitary and stormwater plans. The objective of the South Beach stormwater management plan is to collect and convey runoff in the watershed from storms up to the 5-year design storm without adversely affecting the hydrology and water quality of the watershed and its associated wetlands. The construction of storm sewers will collect street runoff and direct it to the Best Management Practices (BMP) sites prior to discharge into wetlands and streams of the watershed. This protects and preserves natural open space corridors while providing a cost effective management system.

DEP, the agency charged with implementing the stormwater management program, has received approval from the Office of Management and Budget (OMB) to proceed with the redesign of the Official Drainage Plan for one of the last unsewered sections of New York City, the eastern and southern parts of Staten Island.

In the Bluebelt applications approved to date by the City Planning Commission, the first of a three phase plan of action has proceeded - preserving the major watersheds. Preserving these watersheds requires immediate action due to development pressures while overall master planning for the Bluebelt proceeds. This application begins acquisition in the South Beach watershed.

In the next two phases, a comprehensive stormwater management/drainage plan will be redesigned (it has already been completed for several individual drainage basins). Long term management and maintenance methods for the consolidated properties will be devised as part of the drainage plan revisions and carried out in the third phase.

The Commission believes that the use of this proposed acquisition site for stormwater management is consistent with the goals of DCP's 1989 report on the South Richmond Open Space Network, An Agenda for Action: Stormwater and Open Space Management.

In response to testimony at the Commission's Hearing, in a

letter dated April 6, 2005, DEP stated:

A this parcel is critical to the success of the Bluebelt. It is located at the confluence of storm water flowing into the drain that conveys the water to the ocean. In addition, DEP needs the vacant land for the storage of storm water in order to prevent street flooding.@

The letter also states, in relation to the property owner's testimony:

AThe buildable portions of the holding.....have subsequently been sold and subdivided.....The remaining lots fall within the New York State Department of Environmental Conservation (DEC) wetland line.@

**RESOLUTION**

**RESOLVED,** by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York City Charter, that based on the environmental determination, and the consideration described in this report, the 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 site selection and acquisition of properties including the beds of certain streets, generally bounded by Sand Lane, Quintard



Street, Father Capodanno Blvd. and Patterson Avenue,  
(privately owned: Block 3404, Lots 34, 36, 37, 50, Block 3405,  
Lots 100, 102, Block 3407, Lot 1, Block 3408, Lot 1, Block  
3413, Lots 3, 4, 5, 7, 9, 14, 18, 19, 35, 37, 39, 43, 49, 61,  
65, 70, 71, 75, Block 3414, Lots 1, 9, 11, 14, 28, 30, 35, 36,  
47, 49, 51, 52, 53, Block 3415, Lots 1, 3, 5, 7, 26, 33, Block  
3416, Lots, 10, 15, 19, 21, 35, Block 3417, Lots 214, 236,  
Block 3418, Lots 50, 57, Block 3422, Lot 1, Block 3423, Lots  
1, 7, 41, Block 3427, Lots 10, 100, Block 3491, Lots 8, 15,  
19, 20, 41, 81, 201, Block 3500, Lots 13, 40, 50, 72, 82,  
100;city owned: Block 3415, Lot 53, Block 3427, Lots 200, 260,  
300, Block 3491, Lot 150, Block 3500, Lot 60) Community  
District 2, Borough of Staten Island for the storage and  
conveyance of storm water, is approved.

The above resolution (C 050154 PCR), duly adopted by the City  
Planning Commission on April 27, 2005 (Calendar No.26), 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  
**IRWIN G. CANTOR P.E., ANGELA CAVALUZZI, R.A.,**

ALFRED C. CERULLO, III, RICHARD W. EADDY, LISA A. GOMEZ,  
CHRISTOPHER KUI, JOHN MEROLO, KAREN A. PHILLIPS, DOLLY  
WILLIAMS,  
Commissioners