



## **CITY PLANNING COMMISSION**

December 5, 2007/Calendar No. 25

C 050302 MMQ

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**IN THE MATTER OF IN THE MATTER OF** an application, submitted by the Department of Parks and Recreation, pursuant to Sections 197-c and 199 of the New York City Charter, for an amendment to the City Map involving:

- the establishment of a Park addition;
- the elimination of 43<sup>rd</sup> Avenue between 246<sup>th</sup> and 247<sup>th</sup> streets;
- the delineation of a sewer corridor and a sewer easement;
- adjustment of grades necessitated thereby; and
- any acquisition or disposition of real property related thereto,

Community District 11, Borough of Queens, in accordance with Map No. 4984 dated January 12, 2007 and signed by the Borough President.

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The application (C 050302 MMQ) for an amendment to the City Map was filed by the Department of Parks and Recreation, pursuant to Sections 197-c and 199 of the New York City Charter on February 14, 2005. It involves: the establishment of a Park addition; the elimination of 43<sup>rd</sup> Avenue between 246<sup>th</sup> and 247<sup>th</sup> streets; the delineation of a sewer corridor and a sewer easement; the adjustment of grades necessitated thereby; and any acquisition or disposition of real property related thereto.

### **BACKGROUND**

The application submitted by the Department of Parks and Recreation (DPR) proposes the elimination of 43<sup>rd</sup> Avenue and the establishment of an addition to existing parkland to facilitate the preservation of an environmentally sensitive area and the natural habitat in the Udalls Ravine Preserve in the Borough of Queens.

Udalls Ravine is a New York State Department of Environmental Conservation (NYS DEC) designated wetland area and functions as a drainage corridor which runs northward and empties into Udalls Cove, also a NYS DEC designated tidal wetland. The ravine and the tidal wetland together form an interdependent ecosystem, commonly referred to as the Udalls Ravine Preserve.

Forty Third Avenue between 246<sup>th</sup> and 247<sup>th</sup> streets is mapped to a 60 foot width, unimproved and privately owned. When 43<sup>rd</sup> Avenue is eliminated from the City Map, the westerly portion of the street will be mapped as an addition to the park and the easterly portion will remain in private ownership.

During this mapping process, 4 lots in Block 8112 would be mapped as an addition to the existing parkland located south of the proposed site. Lot 185 is already under the jurisdiction of the Department of Parks and Recreation. The other three lots (Lots: 70, 170 and 184) in this block are privately owned and would be acquired by the City. The total mapped park addition would be 1.54 acres.

The project site is in R1-2 and R3-1 zoning districts. West of the proposed site lies the Douglaston Hill Historic District roughly bounded by Douglaston Parkway, Northern Boulevard, 243<sup>rd</sup> Street and 244<sup>th</sup> Street. The immediate areas to the east and west are developed with one or two family residential buildings.

An interagency mapping conference was held on March 18, 2005. No city agency had any objections to this proposal.

## **ENVIRONMENTAL REVIEW**

This application (C 050302 MMQ) 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 No. is 04DPR001Q. The lead agency is the Department of Parks and Recreation.

After a study of the potential environmental impact of the proposed action, a negative declaration was issued on November 5, 2003.

## **UNIFORM LAND USE REVIEW**

This application (C 050302 MMQ), was certified as complete by the Department of City Planning on July 23, 2007 and was duly referred to Community Board 11 and the Queens 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 11 held a public hearing on this application (C 050302 MMQ) on September 4, 2007, and on that day, by a vote of 40 to 2 with 0 abstentions, adopted a resolution recommending approval of the application.

## **BOROUGH PRESIDENT RECOMMENDATION**

This application (C 050302 MMQ) was considered by the Borough President, who issued a recommendation approving the application on October 15, 2007.

## **CITY PLANNING COMMISSION PUBLIC HEARING**

On October 3, 2007 (Calendar No. 8), the City Planning Commission scheduled October 17, 2007, for a public hearing on this application (C 050302 MMQ). The hearing was duly held on October 17, 2007 (Calendar No. 16) and continued on October 31, 2007 (Calendar No. 21).

There were three speakers in favor and none in opposition to this proposal. The representative of the Department of Parks and Recreation described the project proposal stating that the establishment of the park addition will preserve an environmentally sensitive area and natural habitat in the Udalls Ravine Preserve.

A representative of the Udalls Cove Preservation Committee speaking in favor of the application stated that Udalls cove is a critical wildlife habitat and a natural filter that is crucial for the maintenance of water quality in the Little Neck Bay. The preserve is located in the middle of two

national estuary programs, Long Island Sound Estuary Program in the east and New York New Jersey Harbor Estuary Program in the west.

A representative of Douglaston Civic Association stated that the park should be mapped and the properties acquired to preserve all of Udalls Cove in order to stop development of this land, protect and continue the preservation of the area and to protect the destruction of the natural habitat.

There were no other speakers and the hearing was closed.

### **Waterfront Revitalization Program Consistency Review**

This application (C 050302 MMQ) 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 07-036.

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.

The portion of 43<sup>rd</sup> Avenue between 246<sup>th</sup> and 247<sup>th</sup> streets, proposed to be eliminated from the City Map, is mapped to a 60-foot width, unimproved and privately-owned. 43<sup>rd</sup> Avenue, proposed to be eliminated from the City Map, is not necessary to the integrity and function of the street grid in this area. Peripheral streets can adequately, safely and conveniently carry the anticipated volume of vehicular and pedestrian traffic, at an acceptable level of service, both now and in the future.

Udalls Ravine, a freshwater conduit, is a wooded and wetlands valley located between 243<sup>rd</sup> and 247<sup>th</sup> streets north of Northern Boulevard and functions as a natural area drainage corridor that assists in the passage of groundwater runoff into the Cove and out to Little Neck Bay. The Ravine is also recognized as an environmentally sensitive natural habitat that lies directly in the flight path for migratory birds on the North Atlantic Flyway. At any season of the year, many varieties of waterfowl and wading birds can be seen at the edges of the Cove and nesting in adjacent wetlands.

## **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, 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 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 050302 MMQ) for the amendment to the City Map involving:

- the establishment of a Park addition;
- the elimination of 43<sup>rd</sup> Avenue between 246<sup>th</sup> and 247<sup>th</sup> streets;
- the delineation of a sewer corridor and a sewer easement;
- adjustment of grades necessitated thereby; and
- any acquisition or disposition of real property related thereto,

Community District 11, Borough of Queens, in accordance with Map No. 4984 dated January 12, 2007 and signed by the Borough President, is approved; and be it further

**RESOLVED** that, all such approvals being subject to the following condition:

The subject amendment to the City Map shall take effect on the day following the day on which certified counterparts of Map No. 4984 are filed with the appropriate agencies in accordance with Section 198 subsection c of the New York City Charter.

The above resolution (C 050302 MMQ), duly adopted by the City Planning Commission on December 5, 2007 (Calendar No. 25), 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 Chair**

**ANGELA BATAGLIA, IRWIN G. CANTOR, P.E.**

**ANGELA R. CAVALUZZI, R.A., ALFRED C. CERULLO, III**

**BETTY CHEN, RICHARD W. EADDY**

**NATHAN LEVENTHAL, KAREN A. PHILLIPS**

**DOLLY WILLIAMS, Commissioners**

**MARIA M. DEL TORO, Commissioner, Abstaining**