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**IN THE MATTER OF** an application submitted by Jughandle Realty, LLC and the New York City Economic Development Corporation pursuant to Sections 197-c and 199 of the New York City Charter for an amendment to the City Map involving:

- the elimination, narrowing and realignment of the Nassau Expressway and the establishment of a portion of the south street line of Rockaway Boulevard within the area bounded by 159<sup>th</sup> Street, Nassau Expressway and Rockaway Boulevard;
- the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in Community District 13, Borough of Queens, in accordance with Map No. 5028 dated November 26, 2018 and signed by the Borough President.

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This application for an amendment to the City Map was filed by Jughandle Realty, LLC and the New York City Economic Development Corporation (EDC) on June 26, 2018. The proposed City Map amendment and related disposition of City-owned property would facilitate the development of a distribution facility for Bartlett Dairy on a portion of the property, in the Springfield Gardens neighborhood of Queens, Community District 13.

## **BACKGROUND**

The City Map change application would facilitate the construction of a new distribution and vehicle repair facility for Bartlett Dairy. Bartlett Dairy is a New York based family run dairy and dry goods distribution company founded in Queens in 1963.

The subject portion of the Nassau Expressway is an irregularly-shaped City-owned parcel that was mapped with a flyover in the 1970's to establish an access into John F. Kennedy International Airport, (JFK), but it was never constructed. The 8.75-acre parcel, while mapped as part of the Nassau Expressway, remains in the same tax lot as JFK, Block 14260 Lot 1. The parcel is located immediately north of JFK Airport between Rockaway Boulevard to the northeast and the built

<sup>1</sup> Block number 14260 was corrected in the Background section of the report.

portion of the Nassau Expressway on the south. The property has never been built upon, with the exception of a small Con Edison substation located near the center of the site and a narrow-paved area that leads to the substation from Rockaway Boulevard. The Con Edison facility will remain in place within an easement to facilitate access. The rest of the site is vacant, undeveloped, and overgrown with grass, trees and shrubbery.

The New York State Department of Transportation (SDOT) has jurisdiction over the Nassau Expressway, which is located within a State-owned easement on City-owned property. SDOT's easement is approximately 1,082,282 square feet in area (23.61 acres), and includes approximately 83,947 square feet (1.93 acres) of the 8.75 acre development site. The SDOT easement will remain in place in this portion of the development site. The elimination of the mapped portion of the expressway will create two new tax lots in Block 14260, adjacent to Lot 90 and will require the establishment of a new southwesterly line of Rockaway Boulevard, as well as a new northeasterly line of the Nassau Expressway.

A 6.15-acre portion of the development site would be disposed of and developed with a distribution facility and a vehicle maintenance and repair facility by Bartlett Dairy. The distribution facility and administrative offices will be two stories with approximately 47,750 square feet of floor area. The vehicle repair facility will be one story, with 6,300 square feet of floor area. The remaining 2.6 acres would remain in City ownership. At this time there are no specific plans for the site but the area would likely be used for future parking. Once developed, the site will not have direct access onto the Nassau Expressway. All access to the development site will be to and from Rockaway Boulevard through a two-way driveway and curb cut near the northerly end of the development site between 145th Avenue and 145th Road, and a new curb cut further south along Rockaway Boulevard between 145th Drive and 146th Avenue which would be used for egress only.

Bartlett Dairy is a family owned business that was founded in Jamaica, Queens in 1963. It operated at this location until 2016 when their lease was not renewed. Bartlett Dairy currently operates out of two facilities, one in Newark, New Jersey and the other in Rochester, New York. The existing

Newark facility would be re-located to the new Nassau Expressway site. It is expected that approximately 165 jobs would be returned to Queens.

Affected agencies and utilities were polled by email on July 9, 2019 regarding the proposed amendment to the City Map. No City agencies have expressed any objections to the proposal.

## **ENVIRONMENTAL REVIEW**

This application (C 180517 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 Number is 17DME006Q. The lead agency is the Office of the Deputy Mayor for Housing and Economic Development.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on November 30, 2018.

## **UNIFORM LAND USE REVIEW**

This application (C 180517 MMQ) was certified as complete by the Department of City Planning on December 3, 2018 and duly referred to Queens Community Board 13 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 13 held a public hearing on this application (C 180517 MMQ) on January 28, 2019 and on that date, by a vote of 35 in favor, zero opposed, and zero abstaining, the Board adopted a resolution recommending approval of the application.

## **Borough President Recommendation**

This application (C 180517 MMQ) was considered by the Queens Borough President, who on February 15, 2019 issued a recommendation of approval of the application.

## **City Planning Commission Public Hearing**

On March 13, 2019 (Calendar No.11), the City Planning Commission scheduled March 27, 2019, for a public hearing on this application (C 180517 MMQ). The hearing was duly held on March 27, 2019 (Calendar No. 35). Several speakers appeared in favor of the application. The applicant team gave a group presentation outlining the proposal. Representatives from Bartlett Dairy appeared to answer questions from The Commission and one speaker from the JFK Industrial Business Improvement District spoke in favor of the application.

## **WATERFRONT REVITALIZATION PROGRAM CONSISTENCY REVIEW**

This application (C 180517 MMQ) was reviewed by the City Coastal Commission 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 30, 2013 and by the New York State Department of State on February 3, 2016, 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 16-193.

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 City Map (C 180517 MMQ) is appropriate.

This proposed City Map amendment will create an 8.75-acre development site that would facilitate the development of a distribution facility for Bartlett Dairy. About 2.6 acres of the demapped area would remain in City ownership, however, there are no specific plans for the site at this time and the area is expected to be used for future parking.

The Commission acknowledges that the portion of the Nassau Expressway to be eliminated from the City map is currently City-owned, mapped to an irregular width, not open to through traffic

and is currently overgrown with grass, trees and shrubbery with the exception of a small Con Edison facility that will remain in place within a new easement.

The elimination of the subject portion of the mapped but unbuilt Nassau Expressway is needed for the construction of the new distribution to proceed. The Commission believes that the proximity of the new distribution facility to several major roadways is a suitable use for the development site.

The Commission acknowledges that the City Map amendment would facilitate plans that will allow Bartlett Dairies to remain and potentially expand operations in New York City while creating new jobs.

## **RESOLUTION**

Therefore, the City Planning Commission, deeming the proposed amendment to the City Map and any related acquisition or disposition of real property related thereto 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, acting as the City Coastal Commission, having reviewed the waterfront aspects of this action, finds that the actions will not substantially hinder the achievement of any WRP policy and hereby determines that this 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 180517 MMQ) for the amendment to the City Map involving:

- the elimination, narrowing and realignment of the Nassau Expressway and the establishment of a portion of the south street line of Rockaway Boulevard within the area bounded by 159<sup>th</sup> Street, Nassau Expressway and Rockaway Boulevard;
- the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in Community District 13, Borough of Queens, in accordance with Map No. 5028 dated November 26, 2018 and signed by the Borough President is approved.

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. 5028 dated November 26, 2018 are filed with the appropriate agencies in accordance with Section 198 subsection c of the New York City Charter.
- b. The subject amendment to the City Map shall not be filed with the appropriate agencies in accordance with condition “a” above until the applicant shall have executed a mapping agreement protecting the city's interest, approved as to form and sufficiency by the Corporation Counsel and accepted by the City Planning Commission (the “Mapping Agreement”). If such agreement is not accepted by the City Planning Commission within two years of the date of this resolution, the approved amendment to the City Map may be returned to the City Planning Commission for rescission.

The above resolution (C 180517 MMQ), duly adopted by the City Planning Commission on May 8, 2019 (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.

**MARISA LAGO**, *Chair*  
**KENNETH J. KNUCKLES, Esq.**, *Vice-Chairman*

**DAVID J. BURNEY, ALLEN P. CAPPELLI, Esq., ALFRED C. CERULLO, III,  
MICHELLE de la UZ, JOSEPH I. DOUEK, RICHARD W. EADDY,  
ANNA HAYES LEVIN, ORLANDO MARIN,  
LARISA ORTIZ, RAJ RAMPERSHAD, *Commissioners***

**HOPE KNIGHT, *Commissioner recused***