



CITY PLANNING COMMISSION

February 4, 2009/Calendar No. 17

C 090111 PCQ

IN THE MATTER OF an application submitted by the Department of Transportation and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter for the site selection and acquisition of property located at 130-31 Northern Boulevard (Block 1791, Lots 52, 68, and 72), for use as an asphalt plant, Borough of Queens, Community District 7.

The application was filed by the Department of Transportation (DOT) and the Department of Citywide Administrative Services (DCAS) on September 22, 2008 for the acquisition of property located at 130-31 Northern Boulevard (Block 1791, Lots 52, 68, and 72), to facilitate the continued use as an asphalt plant in Community District 7, Borough of Queens.

BACKGROUND

The Department of Transportation (DOT) and the Department of Citywide Administrative Services (DCAS) propose to acquire an existing, privately-owned asphalt plant. The approximately four-acre site is located at the northern end of the Willets Point peninsula in an M3-1 zoning district, and is bounded by the Flushing Creek to the east, Northern Boulevard to the south, the elevated Whitestone Expressway to the northwest, and a Van Wyck Expressway access ramp to the southwest.

The privately-owned plant has been in operation since 1981 and has provided DOT with about one half of the plant's 250,000 tons approximate annual output of asphalt. This constitutes one-third of DOT's asphalt supply for Queens' operations. DOT's interest in acquiring the site was triggered by an uncertainty with respect to the plant's continued operation under the current owner. The proposed acquisition would ensure the plant's continued operation and the provision of a reliable and adequate source of paving material for DOT's Division of Roadway Repair and Maintenance for Queens.

The subject site is developed with three two-story metal buildings accommodating generators, maintenance facilities and a control tower, several one-story buildings including a gate house and foam house, a bulk-headed dock, a variety of materials hoppers (open and enclosed), multiple silos, drum dryers and other equipment. The total floor area on the site is 14,300 square feet.

Currently, the facility employs 10 workers and usually hosts 10 heavy industrial vehicles. DOT intends to maintain the same physical plant and level of operations on-site in order to secure the asphalt supply,

and has no plans to expand production at the plant.

The site is isolated from nearby uses by the complex of elevated roadways and ramps of the Whitestone and Van Wyck Expressways, Northern Boulevard and by the Flushing River. Neighboring areas beyond the highway network and the river are mostly zoned for industrial uses. DOT's Harper Street maintenance facility occupies the adjacent M3-1 district to the west and is directly accessible to the proposed site beneath the elevated ramp to the Whitestone Expressway's Flushing River Bridge. The Downtown Flushing and College Point waterfronts located eastward across the Flushing River are also heavily industrial areas zoned M3-1 along the Flushing River waterfront with M2-1 and M1-1 districts mapped further upland.

Southwest of the site, the area known as Willets Point is developed with a mix of automobile repair shops and large industrial uses. Several land use applications including the creation of the Special Willets Point (zoning) District were approved by the City Council on November 18, 2008 to facilitate the City's comprehensive planning strategy aimed at transforming the area into a lively, mixed-use, sustainable community and regional destination. New development envisioned for the special district includes new retail and entertainment uses, offices, hotels, a convention center, up to 5,500 dwelling units, a new public school and a range of public open spaces.

ENVIRONMENTAL REVIEW

The application (C 090111 PCQ) was reviewed pursuant to the New York State Environmental Quality Act (SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 *et seq.* and the New York City Environmental Quality Review (CEQR) Rules and Procedures of 1991 and Executive Order No. 91 of 1977. The lead agency is the NYC Department of Transportation. The designated CEQR number is 08DOT005Q.

After a study of the potential environmental impacts of the proposed action, a Negative Declaration was issued on July 18, 2008.

UNIFORM LAND USE REVIEW

This application (C 090111 PCQ) was certified as complete by the Department of City Planning on October 6, 2008, and was duly referred to Community Board 7 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 7 held a public hearing on this application (C 090111 PCQ) on November 10, 2008 and on that date, by a vote of 31 to 0 with no abstentions, adopted a resolution recommending approval of this application.

Borough President Recommendations

This application (C 090111 PCQ) was considered by the Queens Borough President, who issued a recommendation approving the application on December 17, 2008 with the following conditions:

- At the end of the asphalt plant's five year useful life, it must be replaced with a state-of-the-art facility using the most energy efficient technology and meet the cleanest emissions standards possible;
- The parcel of land under the jurisdiction of the Department of Parks and Recreation used by DOT as storage for the adjoining Harper Street Facility must be cleared and restored as an extension of the Flushing Bay Promenade.

City Planning Commission Public Hearing

On December 17, 2008 (Calendar No. 14), the City Planning Commission scheduled January 7, 2009 for a public hearing on this application (C 090111 PCQ). The hearing was duly held on January 7, 2009 (Calendar No. 26). There was one speaker in favor of the application, and no speakers in opposition.

A representative from the Department of Transportation described the need for the proposed acquisition and the locational advantages of the project site. He also spoke of DOT's commitment to future upgrade of the facility and to restoring the parkland adjoining the Harper Street facility as recommended by the Queens Borough President.

There were no other speakers and the hearing was closed.

WATERFRONT REVITALIZATION PROGRAM CONSISTENCY REVIEW

This application (C 090111 PCQ) was reviewed by the Department of City Planning for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), as amended, and 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 WRP#08-053.

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 application by the Department of Transportation (DOT) and the Department of Citywide Administrative Services (DCAS) for the site selection and acquisition of property located at 130-31 Northern Boulevard (Block 1791, Lots 52, 68 and 72) for use as an asphalt plant is appropriate.

The Commission believes that the proposed acquisition will ensure that DOT will continue to have an adequate source of paving material for the Borough of Queens.

The Commission further notes that the subject site is located in an M3-1 district, a zone that allows heavy industrial uses. The Commission believes that the waterfront location is particularly suitable because it provides for the transport of raw materials to the site by barge and has good access to the city's highway system. The Commission further believes that the site's locational advantages will better provide for a cost effective delivery of materials and permit additional efficiencies associated with the closer integration of DOT's Harper Street Maintenance facility.

The Commission notes that in response to the Queens Borough President's conditions DOT, at the Commission's public hearing, expressed commitments to upgrading the plant's operations, as well as working towards restoration of parkland which is an extension of the Flushing Bay Promenade.

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, that the City Planning Commission, pursuant to Sections 197-c of the New York City Charter that, based on the environmental determination and the consideration described in this report, the application of the NYC Department of Transportation and the Department of Citywide Administrative Services for site selection and acquisition of property located at 130-31 Northern Boulevard (Block 1791, Lots 52, 68, and 72), Community District 7, Borough of Queens, for use as an asphalt plant, is approved.

The above resolution (C 090111 PCQ), duly adopted by the City Planning Commission on February 4, 2009 (Calendar No.17), 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, FAICP, Chair
ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E., ANGELA R. CAVALUZZI, AIA.,
ALFRED C. CERULLO, III, BETTY Y. CHEN, MARIA M. DEL TORO, RICHARD W. EADDY,
NATHAN LEVENTHAL, SHIRLEY A. MCRAE, JOHN MEROLO, KAREN A. PHILLIPS, Commissioners