



## **CITY PLANNING COMMISSION**

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July 14, 2004/Calendar No. 36

C 040278 PPR

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**IN THE MATTER OF** an application submitted by the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the disposition of one (1) city-owned property located on the easterly side of Brielle Avenue, south of Wolcott Avenue (Block 955, P/O lots 1 and 200), pursuant to zoning, Borough of Staten Island, Community District 2.

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The application for the disposition of 15.39 acres (670,345 square feet) of city-owned property was filed by the Department of Citywide Administrative Services (DCAS) on February 5, 2004.

### **RELATED ACTIONS**

In addition to the disposition of city-owned property which is the subject of this report, the implementation of the proposed development also requires actions by the City Planning Commission on the following applications which are being considered concurrently with this application:

1. N 040277 ZAR      Authorizations pursuant to Section 23-631(h) for Penetration of Height and Setback Regulations and pursuant to Section 26-26 (a)(1) for Waiver of Requirements for Developments with Private Roads
2. N 040275 ZAR      Authorizations pursuant to Sections 105-421, 105-423, and 105-424 for the Modification of Topography, Removal of Trees, and Alteration of Other Natural Features, respectively
3. N 040276 ZCR      Certification pursuant to Section 105-90 for Future Subdivision.

### **BACKGROUND**

This application was filed by the Department of Citywide Administrative Services (DCAS) concurrently with related applications filed by the Metropolitan Council on Jewish Poverty (Met Council) and Saint Francis De Sales Development Corporation (SFDS), on February 5, 2004, to facilitate development of 515 units of nonprofit housing for the elderly, 6 units of staff housing, a common building, and accessory parking on 15.39 acres of city-owned land in an R3-2 zoning district within the Special Natural Area District NA-1. The project site is located on the easterly side of Brielle Avenue, south of Wolcott Avenue in the Sea View area of Staten Island.

The site is city-owned and is part of the Farm Colony - Seaview Hospital Historic District. The Landmarks Preservation Commission designated the area an historic district in 1985. Seaview Hospital was a tuberculosis hospital planned and built between 1905 and 1938 and in operation until 1960. In 1960, Seaview merged with the Farm Colony, NYC's "poor farm" built in 1902. Today the Seaview Hospital Rehabilitation Center and Home is a long-term care facility that provides adult day health care programs, rehabilitation therapy, a traumatic brain injury center, and Alzheimer's and related programs.

North of the site is the residential community of Willowbrook which is zoned R3X and R3-1. West of the site is the Farm Colony which is mostly wooded. The Farm Colony area directly across from the site is developed with baseball fields and an accessory athletic building. The site has 252 feet of frontage on Brielle Avenue to the west.

The site is part of a larger 50-acre site that was the subject of a "request for proposals" issued by the

New York City Economic Development Corporation (EDC). In July 2000, EDC awarded the project to Met Council and SFDS. Met Council and SFDS have limited development to 15.39 acres of the 50-acre site; this parcel (the development site) is the subject of this application. DCAS intends to transfer the remainder of the 50-acre parcel to the Department of Parks and Recreation (DPR) to be preserved as public open space.

The development site is mostly wooded. Approximately 1/3 of the development footprint is located on land previously developed with housing for Seaview Hospital staff. All that remains of the hospital staff housing are the road system and the former hospital director's home. The site ranges from an elevation of 257' at Brielle Avenue to 320' at the southeast corner of the development site. Serpentine barrens cover 17% of the 50-acre site and 0.67% of the development site. Serpentine rock, which runs along the Appalachian Mountain Range from Canada into the southeast United States, forms overlying soils of unique chemical composition that in turn support plant communities of limited diversity that can tolerate such growing conditions. The distinctive flora and fauna associated with these shallow soils are known as a Serpentine barrens community. DCAS will ensure the preservation of the Serpentine barrens by limiting development to a 15-acre portion of the site and transferring the remainder, including the serpentine barrens area, to the Department of Parks and Recreation.

### **Project Description**

Met Council and SFDS propose to develop 515 units of senior housing, to include 144 units of assisted living and 371 units of independent living, and 6 units of staff housing on private roads. The complex

would be made up of three multi-story buildings (known as Clusters A, B and C), a Commons Building, and the former home of the Seaview Hospital Director, which will be restored for staff housing. Each cluster would have a controlled entrance and common facilities including a dining hall, convenience store, TV/music room, computer/game room, library, doctor's office and exam room, exercise rooms, large screened porch and lounge for the residents. The Commons Building would include an outdoor swimming pool, a large meeting hall/theater, atrium/lounge, arts-and-crafts room, library, chapel, music/tv room, card room, exercise room, convenience store, unisex salon, and doctor's office with exam rooms. Portable lawn furniture would be available throughout the outside common open spaces. Parking would be provided in ten small lots arranged along the interior road. The total number of parking space for employees, visitors and residences would be 234.

## **LAND USE ACTIONS**

### **C 040278 PPR - Disposition of City-owned Property**

DCAS proposes to dispose of Block 955, P/O lots 1 and 200 to EDC which intends to dispose of the property to Metropolitan Council on Jewish Poverty and Saint Francis De Sales Development Corporation. The property would be disposed pursuant to zoning. The disposition site is 670,345 square feet (15.389 acres) and largely vacant. The area is zoned R3-2 and is within the NA-1 Special Natural Area District. The lot is surrounded by city-owned land under DCAS jurisdiction.

### **N 040277 ZAR**

The applicants, Met Council and SFDS, request an authorization pursuant to Section 23-631(h) of the

Zoning Resolution for waiver of height and setback regulations. The waiver is needed because the proposed buildings penetrate the height limit of 35' and do not set back after 21' as required in an R3-2 district. The development consists of three residence buildings ranging from 3- to 6-stories (54' to 69' maximum) in height and a central Commons building of lower height.

The applicants also request an authorization pursuant to Section 26-26 (a)(1) of the Zoning Resolution for waiver of requirements for developments with private roads. The relevant findings are related to enhanced design quality of the development. The development does not provide sidewalks along all roadsides with a building wall facing the roadway as required by Section 26-24; does not have a 3'-wide planting strip with trees between sidewalk and roadway, as required by Section 26-23; and does not have a minimum 5' open space between roadway and building front, as required by Section 26-25.

## **N 040275 ZAR**

### **105-421 Modification of Topography**

The Commission may, pursuant to Section 105-421 of the Zoning Resolution (Special Natural Area District), authorize modification of topography based upon determination that the development is not feasible without such modifications, that such modification will not disturb the drainage patterns and soil conditions of the site, and that the modification of topography has minimal impact on the surrounding natural topography of the area and blends harmoniously with it.

The topography would be altered in the footprints of the buildings, parking areas, and private roadways. Outside the building footprints the average cut and fill is 4 feet and the greatest cut is 6 feet. The site low elevation would remain 257' at Brielle Avenue and the peak elevation would remain 320' at the southeast corner of the development site.

### **105-423 Removal of Trees**

The Commission may, pursuant to Section 105-423 of the Zoning Resolution (Special Natural Area District), authorize removal of trees based upon determination that plant material is located within 8' of the building footprint, or driveway, etc., and it is not possible to make minor adjustments to avoid such plant material.

The applicants authorization to remove trees within the development footprint and within 8' of the development footprint. Based on the 670,345 square feet (15.39 acres) of the development site, the project must preserve or provide a minimum of 670 tree credits. The applicants propose to plant 527 trees and to preserve 950 trees, totaling 1,477 trees (2,044 total tree credits on the site).

### **105-424 Alteration of Other Natural Features**

The Commission may, pursuant to Section 105-424 of the Zoning Resolution (Special Natural Area District), authorize alteration of other natural features based upon determination that development is not feasible without such alteration.

The applicants request authorization to alter steep slope (> 15% slope) and serpentine barrens.

Approximately 5,000 square feet of steep slope would be altered. The development was sited on the ridgeline to avoid disturbing the steep slope area. Serpentine barrens cover 4,500 square feet which would be disturbed by development.

### **N 040276 ZCR**

The project requires certification pursuant to Section 105-90 of the Zoning Resolution to subdivide the current single zoning lot to separate the development site from the larger city-owned zoning lot that contains the Seaview Home and Hospital. The resulting zoning lots would be 15.39 acres and 301 acres, respectively. According to the applicant, both zoning lots would be compliant with underlying zoning regulations.

### **ENVIRONMENTAL REVIEW**

This application (C 040278 PPR ), in conjunction with the applications for the related actions (N 040276 ZCR), (N 040275 ZAR) and (N 040277 ZAR), 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 lead agency is the Office of the Deputy Mayor for Economic Development and Rebuilding. The designated CEQR number is 02DME006R. After review of the Environmental Assessment Statement (EAS), the lead agency determined that this proposal could have significant adverse effects on the environment,

requiring a Draft Environmental Impact Statement (DEIS) be prepared. The lead agency issued a Positive Declaration indicating this determination on May 7, 2002.

It was determined that an environmental impact statement would be required because the project as proposed may result in significant adverse impacts on the following:

- Land use, zoning, and public policy due to project location within Farm Colony- Seaview Hospital District, Special Natural Area District 1, and NYC coastal zone.
- Historic, urban design, and visual resources due to project location within the Farm Colony-Seaview Historic District
- Natural features due to project location within the Special Natural Area District
- Project storm-water runoff impacts to on-site and nearby natural areas
- Open space resources due to the potential realignment of Blue Trail and proximity of site to the Greenbelt.

Along with a the issuance of a Positive Declaration, the lead agency issued a Draft Scope of Work for the DEIS on May 7, 2002 and held a public scoping meeting on the DEIS on June 11, 2002. The project that was the subject of the public scoping meeting was proposed to cover 15 acres of a vacant 50-acre parcel of City-owned land for senior residential housing. A final scope of work, reflecting comments made during the scoping and modified development proposal, was issued on August 8, 2002.

The applicant prepared a DEIS, and a Notice of Completion was issued on March 4, 2004. Pursuant to the SEQRA regulations and the CEQR procedures, a joint public hearing was held on the DEIS on



June 9, 2004, in conjunction with the public hearing on the Uniform Land Use Review Procedure (ULURP) item (C 040278 PPR). The Final Environmental Impact Statement (FEIS) was completed, and a Notice of Completion was issued on June 30, 2004. The Notice of Completion for the FEIS identified the following significant impacts and proposed the following mitigation measures.

#### *Hazardous Materials/Asbestos Emissions*

The renovation of the Nurses Residence may require the remediation of any asbestos and lead-based paint found to be located in the 1916 building. No visible evidence of any fuel tanks associated with the Nurses Residence or any of the former structures on the property was found during the Phase 1 site inspection and none were encountered during the soil borings. Due to the presence of serpentine rock underlying part of the site, which according to NYC Department of Environmental Protection can have asbestos levels of 5 to 30 percent, there is potential for release of asbestos during the disturbance of this rock during construction.

A Site Specific Health and Safety Plan to be prepared for the construction period and approved by NYC Department of Environmental Protection will address the appropriate handling, storage, transport and disposal of any toxic and hazardous materials and wastes, including serpentine asbestos, dust, and other hazardous materials (including slightly elevated concentrations of semi-volatile organic compounds and metals in soils). Any aboveground or underground storage tanks found on site during construction would be properly removed and disposed of in accordance with all applicable NYS Department of Environmental Conservation regulations.

A serpentine asbestos dust mitigation plan will be implemented to ensure that any construction activities in serpentine rock areas do not result in the airborne release of serpentine dust from serpentine rock. Control of fugitive dusts and possible serpentine asbestos dust due to drilling, grading, or excavation activities on site, including any disturbing of serpentine rock, will be managed through a serpentine asbestos dust and fugitive dust mitigation plan, to be prepared with and approved by NYCDEP.

#### *Natural Resources*

The project as proposed would require the removal of a large number of trees and some vegetation on the site, which represents a significant adverse impact to natural resources. The proposed project has an extensive landscaping plan that mitigates some of this impact by providing for new plantings adjacent to, and on the periphery of, the proposed buildings, as well as planting 527 new trees in the project development area, and restoration of portions of the serpentine barrens with indigenous plantings. While this landscaping does not "eliminate" the adverse impact of tree and plant removal, it does

provide for new plantings to supplement and support existing vegetation, and would help restore portions of the serpentine barrens community that have been degraded by many years of dirt bike, ATV and motorcycle use in that area of the project site.

Protective measures undertaken to minimize impacts to existing natural features during construction will include an erosion control plan, as well as protective fencing and other procedures to protect vegetation and trees in the vicinity of the project footprint and the construction egress and ingress points. Additional project improvements to natural resources are noted below.

The construction of the project will require the relocation of the portion of the on-site Blue Trail that loops through the project footprint. During construction, the on-site portion of the Blue Trail will be realigned and will exit the site into the Greenbelt. Except for an approximately two-week period of time during construction, when the on-site portion of the Blue Trail will be temporarily closed to hikers for safety reasons, the realigned Blue Trail segment will continue to provide access through the site to the Greenbelt. Signs will be posted to indicate these changes and to direct hikers to realigned portions of the Blue Trail. Following the completion of the project, a portion of the trail will be realigned around the facility, and the Blue Trail will continue to be accessible through the site.

### *Traffic*

Vehicular access into the project site would be provided via two entrances off Brielle Avenue: the main entrance uses the original roadway into the former Sea View Hospital facilities at the south end of the site; a secondary emergency access road would be created on an unpaved road at the north end of the site off Brielle Avenue, just west of the St. Elizabeth's Manor. This emergency road will be gated at Brielle Avenue, in order to limit access to emergency vehicles.

The traffic volumes were distributed throughout the study area, and analyzed for their potential impact on local intersections, in terms of congestion and intersection delays. A comparison between the delays for the 2006 and 2009 future without and with project traffic conditions at area intersections showed that increases in delays were no more than 3 to 5 seconds. Therefore the proposed project will not have a significant adverse impact on traffic conditions in the surrounding area.

The new unsignalized intersection at the entrance to the Sea View Senior Living residence will operate with a good level of service (LOS B and C for the northbound approach). To address the traffic at this new intersection, it is recommended that the project entrance be a "two-way stop" controlled intersection, with a stop sign.

### *Community Facilities*

Some additional usage of local utilities and police and fire protection will also occur, as would be expected with the redevelopment of any vacant site. However, for the proposed project, these impacts are expected to be minimal, at levels well below those that would occur were the site to be

redeveloped for non-senior residential use. This is due to the nature of the senior residence population, with fewer cars and transportation needs and no impacts on the school system, as well as to the fact that the facility will be largely self-contained, providing on-site social support and health services, and be fully staffed 24-hours a day.

## **UNIFORM LAND USE REVIEW**

This application (C 040278 PPR) was certified as complete by the Department of City Planning on March 8, 2004, 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, in conjunction with the applications for the related actions (N 040276 ZCR), (N 040275 ZAR) and (N 040277 ZAR), which were referred for review and comment to Community Board 2 and the Borough President.

### **Community Board Public Hearing**

Community Board 2 held a public hearing on this application on April 1, 2004, and on April 20, 2004, by a vote of 32 to 1 with 1 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 May 6, 2004.

## **City Planning Commission Public Hearing**

On May 26, 2004 (Calendar No. 28), the City Planning Commission scheduled June 9, 2004, for a public hearing on this application (C 040278 PPR). The hearing was duly held on June 9, 2004 (Calendar No. 14). There were three speakers in favor of the proposal and no speakers in opposition. All three speakers were representatives of the applicants.

The President of the Metropolitan Council on Jewish Poverty gave a brief history of the project. He indicated that the Met Council and Saint Francis DeSales Development Corporation, in response to community concerns, changed the project plans to site the buildings in an area that included minimal serpentine barrens. He further stated that the project would provide Staten Island with both desperately needed senior housing and additional parkland. He noted that the project would draw residents from the entire City but that 50% of the units would have a local area (Staten Island) preference.

A representative of the New York City Economic Development Corporation (EDC) testified that the development site was limited to 15 acres of the 50 acres site considered under EDC's RFP. Limiting the project to 15 acres made the remaining 35 acres available to be transferred to the Department of Parks and Recreation. He explained that EDC issued a request for proposals to develop senior housing on the site and selected the two organizations based on their track records as developers and managers of quality senior housing. The project will create 224 construction jobs and 80 full-time jobs.

The architect for the project described how the location of steep slope and serpentine barrens affected

the siting of the buildings. The buildings were moved to the ridgeline to avoid both sensitive natural features.

There were no other speakers and the hearing was closed.

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

This application, in conjunction with the applications for the related actions, 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 04-049.

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

### **CONSIDERATION**

The Commission believes that disposition of 15 acres of City-owned property and the related applications for authorizations for modification of height and setback regulations and waiver of requirements for developments with private roads (N 040277 ZAR), Special Natural Area District authorizations for modification of topography, removal of trees, and alteration of other natural features (N 040275 ZAR), and Special Natural Area District Future Subdivision Certification ( N 040276

ZCR) are appropriate.

The Commission believes that the actions would facilitate appropriate development and that development of senior housing, especially senior housing with support services, would benefit the community.

**Special Natural Area District Authorizations and Certification (N 040275 ZAR and N 040276 ZCR)**

The Commission supports the granting of certification of future subdivision and authorizations to modify topography, remove trees, and alter other natural features. The Commission finds that the proposed compact arrangement of buildings on the ridgeline would preserve steep slope and serpentine barrens, minimize removal of trees, and minimize alteration of topography. Alteration of topography would be limited to footprints of the buildings, parking areas, and private roadways. Average cut and fill is minimal at 4 feet. The general topography and drainage patterns would remain the same. The site low elevation would remain 257' at Brielle Avenue and the peak elevation would remain 320' at the southeast corner of the development site. Sufficient trees would be planted to meet the Special Natural Area District requirements. Based on the 670,345 square feet (15.39 acres) of the development site, the project must preserve or provide a minimum of 670 tree credits. The applicants propose to plant 527 trees and to preserve 950 trees for a total of 1,477 trees (2,044 total tree credits on the site). The Commission believes that the site of the buildings maximizes preservation of steep slope and serpentine barrens areas.

**Authorization for Penetration of Height and Setback Regulations and Authorization for Waiver of Requirements for Developments with Private Roads (N 040277 ZAR)**

The Commission believes that the authorization of penetration of height and setback regulations is warranted. The Commission finds that the superior design of the buildings is efficient and preserves rare environmental resources (serpentine barrens) and natural features (trees and steep slope). If the residence buildings were designed according to the underlying R3-2 zoning district standards, significant additional open space would be disturbed. The building footprints of shorter, "squatter" buildings would be approximately 211,000 square feet. This represents an increase of nearly 100,000 square feet over the proposed footprint of 112,585 square feet. Furthermore, spreading out the bulk of the project would adversely impact the rare serpentine barrens habitat and/or require the use of the steeply sloping portions of the site.

The Commission supports the waiver of private roads requirements. The private roads requirements were intended for detached or semi-detached residential developments, and the proposed site plan presents a better design for multi-story senior housing than that required by private roads regulations under the zoning resolution. (1) Limiting the sidewalk to only one side of the entry roadway preserves more natural features on the site and provides adequate walkways for pedestrians. (2) The planting strip between the sidewalk and roadway has been removed to provide continuous smooth pavement rather than pavement and grass to ease access for senior citizens, some of whom will have impaired mobility. Moreover, all medians are fully planted and the development will have 527 new trees. (3) The

porte-cocheres that interrupt the open space between the roadway and buildings will protect the senior residents and visitors from the elements.

## **RESOLUTION**

**RESOLVED**, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on June 30, 2004, with respect to this application (CEQR No. 02DME006R), the City Planning Commission finds that the requirements of the New York State Environmental Quality Review Act and regulations, have been met and that, consistent with social, economic and other essential considerations:

1. From among the reasonable alternatives thereto, the actions to be approved are ones which minimize or avoid 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 practicable by incorporating conditions to the 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 617.11(d) 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 pursuant to Section 197-c of the New York City Charter, that based on the environmental determination and the consideration described in this report, the application for the disposition of one (1) city-owned property located on the easterly side of Brielle Avenue, south of Wolcott Avenue (Block 955, P/O lots 1 and 200), Borough of Staten Island, Community District 2, proposed in an application by the Department of Citywide Administrative Services, dated February 5, 2004, is approved.

The above resolution (C 040278 PPR), duly adopted by the City Planning Commission on July 14, 2004 (Calendar No. 36), 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 KNUCKLES, ESQ. Vice-Chairman**  
**ANGELA M. BATTAGLIA, IRWIN G. CANTOR, P.E.,**  
**ANGELA R. CAVALUZZI, R.A., RICHARD W. EADDY,**  
**ALEXANDER GARVIN, JANE D. GOL,**  
**CHRISTOPHER KUI, JOHN MEROLO,**  
**KAREN A. PHILLIPS, DOLLY WILLIAMS, Commissioners**