

The following document, the Final Environmental Impact Statement (FEIS) is a copy of the original. It has been highlighted in yellow to point to important statements. I have also made comments in red to add information or to clarify information. At no point in this document has any part of it been changed or edited.

You may want to view the unhighlighted Final Environmental Impact Statement (FEIS) to see a clearer version of the charts.



DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Marisa Lago, Chair Department
of City Planning

August 25, 2017

**NOTICE OF COMPLETION OF
THE FINAL ENVIRONMENTAL IMPACT STATEMENT
South Avenue Retail Development**

Project Identification

CEQR No. 17DCP030R

ULURP Nos. C 160174 ZSR and C 150359 MMR

SEQRA Classification: Type I

Lead Agency

City Planning Commission

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New York, New York

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Pursuant to City Environmental Quality Review (CEQR), Mayoral Executive Order No. 91 of 1977, CEQR Rules of Procedure of 1991 and the regulations of Article 8 of the State Environmental Conservation Law, State Environmental Quality Review Act (SEQRA) as found in 6 NYCRR Part 617, a Final Environmental Impact Statement (FEIS) has been prepared for the action described below. Copies of the FEIS are available for public inspection at the office of the undersigned. The proposal involves actions by the City Planning Commission and Council of the City of New York pursuant to Uniform Land Use Review Procedures (ULURP). A public hearing on the Draft Environmental Impact Statement (DEIS) was held on July 26, 2017. Written comments on the DEIS were requested and were received by the Lead Agency until August 7, 2017. This FEIS incorporates responses to the public comments received on the DEIS.

INTRODUCTION

This Final Environmental Impact Statement (FEIS) considers the discretionary actions (the proposed actions) proposed by the applicant, Josif A LLC, to facilitate a proposed retail development, located near the intersection of Forest Avenue and South Avenue in Staten Island (the proposed project). The development site is located at 534 South Avenue (Block 1707, Lots 1 and 5) in the Mariners Harbor neighborhood of Staten Island Community District 1. The 28.3-acre project site is located in a M1-1 zoning district and is bounded by Forest Avenue and Wemple Street (which is mapped but not built) to the north,

South Avenue to the east, Amador Street (which is mapped but not built) to the south, and Morrow Street (which is partially built and partially unbuilt) to the west.

The applicant is requesting a special permit pursuant to Zoning Resolution (ZR) Section 74-922 to allow retail establishments with Use Group (UG) 6 and UG 10A uses in excess of 10,000 zoning square feet (zsf) in an M1-1 district. In addition, the applicant is requesting an amendment to the City Map to demap portions of Garrick Street, Amador Street, Albany Avenue, and Morrow Street (unbuilt streets) and to map a new section of Morrow Street; the mapping action would also realign the intersection of Morrow Street and Forest Avenue. The proposed actions would facilitate a proposal by the applicant to develop a total of 219,377 zsf (or approximately 226,000 gross square feet [gsf]) of UG 6, UG 10A, and UG 16 uses, and 838 required accessory parking spaces.

The proposed actions are subject to the Uniform Land Use Review Procedure (ULURP) and City Environmental Quality Review (CEQR). In conformance with CEQR, this FEIS has been prepared to analyze the potential impacts of the proposed project. The New York City Department of City Planning (DCP), acting on behalf of the City Planning Commission (CPC), is the lead agency for the environmental review. DCP has determined that **the proposed project has the potential to result in significant**** environmental impacts.** Therefore, pursuant to CEQR procedures, DCP has issued a Positive Declaration **requiring****** that an Environmental Impact Statement (EIS) be prepared in conformance with all applicable laws and regulations, **including**** the State Environmental Quality Review Act (SEQRA),** the city's Executive Order No. 91, CEQR regulations (August 24, 1977), and the 2014 *CEQR Technical Manual*.

Gabriella: There is nothing in this document that states that this project will destroy a freshwater, vernal pool, forested wetland.

This document also states that the State Environmental Quality Review Act (SEQRA) is required** before this project is approved and before the developer obtains a permit. The opposite was argued**** in the Appellate Division of the Supreme Court on January 4th of 2024. The court ruled against our appeal of the previous ruling that we should have appealed in 2017, prior to any involvement with SEQRA. We could not have done that according to this document.**

PROJECT DESCRIPTION ACTIONS NECESSARY TO FACILITATE THE PROPOSAL

The applicant (**The developer**) is requesting the following discretionary actions:

- A special permit pursuant to ZR Section 74-922 to allow retail establishments with UG 6 and UG 10A uses in excess of 10,000 zsf in an M1-1 district, contrary to the existing regulations of ZR Section 42-12. The proposed development would conform to existing zoning regulations with respect to building bulk and the provision of accessory parking spaces.
- An amendment to the City Map to demap portions of Garrick Street, Amador Street, and Albany Avenue, and Morrow Street (unbuilt streets), to map new sections of Morrow Street, and to realign the intersection of Morrow Street and Forest Avenue.

In addition to the CPC actions, a New York State Department of Environmental Conservation (NYSDEC) **freshwater wetlands permit is required for development on the site.**¹ However, the

¹ A 2012 Stipulation Agreement issued by NYSDEC establishes a site plan for the project site with the area that is permitted to be developed; any development that conforms to the agreed-to development footprint is permitted. As discussed below, both the proposed project and the No Action scenario development conform with the NYSDEC approved site plan and development footprint. Per the Stipulation Agreement, NYSDEC determined that the only individual permit necessary for the proposed development is a freshwater wetland permit and a State Pollutant Discharge Elimination System (SPDES) general permit for stormwater discharges from construction (as

proposed project avoids all regulated jurisdictional waters and wetlands of the U.S. within the development site and does not require a U.S. Army Corps of Engineers (USACE) Section 10 or 404 permit.

The tidal wetland, Old Place Creek, is Waters of the U.S. and is under the jurisdiction of the Army Corp of Engineers. It cannot be touched. The Jurisdictional Determination (JD) expired years ago.

Since the freshwater wetland was grandfathered in it can be destroyed, even though it protected the community adjacent to it during Hurricane Sandy (October 2012)

DESCRIPTION OF THE PROJECT AREA

A. DEVELOPMENT SITE

The development site is a vacant wooded parcel with approximately 6.94 acres of mapped NYSDEC and USACE jurisdictional wetland (**Tidal wetland aka Old Place Creek**) areas along the southern portion of the 28.3-acre zoning lot. For a period starting in the 1930s, the site was developed with several residential dwellings; a go-cart track was constructed on the northern side of the site in the 1960s. By the 1980s, the developments on the site had been demolished, and the **site reverted to vacant land (not including the animals, turtles, salamanders and frogs, potential endangered species i.e. the Eastern Mud Turtle and the foliage and trees)**. Although there is a large amount of mature forest on the project site, due to the previous disturbance of the native vegetation on the northern and western portions of the site, these areas have become overgrown with invasive and non-native species. **But they still protect the community from flooding during the climate crises we are currently experiencing**

The 1,231,609 square foot (sf) site includes: Lot 1 (813,639 sf) and Lot 5 (285,951 sf) of Block 1707; the unbuilt portion of Wemple Street adjacent to Lot 1 (6,964 sf); and the streets bordering the site that are proposed to be demapped (125,055 sf). The development site includes the 7,721-sf area that would be mapped and added to Morrow Street to accommodate the realignment of the intersection of Morrow Street and Forest Avenue with an existing signalized intersection, and the additional 1,102-sf area that would be mapped to provide a cul-de-sac on the City Map at the southern terminus of the Street (the cul-de-sac will not be built). **This area would include a gas station.** The demapping of the southern, unbuilt, portion of Morrow Street, south of the proposed cul-de-sac was included in response to the desire of NYSDEC to protect against potential future development in this area and, with the demapping, will be acquired by the applicant and will become part of the proposed **wetland enhancement area**. These actions would reduce the size of the development site (Block 1707, Lot 5) by approximately 8,823 sf.

The unbuilt streets proposed for demapping that are included in the development site total 125,055 sf, and consist of the mapped but unbuilt portion of Garrick Street between Amador Street and Wemple Street (58,408 sf), the mapped but unbuilt portion of Morrow Street between the proposed cul-de-sac and Amador Street (20,836 sf), and the mapped but unbuilt portion of Amador Street between South Avenue and Morrow Street (45,811 sf) that would all be demapped as part of the proposed actions. The applicant holds title to these areas, and the zoning lot area calculation for the development site includes the mapped but unbuilt street areas.

As noted above, the development site contains NYSDEC and USACE mapped freshwater wetlands, as well as mapped NYSDEC tidal wetlands, at its southern and western ends. The wetland areas are as follows²:

applicable), and that **tidal wetland permits are not required. In other words, contamination of the tidal wetland is permitted. See the stipulation agreement on this website.**

² Totals do not include wetland areas located in the portion of Morrow Street that would be mapped to provide the realigned intersection with Forest Avenue and would be removed from the development site. **This refers to vernal pool E bounded by Forest Avenue and the old Morrow Street. This vernal pool was filled with life, frogs, turtles and salamanders.**

- The mapped USACE wetlands total 6.32 acres: this includes 4.36 acres of jurisdictional wetlands and 1.96 acres of non-jurisdictional isolated wetlands.³ **(Aka vernal pools. This refers to the the tidal wetland and to vernal pool B)**
When they refer to wetlands here, they are referring to the vernal pools only and not to the whole area that becomes very wet during the wet season which occurs from approximately April to approximately September of any given year. See the photos of the wetland before it was destroyed in the summer of 2021.
- The regulated NYSDEC freshwater wetlands total 8.82 acres: this includes 5.06 acres of freshwater wetland and 3.76 acres that are within a 100-foot radius of the wetland, referred to as the freshwater wetland adjacent area.
- The regulated NYSDEC tidal wetlands total 3.17 acres: this includes 0.50 acres of tidal wetland and 2.67 acres that are within a 150-foot radius of the wetland, referred to as the tidal wetland adjacent area. A portion of the tidal wetland adjacent area overlaps with the NYSDEC freshwater wetland and freshwater wetland adjacent area.

The total regulated wetland area on the development site is 6.94 acres, accounting for overlap between the USACE- and NYSDEC-regulated areas.

In 2008, the applicant proposed a site plan that included a development area as well as a protected wetland enhancement area and buffer planting area. Following review of the proposed delineation by NYSDEC, and requested revisions to the delineation within the site plan, NYSDEC provided conditional sign-off. Development within this approved footprint has been determined by NYSDEC to be in substantial accordance with that site plan. Since that 2012 agreement, the applicant has amended its proposal for the development area with respect to the program and physical layout but has not altered the overall footprint of the area to be developed or the wetland enhancement and buffer planting areas to be protected. Development within the approved footprint has been determined by NYSDEC to be in substantial accordance with that site plan. In letters dated April 15, 2015, and August 19, 2015, NYSDEC confirmed that the proposed site plan is in substantial accordance with the 2012 agreement.

B. ADDITIONAL DEMAPPING AREAS

The mapping action to de-map un-built mapped streets would extend south, beyond the development site, to clean up the City Map by removal of unbuilt streets mapped over wetland areas. Outside of the development area, the proposed actions include the demapping of:

- The 20,977-sf area within Block 1717, Lot 140 that consists of a portion of Garrick Street between Amador Street and Goethals Road North.
- The 27,623-sf area within Block 1715, Lot 100 that consists of a portion of Amador Street between Garrick Street and South Avenue and a portion of Garrick Street between Amador Street and Goethals Road North.
- The 89,588-sf area within Block 1717, Lot 95 that consists of a portion of Albany Avenue between Amador Street and Goethals Road North, a portion of Amador Street between Albany Avenue and Garrick Street, and a portion of Garrick Street between Goethals Road North and Amador Street.

³ Wetlands that meet the definitions set by the Clean Water Act (CWA) and the criteria set by the USACE (in the 1987 Wetlands Delineation Manual and associated regional supplement) are considered jurisdictional wetlands; jurisdictional wetlands must be either adjacent to or part of a tributary system or discharge into navigable waters and other waters of the United States (WOUS). Non-jurisdictional wetlands consist of wetland areas that do not meet CWA definitions, including isolated wetlands, and are therefore not subject to regulation by USACE.

The mapping actions outside of the development site are intended to rationalize the City Map by removing mapped but unbuilt streets from mapped wetland areas. These properties are not controlled by the applicant and no land use changes would be expected to occur in these areas as a result of the proposed actions. Control of this land area would continue to be held by the respective owners of those properties. The owners of the adjacent properties are as follows:

- Block 1380, Lot 1: FC Forest Ave Association;
- Block 1715, Lot 100: Goethals South LLC;
- Block 1717, Lot 95: FC Forest Ave Associates, LLC;
- Block 1717, Lot 140: Goethals Road North; and
- Block 1717, Lot 155: Public Storage Proper.

DESCRIPTION OF THE PROPOSED DEVELOPMENT

The proposed actions would facilitate new commercial development on the development site and circulation improvements (including the realignment of Morrow Street and new curb cuts) through approval of the site plan, which establishes the location, maximum floor area, allowable UGs (explained below), and building footprint of the proposed development, and the configuration and number of parking spaces. The proposed development would therefore be limited to the building footprints, UGs, and floor area shown on the authorized site plan and the layout and maximum number of parking spaces. However, the site plan does not set the size and location of the individual tenants within the development, which may include general retail space, a supermarket, a wholesale warehouse facility, and a gas station; these spaces could fall under UGs 6 (local retail establishments), UG 10A (large retail establishments), and UG 16 (semi-industrial facilities, including automotive uses), and the site plan allows flexibility for where the approved and permitted uses are located within the approved development footprint.

As described below, a Reasonable Worst Case Development Scenario (RWCDS) has been established for the environmental review. The RWCDS is fixed in terms of UGs and the sizes of development footprints, but is illustrative in terms of tenant uses.

C. DEVELOPMENT PROGRAM

The proposed project includes 219,377 zsf of UG 6, UG 10A, and 16 uses (approximately 226,000 gsf) and 838 accessory parking spaces. As noted above, the proposed actions include a special permit to allow retail establishments with UG 6 and UG 10A uses in excess of 10,000 zsf in an M1-1 district. The proposed actions would facilitate the applicant's proposal through approval of the site plan, which establishes the location, maximum floor area, allowable UGs, and building footprint of the proposed development, and the configuration and number of parking spaces. The proposed development would therefore be limited to the building footprints, UGs, and floor area shown on the authorized site plan and the layout and maximum number of parking spaces. However, the site plan does not set the size and location of the individual tenants within the development, which could fall under UG 6, 10, and 16, and allows flexibility for where the approved and permitted uses are located within the approved development footprint. If the gas station or automated bank teller were reduced in size, this space could become parking or open space. It could not be used as UG 6 or UG 10A retail space, if such space exceeds a size of 10,000 sf or does not conform to the approved site plan, without further discretionary approvals.

The proposed site plan would include buildings of 14,500 zsf, 15,400 zsf, and 188,725 zsf, all containing UG 6 and/or UG 10A, and two structures totaling 752 zsf (intended for an as-of-right UG 16 gas station [355 zsf] and UG 6 automated bank teller [397 zsf]). Parking would be provided for 838 spaces accessory to the proposed retail uses. The proposed development program is summarized in **Table 1**.

For a clearer graph see the version that does not have highlights and comments.

Table 1
Proposed Development Program

Zoning Floor Area Gross Floor Area

Map Label	Use Group	(zsf)	(gsf) ¹	Parking Required ²
Retail A ³	6 or 10A	14,500	15,000	49
Retail B ³	6 or 10A	15,400	16,000	52
Retail C 6 or 10A 89,760 or 10A 65,000 67,000	92,000 299 325	Retail D ³ 6 or 10A	33,965 35,000	113 Retail E 6
Gas Station, Automated Bank Teller ⁴	16 or 6	752	1,000	N/A
Total:		219,377	226,000	838

Notes:

¹ Gross square foot (gsf) areas are approximate and are calculated based on a 3 percent adjustment to zoning floor area.

² One parking space is required for every 300 zsf of general retail and wholesale warehouse uses and for every 200 zsf of supermarket uses, which has been conservatively assumed for Retail E.

³ Retail A, B, D, and E could be occupied by Use Group (UG) 6 or UG 10A uses or other uses permitted within M1-1 zoning districts (not subject to the 10,000 zsf limitation). The proposed actions would facilitate the applicant's proposal through approval of the site plan, which would set the size and location of the proposed development, and the configuration and number of parking spaces. The proposed development will be limited to the building footprints and floor area shown on the authorized site plan and the layout and number of parking spaces. However, the site plan does not set the size and location of the individual tenants within the development, which could fall under Use Group 6, 10, and 16, and allows flexibility for where the approved and permitted uses are located within the approved development footprint.

⁴ The gas station and automated bank teller spaces are of roughly equal size in zoning floor area (355 zsf and 397 zsf, respectively, for a combined total of 752 zsf) and are therefore assumed to each have approximately 500 gsf of space, for a combined total of 1,000 gsf.

Source:
 Carpenter Environmental Associates, Inc. and Rampulla Associates Architects, LLP.

D. CIRCULATION PLAN

Currently, an unsignalized entrance roadway at the northwest corner of the development site provides access to the adjacent movie theater complex, which has an existing curb cut on the open and built portion of Morrow Street. The proposed project would map an additional area of Morrow Street and realign the street so that it would utilize the existing traffic light located at the easterly curb cut for the Home Depot site on the northern side of Forest Avenue. Primary access to the development site from Forest Avenue would be provided by this re-aligned roadway, which would continue to provide access to the movie theater zoning lot located on the west side of Morrow Street (this portion of Morrow Street is to be renamed as North Morrow Street). Two-way, right-in/right-out only access from Forest Avenue would also be provided from a proposed curb cut to the east of the main entrance, which would not be signalized. A third vehicular entrance would provide two-way access to South Avenue from the eastern boundary of the development site. The applicant is proposing that this entrance would be signalized.

Internal circulation on the development site would be provided by an east-west drive aisle at the center of the development site and a main north-south drive aisle that runs off of Forest Avenue from the right-in/right-out only entrance. The north-south aisle would also include a pedestrian walkway that would serve as the main pedestrian entrance to the development site (a sidewalk would also be provided on North Morrow Street). Another pedestrian walkway would run east and west between the movie theater complex to the west and the development site. The pedestrian walkways would include trees, plantings, and seating areas. In addition, two north-south pedestrian paths are proposed to be located within the planting islands in the parking area, which would provide pedestrian access to the MTA bus stop on Forest Avenue (via a gate that accesses Lilac Court to the north of the development site as well as the Forest Avenue entrance) as well as safer pedestrian circulation between the retail buildings. Additionally, sidewalks would be provided along the development site's South Avenue and Forest Avenue frontages.

E. WETLANDS PRESERVATION AND ENHANCEMENT

The proposed project would result in development on a portion of the NYSDEC freshwater wetland adjacent area and isolated USACE wetland areas (totaling approximately 0.39 acres of freshwater wetland adjacent area and approximately 1.96 acres of isolated wetland areas), but would preserve 6.94 acres of wetland areas. The proposed project would also include a landscaped buffer between the proposed retail center and

the regulated wetland areas to be preserved. A stormwater management area would also be provided, to the south of the supermarket portion of the proposed development. The preserved NYSDEC and USACE jurisdictional wetland, stormwater management, and landscaping areas total 10.77 acres. While this jurisdictional wetland, stormwater management, and landscaped buffer area on the project site are not subject to CPC approvals, the wetland preservation and enhancement areas have been delineated on the proposed site plan. The proposed site plan is in substantial accordance with the applicant's 2012 agreement with NYSDEC. After the ULURP process has been completed, the applicant will complete and finalize the NYSDEC permit process.

In coordination with NYSDEC, a Wetland Mitigation Plan was developed to remove non-native species and restore the native characteristics in the area. Although the proposed project would result in the removal of approximately 1,700 trees, the Wetland Mitigation Plan includes the planting of approximately 2,200 new trees and 9,200 new shrubs. In addition, the plan includes a stormwater retention basin to collect and treat stormwater on the site before it is drained into the wetland areas, which will maintain the natural hydrology on the site and prevent impacts to the quality of the wetlands from pollutants.

ANALYSIS YEAR

The proposed project would take up to approximately 18 months to construct and would be built in a single phase. Assuming commencement of construction in early 2018, the proposed project would be completed in 2019. Therefore, for the purposes of environmental analysis, the proposed project is assumed to be completed and fully tenanted and operational in 2019.

PURPOSE AND NEED OF THE PROPOSED ACTIONS

The applicant's goal is to transform this underutilized site into an attractive retail destination with a variety of locally-oriented uses, including a supermarket and a wholesale warehouse, for which the applicant has identified a demand in this area of Staten Island. The applicant's goals also include providing an efficient site plan, with convenient and easy access to the surrounding major streets, while preserving and enhancing ecologically-sensitive wetland areas.

As noted above, the applicant is seeking approval of the following proposed discretionary actions: (1) a special permit pursuant to ZR Section 74-922 to allow UG 6 and UG 10A retail uses in excess of 10,000 zsf per establishment in an M1-1 district; (2) the demapping of Garrick Street, Albany Avenue, and Amador Street (unbuilt, privately-owned streets), and the unbuilt section of Morrow Street within the wetlands area; and (3) mapping of a new section of Morrow Street to accommodate the realignment of the intersection of Morrow Street and Forest Avenue. In addition, as noted above, the development site contains NYSDEC and USACE mapped wetlands. Therefore, a NYSDEC freshwater wetlands permit is required to ensure compliance.

Under existing zoning regulations, uses permitted as-of-right on the development site include general service and manufacturing and warehouse uses (Use Groups 16 and 17), a wide range of commercial uses (Use Groups 5 through 14, some of which, such as Use Groups 6 and 10A, are limited to 10,000 zsf per establishment), and a limited number of community facility uses (Use Group 4). Most destination retail uses are allowed only by CPC special permit. The permitted commercial uses are reflected in the No Action scenario, which is described below. The proposed special permit is required to allow retail uses in excess of 10,000 zsf per establishment (Use Groups 6 and 10A). Without the proposed special permit, the proposed wholesale warehouse establishment and supermarket could not be developed, and stores with UG 6 and UG 10A uses would be limited to 10,000 zsf or less per establishment. Therefore, the proposed special permit is necessary to achieve the applicant's goals and objectives, which include a new, large-scale supermarket with affordable produce and other foods, wholesale warehouse, and supporting retail uses.

The demapping actions are proposed in order to rationalize the street network in this area, which contains unbuilt mapped streets over sensitive wetland areas. These unbuilt mapped streets are not expected to ever be built, as they extend through regulated wetland areas over other private properties. The mapping actions outside of the development site are intended to rationalize the City Map by removing mapped but unbuilt

streets from mapped wetland areas. Since the City does not hold title to these mapped but unbuilt streets, the proposed demapping actions would not add lot area to any properties. Control of this land area would continue to be held by the respective owners of those properties. The applicant believes that the mapping actions for the northern portion of Morrow Street would also help facilitate efficient access to the development site and circulation within the development site. In particular, realigning the intersection of Morrow Street and Forest Avenue to utilize the existing signalized intersection (which leads to the Home Depot facility on the northern side of Forest Avenue) would improve vehicular access to the project site as well as to the adjacent cinema, and minimize conflicts at the intersection thereby improving traffic flow on Forest Avenue. The demapping of the southern (unbuilt) portion of Morrow Street is proposed in response to the desire of NYSDEC to preclude the potential for future development in adjacent undeveloped wetland areas.

The applicant believes that the proposed project responds to the demand for retail uses in the area—including a large-scale supermarket and wholesale warehouse (i.e., stores larger than 10,000 square feet, which would be facilitated by the proposed special permit). The site is accessible to major roadways, including Forest and South Avenues, and is in close proximity to the Staten Island Expressway. It is also located near west Staten Island’s numerous residential neighborhoods. The applicant intends to create a new active retail center and provide a modern, efficient supermarket and wholesale warehouse to respond to local demand.

ANALYSIS FRAMEWORK

The 2014 *CEQR Technical Manual* will serve as a general guide on the methodologies and impact criteria for evaluating the proposed project’s potential effects on the various environmental areas of analysis. In disclosing impacts, the FEIS considers the proposed project’s potential adverse impacts on its environmental setting. As noted above, based on an anticipated 18-month construction schedule commencing in early 2018, it is anticipated that the proposed project would be built and operational in 2019. Consequently, the environmental setting is not the current environment, but the future environment. Therefore, the technical analyses and consideration of alternatives include descriptions of existing conditions, conditions in the future without the proposed project (the No Action condition), and conditions in the future with the proposed project (the With Action condition). The incremental difference between the No Action and With Action conditions is analyzed to determine the potential environmental effects of the proposed project.

NO ACTION SCENARIO

Absent the proposed actions, the development site is assumed to be developed with six new buildings (plus a gas station and automated bank teller), all conforming with existing M1-1 zoning regulations. The development would total approximately 228,250 gsf. The northern portion of the development site is anticipated to be developed with four new buildings containing five uses (Retail A and B, and Retail/Office C, D, and F). These buildings would each be one story tall and each use would contain approximately 10,500 gsf of new retail and/or office space. The northern portion of the development site would also contain a gas station (500 gsf) and automated bank teller (500 gsf). The southern portion of the development site would be developed with two new one- to two-story buildings containing six uses (Retail G, H, J, K, L, and T), which would contain approximately 174,750 gsf of new retail space. Uses would include a toy store, a pet store, a sporting goods store, a shoe store, and a liquor store. A summary of the No Action development program is provided in **Table 2**.

Table 2
No Action Scenario Development Program

Use	Type of Use	Use Group ¹	Zoning Floor Area (zsf)	Gross Floor Area (gsf) ²	Parking Required ³
Retail A	General Retail	6 or 10A	10,000	10,500	33
Retail B	General Retail	6 or 10A	10,000	10,500	33
Retail/Office C	Retail or Office	6 or 10A	10,000	10,500	33

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Retail/Office D	Retail or Office	6 or 10A	10,000	10,500	33
Retail/Office F	Retail or Office	6 or 10A	10,000	10,500	34
Retail G	Toy Store	6	60,000	61,750	200
Retail H	Pet Store	6	25,000	25,750	83
Retail J	Sporting Goods	6 or 14	25,000	25,750	84
Retail K	Shoe Store	6	20,000	20,500	67
Retail L	Liquor Store	6	20,000	20,500	67
Retail T	General Retail	6 or 10A	20,000	20,500	67
Other	Gas Station, Automated Bank Teller ⁴	16 or 6	752	1,000	2
TOTAL:			220,752	228,250	736
Notes:					
¹ An illustrative program is provided for analysis purposes. In the No Action condition, the applicant could develop the site with the uses shown above and/or with uses permitted as-of-right in M1-1 zoning districts, which are: 5, 7, 8, 9, 11, 12, 13, 14, 16, and 17, certain UG 6 and 10, as well as certain UG 6 and UG 10 provided the use is less than 10,000 zsf.					
² Gross square foot (gsf) areas are approximate and are calculated based on a 3 percent adjustment to zoning floor area.					
³ One parking space is required for every 300 zsf of general retail or office uses.					
⁴ The gas station and automated bank teller spaces are of roughly equal size in zoning floor area (355 zsf and 397 zsf, respectively, for a combined total of 752 zsf) and are therefore assumed to each have approximately 500 gsf of space, for a combined total of 1,000 gsf.					
Sources:					
Carpenter Environmental Associates, Inc. and Rampulla Associates Architects, LLP.					

The No Action project would not require any discretionary approvals, and would not include the mapping or demapping of any city streets.

To fulfill the accessory parking requirements of the retail space, the No Action scenario would also include a total of 736 parking spaces. These spaces would be located on the northern portion of the development site. The No Action development would have the same overall development footprint as the proposed project, and would also preserve 10.77 acres of mapped wetlands (including a buffer area and stormwater management area). The No Action development would be built in substantial accordance with the NYSDEC-approved site plan.

The size of the development site will remain unchanged from existing conditions in the No Action scenario, at 1,231,609 sf (28.3 acres). In the No Action scenario, the built floor area ratio (FAR) of the development site would be 0.19, which is below the maximum permitted FAR of 1.0. Although the proposed FAR is less than what is permitted under zoning, additional retail uses cannot be feasibly accommodated on the development site in the No Action condition, due to the constraints of the NYSDEC-approved site plan and the parking requirements associated with the proposed commercial uses. The NYSDEC-approved site plan constrains development by precluding the development of 10.77 acres of the site containing mapped wetland areas, a landscaped buffer between the retail center and the regulated wetland areas to be preserved, and a stormwater management area. In addition, parking regulations require 1 parking space for every 300 zsf of general retail or office uses. Parking regulations therefore function as a *de facto* constraint on new development since a substantial amount of developable land area is required to be used for parking. Thus, the applicant considers developing any additional floor area in the No Action scenario to be infeasible. In the event that the proposed actions are not approved, the applicant has stated an intent to proceed with developing the site with allowable smaller retail and commercial uses, as summarized in **Table 2**.

WITH ACTION SCENARIO

The proposed actions would facilitate the applicant's proposal through approval of the proposed site plan, which establishes the location, maximum floor area, allowable UGs, and building footprint of the proposed development and the configuration and number of parking spaces. The proposed development would

therefore be limited to the building footprints, UGs, and floor area shown on the authorized site plan and the layout and number of parking spaces.⁴

While the approvals would allow certain specific UGs, a variety of use types under the UG categories could occupy that space. For the purposes of environmental review of the proposed actions, an RWCDs has been established. This RWCDs is illustrative in terms of tenant uses but as explained above, is fixed in terms of allowable UGs and maximum floor area. In the With Action scenario it is assumed that the development site would be redeveloped with a total of 226,000 gsf of new UG 6, UG 10A, and UG 16 retail uses, and 838 accessory parking spaces. Specific retail types were assumed to include an approximately 92,000-gsf UG 10A wholesale warehouse, an approximately 67,000-gsf UG 6 grocery store, approximately 66,000 gsf of UG 6 or UG 10A general retail uses, an approximately 500-gsf UG 16 gas station, and an approximately 500-gsf UG 6 automated bank teller.⁵

These uses and sizes were chosen to provide a conservative analysis and are based on typical retail uses in similar developments near the development site, as well as the applicant's intended development program. With regard to the supermarket and wholesale warehouse, these were included in the RWCDs because they are high generators of vehicle trips and their inclusion provides for a more conservative analysis. Additionally, the size of the wholesale warehouse is based on the tentative agreement between the applicant and the prospective tenant. The size of the supermarket is limited to 65,000 zsf (67,000 gsf), as the required parking has been calculated assuming this size, and the layout and maximum number of parking spaces would be subject to approval as part of the special permit approval process. A larger supermarket would not be possible since this would require additional parking, which the site plan could not accommodate without additional discretionary actions. Finally, the sizes of the proposed grocery store and wholesale warehouse are in the upper range of what is comparable for grocery stores and wholesale warehouses in this community and are therefore considered reasonable.

The proposed site plan would include five uses; the northern section of the development site would include two one-story retail buildings (Retail A and Retail B), and the southern portion would include a one-story retail building with three uses (Retail C, Retail D, and Retail E). Retail A and Retail B would contain approximately 15,000 gsf and 16,000 gsf of UG 6 or UG 10A (general retail) space, respectively, with storefronts facing Forest Avenue. Retail C would be expected to accommodate an approximately 92,000gsf UG 10A warehouse wholesale store. Retail D would contain approximately 35,000 gsf of UG 6 or UG 10A (general retail) space, between Retail C and Retail E, which could contain an approximately 67,000gsf UG 6 supermarket, with storefronts facing north. The UG 16 gas station would be located close to the intersection of Forest Avenue and the re-aligned North Morrow Street, and the UG 6 automated bank teller would be located just east of the gas station. Parking would be provided for 838 spaces accessory to the proposed retail uses. The proposed development program is summarized above in **Table 1**.

The size of the development site would be reduced by 8,823 sf compared with the No Action scenario, due to the areas of the site that would be mapped and added to Morrow Street. Therefore, the size of the development site would be reduced from 1,231,609 sf (28.3 acres) to 1,222,786 sf (28.1 acres). In the With Action scenario, the built FAR of the development site would be 0.18, which is below the maximum permitted FAR of 1.0. Although the proposed FAR is less than what is permitted under zoning, additional retail uses cannot be accommodated on the development site in the With Action condition, due to the

⁴ The site plan does not set the size and location of the individual tenants within the development, which could fall under UG 6, 10, and 16, and allows flexibility for where the approved and permitted uses are located within the approved development footprint. In the event the gas station or automated bank teller were reduced in size, this space could become parking or open space. It could not be used as UG 6 or UG 10A retail space, if such space exceeds a size of 10,000 sf or does not conform to the approved site plan, without further discretionary approvals.

⁵ As noted above, for purposes of analysis, gross square foot areas are approximate and are calculated based on a 3 percent adjustment to zoning floor area; the gas station and automated bank teller spaces are of roughly equal size in zoning floor area (355 zsf and 397 zsf, respectively) and are therefore assumed to each have approximately 500 gsf of space.

constraints of the NYSDEC-approved site plan and the parking requirements associated with the proposed commercial uses. The NYSDEC-approved site plan constrains development by precluding the development of 10.77 acres of the zoning lot containing mapped wetland areas, a landscaped buffer between the retail center and the regulated wetland areas to be preserved, and a stormwater management area. In addition, parking regulations require 1 parking space for every 300 zsf of general retail uses and every 200 zsf of supermarket use. Parking regulations therefore function as a *de facto* constraint on new development since a substantial amount of developable land area is required to be used for parking. Thus, the applicant considers developing any additional floor area in the With Action scenario to be infeasible.

In the No Action scenario, a larger amount of floor area can be included on the development site (resulting in a negative increment between the No Action and With Action conditions), since fewer parking spaces are required for the No Action uses (736) than the With Action uses (838).⁶ As noted above, the proposed actions include a special permit to allow UG 6 and UG 10A uses without limitation to 10,000 zsf per establishment. While the With Action scenario would result in slightly less FAR than the No Action scenario, the proposed special permit is proposed in order to achieve the applicant’s goals and objectives, which—as described under “Purpose and Need”—include providing new supermarket, wholesale warehouse, and supporting retail uses.

It is also feasible for a portion of the development to be two stories tall in the No Action scenario, whereas in the With Action scenario there is no additional space on the development site to accommodate the additional required parking. While a structured parking facility is permitted under existing zoning, the applicant does not believe that such a facility would be feasible for the proposed project, as parking structures are typically designed for enclosed malls or in dense urban areas. Parking structures are prohibitively expensive to construct for suburban-type retail developments and would not be financially viable or practicable for the proposed project.

Therefore, the proposed development as intended by the applicant, and broken down by Use Group, GSF, and parking requirements in **Table 3**, constitutes the RWCDs for this environmental analysis.

Table 3
Reasonable Worst Case Development Scenario

Block/Lot Number(s)	Project Info	Existing Conditions	No Action	With Action	Increment (With Action)
Staten Island Block 1707, Lots 1 and 5	Zoning Lot Size (sf)	1,231,609	1,231,609	1,222,786	-8,823
	FAR	0.00	0.19	0.18	-0.01
	gsf Above-grade	0	228,250	226,000	-2,250
	gsf Below-grade	0	0	0	0
	Commercial gsf	0	228,250	226,000	-2,250
	# of Accessory Parking Spaces	0	736	838	102
	Total gsf		0	228,250	226,000

PROBABLE IMPACTS OF THE PROPOSED PROJECT ANALYSES NOT INCLUDED

Detailed analyses were conducted for the following *CEQR Technical Manual* categories: land use, zoning, and public policy; historic and cultural resources; natural resources; hazardous materials; water and sewer infrastructure; transportation; air quality; noise; neighborhood character; and construction.

Following the guidelines of the *CEQR Technical Manual*, preliminary screening assessments of the proposed project were conducted in all technical areas to determine if the proposed project exceeds any of the thresholds defined by the *Technical Manual* that warrant a detailed analysis. In particular, screening assessments were conducted in the areas of socioeconomic conditions, community facilities and services,

⁶ One parking space is required for every 300 zsf of general retail and wholesale warehouse uses and for every 200 zsf of supermarket uses.

open space, shadows, urban design and visual resources, solid waste and sanitation services, energy, greenhouse gas emissions and climate change, and public health. The screening assessments concluded that the proposed project would not exceed the detailed analysis thresholds in these technical areas (see “Screening Assessments,” below); therefore, detailed analyses for them are not warranted and are not included in the FEIS.

LAND USE, ZONING, AND PUBLIC POLICY

The proposed actions would not result in significant adverse impacts related to land use, zoning or public policy. The proposed project (the With Action condition) would result the development of a retail center on the project site that is similar to the retail center that is expected to be developed in the No Action condition, and would therefore not result in a change in land use on the project site as compared with the No Action condition. The proposed retail center would be similar to other commercial uses located within the study area, particularly those located along Forest Avenue (such as the Home Depot facility), and would provide both local retail facilities to serve the nearby residential area as well as larger scale retail to attract shoppers from a wider area. Therefore, the proposed project would be compatible with the uses in the surrounding area. While the proposed project would require a special permit to allow for larger retail facilities (in particular the wholesale warehouse store and supermarket), it would conform to all other applicable zoning regulations. In addition, the proposed project would support public policy goals for the area, including the *Working West Shore 2030*'s goals of promoting commercial development to support local job growth and preserving and enhancing wetlands in the area. The proposed project would also be consistent with the policies of the local Waterfront Revitalization Program (WRP). Overall, this analysis finds that the proposed project would not result in any significant adverse impacts to land use, zoning, and public policy.

HISTORIC AND CULTURAL RESOURCES

The proposed project would not result in significant adverse impacts to historic and cultural resources related to archaeological or architectural resources. The measures described below would ensure that no significant adverse impacts related to archaeological resources occur.

In the No Action scenario, in which a retail development that does not require any discretionary approvals, ground-disturbing construction activities could be conducted without the completion of archeological investigations to confirm the presence or absence of archaeological resources on the project site. Therefore, unlike the proposed project, the No Action development has the potential to impact archaeological resources if such resources are present.

The Phase 1A and Supplemental Phase 1A archaeological studies performed for the proposed project identified areas of precontact and historic period archaeological sensitivity within the project site and recommended Phase 1B archaeological testing in those locations. In comment letters dated January 17, 2017, and January 30, 2017, the New York City Landmarks Preservation Commission (LPC) and the New York State Office of Parks, Recreation, and Historic Preservation (OPRHP) concurred with the conclusions and recommendations of the Phase 1A study. As recommended by the supplemental Phase 1A study, prior to the start of field testing, a Phase 1B Archaeological Testing Protocol was prepared and submitted to LPC and OPRHP for review. In comment letters dated February 15, 2017 and February 28, 2017, LPC and OPRHP, respectively concurred with the testing protocol. A Phase 1B archaeological investigation will be conducted to confirm the presence or absence of archaeological resources on the project site. With the completion of the Phase 1B investigation and any subsequent archaeological investigations as necessary (e.g., a Phase 2 Archaeological Survey or a Phase 3 Data Recovery) that would be undertaken in consultation with LPC and OPRHP, the proposed project would not result in significant adverse impacts on archaeological resources. The applicant will enter into a Restrictive Declaration requiring that these archaeological investigations will be undertaken.

NATURAL RESOURCES

As a result of the proposed actions, there would be no significant adverse impact related to natural resources, including wetlands, floodplains, and terrestrial natural resources.

The surface water quality, groundwater quality and aquatic biota conditions within and near the proposed project would essentially remain unchanged. Wetlands, floodplains, and terrestrial natural resources would be impacted in both the No Action and With Action conditions, as they both include site disturbance of the same development area. However, the applicant believes that proper stormwater management practices and wetlands enhancements would result in an overall improvement to natural resources on site. The proposed project would include retail development of a primarily vacant lot that presently contains natural resources including disturbed upland area, forested upland area, isolated freshwater wetlands, and disturbance-tolerant wildlife species that are ubiquitous in urban areas. Proposed green infrastructure including a stormwater basin would offset the potential impacts of increased impervious surface coverage from the proposed project, thereby decreasing stormwater runoff and maintaining water quality, freshwater wetland and wetland adjacent area values, and wildlife habitat. The proposed project includes freshwater wetland buffer plantings and freshwater and tidal wetland adjacent area enhancements which would compensate for the loss of freshwater wetland adjacent area and are anticipated to benefit wildlife, waterfowl, and songbirds. Displacement of some wildlife is expected to occur as a result of the proposed project, but the southern portion of the property—the area of highest wildlife utilization—would remain undeveloped or enhanced in some locations with native vegetative plantings that are intended to provide food and cover for wildlife. Habitat would remain onsite directly adjacent to the proposed project to support potentially displaced wildlife.

Threatened or endangered species with the potential to occur in the area are limited to piping plover and roseate tern. The piping plover and roseate tern both utilize wide, flat, open sandy beaches with very little grass and other vegetation which is not found within or adjacent to the proposed project.

Overall, the proposed project would not have any significant adverse impacts to natural resources in the area.

HAZARDOUS MATERIALS

The proposed project would not result in significant adverse impacts to hazardous materials. The measures described below would ensure that no significant adverse impacts related to hazardous materials occur.

The proposed project would require excavation and soil disturbance for foundations, utilities, circulation areas, parking, etc. Although these activities could increase pathways for human exposure, there would be a lower potential for adverse impacts than in No Action scenario as there would be additional regulatory oversight requiring impacts be avoided by performing the project in accordance with not only with regulatory requirements (summarized in items 3 through 6, below), but the following two additional measures:

1. Prior to construction of the proposed project, a Subsurface (Phase II) Investigation involving the collection of subsurface samples for laboratory analysis would be conducted in accordance with a Work Plan (this was approved by the New York City Department of Environmental Protection [DEP] in March 2017).
2. Based on the findings of the Phase II, a Remedial Action Plan (RAP) and associated Construction Health and Safety Plan (CHASP) would be prepared and submitted to DEP for review and approval. The RAP and CHASP would be implemented during the subsurface disturbance associated with the proposed project. The RAP would address requirements for items such as: drum and debris disposal, soil stockpiling, soil disposal and transportation; dust control; quality assurance; and contingency measures should petroleum storage tanks or contamination be unexpectedly encountered. The RAP would also address any measures required to be incorporated into the new

buildings. The CHASP would include measures for worker and community protection, including personal protective equipment, dust control, and air monitoring.

Construction of the proposed project would implement these measures that would also be implemented in the No Action scenario:

3. Removal of any encountered tanks would be performed in accordance with applicable regulatory requirements including NYSDEC requirements relating to spill reporting and tank registration.
4. If dewatering is necessary for the proposed construction, water would be discharged to sewers in accordance with DEP requirements or otherwise in accordance with NYSDEC SPDES requirements.
5. During debris removal or excavation, any material suspected of containing asbestos would be tested for asbestos content by a NYC-certified asbestos investigator. All material confirmed to be asbestos-containing material (ACM) would be removed and disposed of in accordance with local, state, and federal asbestos requirements.
6. All debris including any suspect polychlorinated biphenyls (PCB)-containing electrical equipment would be disposed of off-site in accordance with applicable federal, state, and local requirements. With these measures, the proposed development would not result in any significant adverse impacts related to hazardous materials.

WATER AND SEWER INFRASTRUCTURE

The proposed actions would not result in significant adverse impacts related to water and sewer infrastructure

The proposed project would result in an increase in water consumption and sewage generation on the project site, which is currently undeveloped, but this increase would be smaller than the water consumption and sewage generation projected to occur under the No Action scenario. Based on demand levels, the proposed project would not result in an incremental increase in demand on the New York City water supply system; it is expected that there would be adequate water service for the proposed project. Similarly, the proposed project would not result in an incremental increase in sanitary wastewater that would affect the sanitary sewage conveyance and treatment system, including the Port Richmond Wastewater Treatment Plant (WWTP): the 54,240 gallons per day (gpd) of sanitary sewage generated by the proposed project would be less than the sewage generation of the No Action scenario. Furthermore, sanitary sewage generated by the proposed project would be equivalent to less than 1 percent of the average daily flow at the Port Richmond WWTP, and would not result in an exceedance of the plant's permitted capacity.

In terms of stormwater, although drainage conditions on the project site would be altered with the proposed project, a stormwater management system would be implemented to treat and discharge all stormwater on the project site into the adjacent wetland area. This would include a 0.77-acre Stormwater Management Area (SMA) that would collect all stormwater originating from the proposed project's building and parking lot area. The SMA would attenuate and treat stormwater to meet NYSDEC Stormwater Management Design Manual (SMDM) water quality requirements prior to being directed toward the wetland area. Therefore, the proposed project would not result in any increase in stormwater flows to the City's storm sewer system.

Overall, the proposed project would not result in a significant increase in water demand or sanitary and stormwater flows to the City's sewer system, and would not result in any significant adverse impacts on the City's water supply or wastewater and stormwater conveyance and treatment infrastructure.

TRANSPORTATION

The proposed actions would result in significant adverse impacts related to traffic, but would not result in significant adverse impacts related to transit, pedestrians, safety or parking. Mitigation measures for the significant adverse transportation impacts related to traffic are described in the Mitigation section below.

TRAFFIC

Traffic conditions were evaluated at 10 intersections for the weekday midday, PM, and Saturday peak hours. In the 2019 With Action condition, there would be the potential for significant adverse traffic impacts at four intersections in the weekday PM peak hour and at seven intersections in the Saturday peak hour. **Table 4** provides a summary of the impacted locations by lane group and analysis period. Potential measures to mitigate the projected traffic impacts are described in “Mitigation,” below. It is anticipated that all or most of the identified significant adverse traffic impacts could be fully mitigated with the implementation of standard traffic mitigation measures (e.g., signal retiming or lane restriping).

Table 4
Summary of Significant Adverse Traffic Impacts of the Proposed Project

Intersection		Weekday PM Peak Hour	Saturday Peak Hour
EB/WB Street	NB/SB Street		
Forest Avenue	Maple Parkway		WB-L
Forest Avenue	Richmond Avenue/Morningstar Road	EB-TR	EB-L EB-TR
Forest Avenue	Union Avenue	WB-L	WB-L
Forest Avenue	Willow Road West		EB-TR
South Avenue	Amador Street		NB-TR
South Avenue	Lisk Avenue	WB-LR	WB-LR
South Avenue	Goethals Road North	WB-LTR	WB-LTR
Total Impacted Intersections/Lane Groups		4/4	7/8
Notes: L = Left Turn, T = Through, R = Right Turn, DefL = Defacto Left Turn, EB = Eastbound, WB = Westbound, NB = Northbound, SB = Southbound.			

TRANSIT

The total net incremental trips estimated for the future with the proposed project would be 1, 6, and 10 person trips by bus during the weekday midday, PM, and Saturday peak hours, respectively. Since these incremental bus trips do not exceed the *CEQR Technical Manual* analysis threshold of 50 or more peak hour bus riders on a bus route in a single direction, a detailed bus line-haul analysis is not warranted and the proposed project is not expected to result in any significant adverse bus line-haul impacts.

PEDESTRIAN

In the With Action condition, all auto trips are expected to park on site, and all taxi trips would be dropped off and picked up within the Project Site, adjacent to store entrances. Person trips associated with autos and taxis would therefore not traverse the pedestrian elements surrounding the Project Site. The remaining pedestrian walk trips would be below the *CEQR Technical Manual* threshold of 200 peak hour pedestrian trips and are not expected to result in any significant adverse pedestrian impacts.

VEHICULAR AND PEDESTRIAN SAFETY

During the August 1, 2013 and July 31, 2016 three-year period, a total of 210 reportable and non-reportable crashes, zero fatalities, 224 injuries, and 35 pedestrian/bicyclist-related crashes occurred at the study area intersections. A rolling total of crash data identifies no high-crash locations in the 2013 to 2016 period. Therefore, the proposed project would not result in the potential for any significant adverse pedestrian safety impacts.

PARKING

The proposed project would include 838 parking spaces on the project site. Accounting for the incremental parking supply and demand generated by the proposed project, the With Action condition parking utilization is expected to reach a maximum of 71 percent of the on-site parking capacity during the Saturday peak hour. Therefore, the proposed project would not result in the potential for a parking shortfall or significant adverse parking impacts.

AIR QUALITY

Based on the stationary source screening analysis that considered the effects of sulfur dioxide (SO₂), nitrogen dioxide (NO₂), and PM emissions from the proposed project's combustion sources, there would be no potential significant adverse air quality impacts.

In addition, emissions from nearby industrial facilities would not result in impacts that would exceed the NYSDEC guideline concentrations for air toxic pollutants.

Concentrations of carbon monoxide (CO) due to project-generated traffic at intersections near the project site would not result in any violations of National Ambient Air Quality Standards (NAAQS), nor would they exceed CEQR *de minimis* criteria. In addition, the proposed project's parking facility was found to result in no significant adverse air quality impacts.

NOISE

The proposed actions would not result in significant adverse impacts related to noise. The noise analysis concludes that predicted noise level increases resulting from traffic generated by the proposed project would not exceed 0.8 dBA at any noise receptor location, and that such increases would be considered imperceptible and not significant according to *CEQR Technical Manual* noise impact criteria.

The building attenuation analysis concludes that 26 dBA of building attenuation would be required for project buildings to ensure that interior noise levels at the buildings would meet CEQR interior noise level requirements for commercial use.

NEIGHBORHOOD CHARACTER

The neighborhood character assessment concluded that the proposed project would not result in a significant adverse impact to neighborhood character. The neighborhood character of the study area is defined by a few key components, including its mix of land uses and its proximity to major roadways— particularly Forest Avenue and South Avenue—which are access routes to the regional highways in the area (the Staten Island Expressway and Route 440). Since the increased traffic resulting from the proposed project would impact intersections along these major roadways which carry high volumes of traffic, these significant adverse traffic impacts would not represent a significant change to the existing neighborhood character. The proposed project would result in limited effects in other technical areas related to neighborhood character which, when considered cumulatively, would not have a significant adverse impact to the area's neighborhood character. Overall, the proposed project would be consistent with the study area's neighborhood character, and would provide both local retail facilities to serve the nearby residential area as well as larger scale retail (such as the warehouse wholesale store and large-scale grocery store) that would attract shoppers from a wider area.

CONSTRUCTION

The proposed actions would not result in significant adverse impacts related to construction. Construction of the proposed project, as is the case with any construction project, would result in some temporary disruptions in the surrounding area. The *CEQR Technical Manual* states that a development with an overall construction period of less than two years is considered short-term; the construction period of the proposed project, with an expected duration of approximately 18 months, would fall into this category. Activities associated with construction of the proposed project are expected to be comparable to the construction activities under the No Action scenario. The size of the proposed project is slightly smaller than that of the No Action development, but includes circulation improvements that are not proposed in the No Action development.

During construction of the proposed project, all necessary measures would be implemented to ensure adherence to state and local regulations regarding construction procedures. These include the New York City Air Pollution Control Code regulating construction-related dust emissions and the New York City Noise Control Code regulating construction noise. In addition, Maintenance and Protection of Traffic (MPT) plans would be developed for curb cuts and any necessary curb-lane closures. Approval of these

plans and implementation of all temporary closures during construction would be coordinated with the New York City Department of Transportation (NYCDOT)'s Office of Construction Mitigation and Coordination (OCMC). Regarding archaeological resources, a Phase 1B archaeological investigation, approved by LPC and OPRHP, will be conducted to confirm the presence or absence of archaeological resources on the project site. With the completion of the Phase 1B investigation and any subsequent archaeological investigations as necessary (e.g., a Phase 2 Archaeological Survey or a Phase 3 Data Recovery) that would be undertaken in consultation with LPC and OPRHP, the proposed project would not result in significant adverse impacts on archaeological resources. The applicant will enter into a Restrictive Declaration requiring that these archaeological investigations will be undertaken.

With regard to hazardous materials, based on the findings of a subsurface investigation to be conducted in accordance with a DEP-approved Work Plan, a RAP and an associated CHASP would be prepared and submitted to the DEP for review and approval prior to implementation during project construction. For natural resources, a Stormwater Pollution Prevention Plan (SWPPP) consisting of temporary erosion and sediment controls would be developed and implemented in accordance with the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-15-002). Through implementation of the measures described above, adverse effects associated with the proposed construction activities would be minimized.

With these proposed measures and considering the limited duration and intensity of construction activities associated with the proposed project, construction of the proposed project would not result in any significant adverse impacts.

ALTERNATIVES

The No Action Alternative is the "Future without the Proposed Project" described in each of the analysis chapters of this EIS. Under the No Action Alternative, the project site would be redeveloped with a commercial center that would not require any discretionary approvals, including the mapping or demapping of any City streets. The No Action Alternative would be similar to the proposed project, and would total approximately 228,250 gsf of commercial space, with 736 parking spaces. The No Action Alternative would also preserve mapped wetlands areas on the project site and provide the landscaped buffer between the commercial center and the regulated wetland areas, as well as a stormwater management area, in accordance with the site plan approved by NYSDEC. However, the No Action Alternative would not include a wholesale warehouse establishment and supermarket, and would not provide a realigned intersection at Morrow Street and Forest Avenue. Therefore, unlike the proposed project, the No Action Alternative would not provide large-scale commercial uses that would respond to the demand for such in the surrounding area or provide efficient access to the project site and circulation within the project site. Similarly, the No Action Alternative would not include the demapping of unbuilt mapped streets located over sensitive wetland areas. The significant adverse impacts related to traffic that would occur with the proposed project (which could be fully mitigated) would not occur with the No Action Alternative. However, unlike the proposed project, in the No Action Alternative, ground-disturbing construction activities could be conducted without the completion of archeological investigations to confirm the presence or absence of archaeological resources on the project site. Therefore, unlike the proposed project, the No Action Alternative has the potential to impact archaeological resources if such resources are present. Similarly, the No Action Alternative would not have the benefit of additional protections and review as there would be no requirement for subsurface testing or implementation of a Remedial Action Plan (RAP) and associated Construction Health and Safety Plan (CHASP).

As discussed throughout the EIS, the proposed project (as compared to the No Action scenario) would not result in any unmitigated significant adverse impacts. Therefore, an alternative that would reduce or eliminate unmitigated significant adverse impacts is not warranted.

MITIGATION

Traffic conditions were evaluated at ten intersections for the weekday midday, PM, and Saturday peak hours. In the 2019 With Action condition, there would be the potential for significant adverse traffic impacts

at four intersections during the weekday PM peak hour and seven intersections during the Saturday peak hour.

As summarized above in **Table 4**, locations where significant adverse traffic impacts are predicted to occur could be fully mitigated with the implementation of standard traffic mitigation measures (e.g., signal timing changes and lane restriping), which are described below. No significant adverse impacts were identified for transit, pedestrians, vehicular and pedestrian safety, and parking.

Although all significant adverse traffic impacts would be mitigated by the proposed traffic improvements, at the request of the New York City Department of Transportation (NYCDOT), the applicant has committed to conducting a traffic monitoring program upon full occupancy of the proposed project to verify that the traffic mitigation adequately addresses the projected traffic impacts. The monitoring program will assess the peak hour volume of traffic actually generated by the proposed project in comparison to the estimated peak hour traffic volumes. Should the actual peak hour traffic actually generated by the project differ from the estimates herein, a traffic monitoring study will be conducted to assess the effectiveness of the proposed mitigation measures identified in the FEIS and to determine the extent to which future volume projections actually occur. These results will be used to verify the need for the mitigation measures identified in the FEIS and/or modify the mitigation measures to respond to actual traffic conditions.

SCREENING ASSESSMENTS

SOCIOECONOMIC CONDITIONS

Based on a preliminary screening assessment, the proposed project would not result in significant adverse impacts to socioeconomic conditions, and a detailed assessment is not warranted. According to the *CEQR Technical Manual*, the six principal issues of concern with respect to socioeconomic conditions are whether a proposed project would result in significant impacts due to direct residential displacement, direct business displacement, indirect residential or business displacement due to substantial new development that is markedly different from existing uses within the surrounding neighborhood, indirect business displacement due to retail market saturation (i.e., indirect displacement resulting from the introduction of a substantial new retail concentration that may draw a substantial amount of sales from existing businesses within the surrounding neighborhood), or adverse effects on a specific industry.

The project site is a vacant wooded parcel and does not currently contain any residential or commercial uses, therefore the proposed project would not result in any direct residential or business displacement. The proposed project would also not contain any residential space and would not introduce a new residential population, therefore it would not have the potential to result in indirect residential displacement due to increased rents.

While the proposed project would introduce a new retail development with approximately 226,000 gsf of space, the proposed development would be approximately 2,000 gsf smaller than the retail development that would be constructed on the project site in the No Action condition. In addition, the proposed project would not result in new uses that are markedly different from existing uses in the surrounding neighborhood, which currently contains retail uses particularly in the area along Forest Avenue (including several large commercial facilities such as the Home Depot hardware store). Therefore, the proposed project would result in a net decrease in retail space and would not introduce new economic activities that would alter existing economic patterns in the area. Overall, the proposed project would not result in any significant adverse impacts to socioeconomic conditions. *COMMUNITY FACILITIES AND SERVICES*

Based on a preliminary screening assessment, the proposed project would not result in significant adverse impacts to community facilities and services, and a detailed assessment is not warranted. As defined for CEQR analysis, community facilities are public or publicly funded schools, libraries, child care centers, health care facilities and fire and police protection. A project can affect facilities and services directly, when it physically displaces or alters a community facility; or indirectly, when it causes a change in population that may affect the services delivered by a community facility. The proposed project would not have direct effects on community facilities, because it would not physically displace or alter any community facilities.

Further, the proposed project would not result in new residential development and would not introduce a new residential population that would generate additional need for school seats or child care facilities. The project site is located in a developed area where existing health care facilities and fire and police services would serve the proposed project. Therefore, the proposed project would not have a significant adverse impact on community facilities.

OPEN SPACE

Based on a preliminary screening assessment, the proposed project would not result in significant adverse impacts to open space, and a detailed assessment is not warranted. The *CEQR Technical Manual* recommends performing an open space assessment if a project would have a direct effect on an area open space, i.e., displacement of an existing publicly-accessible open space resource, alterations to a resource that limit public access or change the use so that it no longer serves the same user population, or increased disturbances from noise, air pollutant emissions, odors, or shadows that would affect a resource's usefulness. A project would may also have an indirect effect through increased population size: for the project site, which is located in an area that is considered neither well-served nor underserved by open space, an assessment would be required if the proposed project's population is greater than 200 residents or 500 employees.

Although the project site contains undeveloped natural areas, it is entirely privately owned and not accessible to the public, and does not contain any recreational amenities, therefore the proposed project would not result in any direct effects on public open space. The proposed project would introduce an estimated 440 workers to the project site, which would be a reduction in the worker population as compared to the No Action development (which would introduce an estimated 570 workers), therefore the proposed project would not result in a significant increase in the worker population warranting an analysis of indirect effects on open space. Overall, the proposed project would not have a significant adverse impact on open space.

SHADOWS

Based on a preliminary screening assessment, the proposed project would not result in significant adverse shadows impacts, and a detailed assessment is not warranted. The *CEQR Technical Manual* requires a shadow assessment for proposed projects that would result in new structures (or additions to existing structures) greater than 50 feet in height and/or adjacent to (or across the street from) an existing sunlight-sensitive resource. While the proposed project would result in the development of new buildings adjacent to sunlight-sensitive natural resources (the 6.94 acres of preserved mapped wetland areas on the project site), the buildings would be largely similar in footprint and bulk to the buildings that will be constructed on the development site in the No Action scenario. The Tier 1 and Tier 2 assessment concluded that the shadows cast on the wetland areas east- and west-adjacent to the proposed project buildings would be substantially similar in both scenarios. Therefore, the proposed project would potentially result in, at worst, minimal incremental shadow affecting the wetland area, and no further analysis of the proposed project's shadows impact on the wetlands is necessary. In addition, no other nearby sunlight sensitive resources could be affected by project-generated shadow.

URBAN DESIGN

Based on a preliminary screening assessment, the proposed project would not result in significant adverse impacts to urban design and visual resources, and a detailed assessment is not warranted. A preliminary assessment of urban design and visual resources is appropriate according to the *CEQR Technical Manual* when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning, including: (1) projects that permit the modification of yard, height, and setback requirements; and (2) projects that result in an increase in built floor area beyond what would be allowed "as of right" or in the future without the proposed project. The proposed project would not result in a change on the project site beyond what is permitted by existing zoning. Furthermore, absent the proposed actions the applicant intends to construct a retail center that does not require any discretionary

approvals. Both the No Action development and the proposed project would consist of multiple freestanding and attached retail buildings set within a parking lot, and the differences in built form between the No Action development and the proposed project would be limited. In particular, while the overall bulk of the retail center would be similar (the No Action development's built FAR would be 0.19, compared with 0.18 with the proposed project), unlike the No Action development the proposed project would construct a portion of a retail building on a mapped but unbuilt segment of Garrick Street and would not include smaller retail buildings along the project site's South Avenue and Wemple Street frontages. Therefore, it was concluded that the proposed project would comply with applicable zoning regulations regarding bulk, height and setback, and yards, and would result in limited changes to the built form of the retail center as compared with the No Action development.

SOLID WASTE AND SANITATION SERVICES

Based on a preliminary screening assessment, the proposed project would not result in significant adverse impacts to solid waste and sanitation services, and a detailed assessment is not warranted. According to the *CEQR Technical Manual*, a solid waste assessment is appropriate if a project generates 50 tons of solid waste per week or more. Based on employment density ratios of one worker per 400 gsf of general retail space and one worker per 875 gsf of warehouse retail space, the proposed project is expected to introduce an estimated 440 new workers. Utilizing the solid waste generation rates provided in the *CEQR Technical Manual* for general retail (79 pounds per employee per week) and wholesale retail space (66 pounds per employee per week), the proposed project would generate approximately 33,404 pounds (approximately 16.7 tons) per week. As the development site would be redeveloped with a larger retail facility absent the proposed actions, the proposed project would result in a reduction in solid waste generation as compared to the No Action condition (which is estimated to generate approximately 11,705 pounds per week more than the proposed project). Therefore, the incremental increase in solid waste generation would be well below the 50 tons per week requiring a detailed analysis.

ENERGY

Based on a preliminary screening assessment, the proposed project would not result in significant adverse energy impacts, and a detailed assessment is not warranted. As described in the *CEQR Technical Manual*, the need for a detailed assessment of energy impacts is limited to projects that may significantly affect the transmission or generation of energy. The proposed project would not significantly affect the transmission or generation of energy. With a total of approximately 226,000 gsf of retail space, the proposed project would be expected to require approximately 48,884 million BTUs per year based on the energy demand rates provided in the *CEQR Technical Manual* (216.3 thousand BTUs per square foot of commercial space). Compared with the approximately 347 trillion BTUs of energy consumed within Con Edison's New York City and Westchester County service area, the increase that would result from the proposed project would be considered a negligible increment. Therefore, the proposed project would not be expected to result in any significant impacts to energy generation or transmission.

GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

Based on a preliminary screening assessment, the proposed project would not result in significant adverse impacts to greenhouse gas emissions and climate change, and a detailed assessment is not warranted. According to the *CEQR Technical Manual*, a greenhouse gas (GHG) emissions analysis is appropriate for: City capital projects subject to environmental review; projects that involve power generation; regulations and other actions that fundamentally change the City's solid waste management system by changing solid waste transport mode, distances, or disposal technologies; and projects conducting an EIS that would result in development of 350,000 square feet or greater. The proposed project would result in a commercial development with approximately 226,000 gsf of retail space, approximately 2,000 gsf smaller than the retail development that will be constructed on the project site in the No Action condition, and would therefore not exceed the development threshold warranting a GHG analysis. The proposed project would also not include any City capital improvements, power generation, or changes to the City's solid waste management

system. Therefore, the proposed project would not be expected to result in any significant impacts related to GHG emissions. *PUBLIC HEALTH*

Based on a preliminary screening assessment, the proposed project would not result in significant adverse impacts to public health, and a detailed assessment is not warranted. According to the *CEQR Technical Manual*, where no significant unmitigated adverse impact is found in other CEQR analysis areas, such as air quality, water quality, hazardous materials, or noise, no public health analysis is warranted. As described in the relevant analyses of this EIS, the proposed project would not result in unmitigated significant adverse impacts in any of the technical areas related to public health. Therefore, a public health analysis is not necessary, and the proposed project would not result in a significant adverse public health impact.

UNAVOIDABLE ADVERSE IMPACTS

Unavoidable significant adverse impacts are those that would occur if a proposed project or action is implemented regardless of the mitigation employed, or if mitigation is impossible. As noted above, the locations where significant adverse traffic impacts are predicted to occur with the proposed project could be fully mitigated with the implementation of standard traffic mitigation measures (e.g., signal timing changes and lane restriping), and there would be no unmitigated significant adverse traffic impacts. Therefore, the proposed project would not result in any unavoidable significant adverse impacts.

GROWTH-INDUCING ASPECTS OF THE PROPOSED PROJECT

The “growth-inducing aspects” of the proposed project generally refers to the potential for a project to trigger additional development in areas outside the project site that would otherwise not have such development without the proposed project. In particular, a project may result in “secondary” impacts as a result of induced development. The *CEQR Technical Manual* indicates that an analysis of the growth-inducing aspects of a proposed project is appropriate when the project: (1) adds substantial new land use, new residents, or new employment that could induce additional development of a similar kind or of support uses, such as retail establishments to serve new residential uses; and/or (2) Introduces or greatly expands infrastructure capacity, which may also induce growth.

While the proposed project would result in increased consumer traffic to the project site, any additional commercial development that may seek to take advantage of the customer base drawn to the project site would be constrained by the limited amount of developable land in the area (which includes wetlands that are protected from development) as well as restrictions in the existing zoning; in particular, the area is largely zoned for manufacturing and low-density residential uses, which limits large-scale commercial development. Furthermore, the proposed actions include the demapping of unbuilt streets located in mapped wetland areas outside of the project site, which is intended to preclude the potential for future development in sensitive undeveloped wetland areas. Therefore, the proposed project would not induce other additional development off of the project site.

The circulation and sewer infrastructure improvements that would be included with the proposed project would serve the project site. While the proposed realignment of Morrow Street would improve vehicular access to both the project site and the adjacent cinema, the realigned street is intended to minimize conflicts at the intersection of Morrow Street and Forest Avenue, and would not create new or expanded capacity serving the adjacent cinema. Overall, the proposed project is not expected to induce any significant additional growth beyond that identified and analyzed in this EIS, and there would be no secondary impacts resulting from induced development.

IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

Following *CEQR Technical Manual* guidelines, this section summarizes the proposed project and its impacts on the loss of environmental resources, both in the immediate future and in the long term. Resources, both natural and man-made, would be expended in the construction and operation of the proposed project. Certain resources would be irreversibly and irretrievably committed to the proposed project, such as vegetation removed to allow the construction of the proposed project and the materials

dedicated to its construction. Energy in the form of gas and electricity consumed during construction and operation and the human effort (time and labor) required to develop, construct, and operate the proposed project would also be committed. The proposed project also constitutes a long-term commitment of land resources, thereby rendering use of the project site for purposes other than the proposed project highly unlikely in the foreseeable future.

These commitments of resources and materials are weighed against the goals of the proposed project and its benefits to the surrounding area. In particular, the applicant's goal for the proposed project is to transform an underutilized site into a retail destination with a variety of locally oriented uses, including a large-scale supermarket and a wholesale warehouse, responding to local demand in this area of Staten Island. The proposed project would also provide an efficient site plan with access to local streets, while preserving and enhancing ecologically-sensitive wetland areas. In particular, the proposed project would result in an overall improvement to natural resources on the project site through removal of invasive or nonnative plant species in the freshwater wetland buffer and freshwater and tidal wetland adjacent areas and replanting of native vegetation in these areas.



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