City Environmental Quality Review
ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) SHORT FORM

FOR UNLISTED ACTIONS ONLY • *Please fill out and submit to the appropriate agency* (see instructions)

Part I: GENERAL INFORMATION

1. *Does the Action Exceed Any Type I Threshold in 6 NYCRR Part 617.4 or 43 RCNY §6-15(A) (Executive Order 91 of 1977, as amended)?* ☐ YES ☒ NO

If "yes," **STOP** and **complete the FULL EAS FORM**.

2. *Project Name* 3122-3136 Victory Boulevard

3. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
15DCP182R	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
170178ZMR	

4a. *Lead Agency Information*			**4b. *Applicant Information***		
NAME OF LEAD AGENCY: NYC Department of City Planning			NAME OF APPLICANT: C & A Realty Holding LLC		
NAME OF LEAD AGENCY CONTACT PERSON: Robert Dobruskin			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON: Hiram Rothkrug, ESC, Inc.		
ADDRESS: 120 Broadway, 31st Floor			ADDRESS: 55 Water Mill Road		
CITY: New York	STATE: NY	ZIP: 10271	CITY: Great Neck	STATE: NY	ZIP: 11021
TELEPHONE: 212-720-3423	EMAIL: rdobrus@planning.nyc.gov		TELEPHONE: 718-343-0026	EMAIL: hrothkrug@epdsco.com	

5. *Project Description*

The applicant, C & A Realty Holding LLC, seeks a zoning map amendment within the Bulls Head Section of Staten Island Community District 2. The proposed zoning map amendment would replace a R3X/C2-2 district mapped at the southwest corner of Richmond Avenue and Victory Boulevard with a C8-1 district. The proposed rezoning would affect five lots: Block 2159, Lots 1, 10, 13, 15 & 18 (The " the Project Area"), which is the majority of Block 2159. The proposed rezoning is intended to facilitate the enlargement and merger of an existing automobile repair establishment (Use Group 16). The proposed C8-1 district would permit Use Groups 4-14 & 16 at a maximum commercial FAR of 1.0. The proposed rezoning would faciliate a new 4,767 gsf enlargement to contain automotive service facility on Lots 13, 15 and 18 (the "Development Site") In total, the Development Site would contain 9,781 square feet of automotive service use or an FAR of 0.43 on the 22,350 square foot zoning lot.

Project Location

BOROUGH: Staten Island	COMMUNITY DISTRICT(S): 2	STREET ADDRESS: 1700 Richmond Avenue & 3118-3130 Victory Boulevard
TAX BLOCK(S) AND LOT(S): Block 2159, Lots 1, 10, 13, 15 & 18		ZIP CODE: 10314
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS: Victory Boulevard and Richmond Avenue		
EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY: R3X/C2-2; LDGMA		ZONING SECTIONAL MAP NUMBER: 20d

6. *Required Actions or Approvals* (check all that apply)

***City Planning Commission*:** ☒ YES ☐ NO ☒ UNIFORM LAND USE REVIEW PROCEDURE (ULURP)

☐ CITY MAP AMENDMENT	☐ ZONING CERTIFICATION	☐ CONCESSION
☒ ZONING MAP AMENDMENT	☐ ZONING AUTHORIZATION	☐ UDAAP
☐ ZONING TEXT AMENDMENT	☐ ACQUISITION—REAL PROPERTY	☐ REVOCABLE CONSENT
☐ SITE SELECTION—PUBLIC FACILITY	☐ DISPOSITION—REAL PROPERTY	☐ FRANCHISE
☐ HOUSING PLAN & PROJECT	☐ OTHER, explain:	

☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Board of Standards and Appeals*:** ☐ YES ☒ NO

☐ VARIANCE (use)
☐ VARIANCE (bulk)
☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Department of Environmental Protection*:** ☐ YES ☒ NO If "yes," specify:

Other City Approvals Subject to CEQR (check all that apply)

☐ LEGISLATION
☐ RULEMAKING
☐ CONSTRUCTION OF PUBLIC FACILITIES
☐ 384(b)(4) APPROVAL
☐ OTHER, explain:
☐ FUNDING OF CONSTRUCTION, specify:
☐ POLICY OR PLAN, specify:
☐ FUNDING OF PROGRAMS, specify:
☐ PERMITS, specify:

Other City Approvals Not Subject to CEQR (check all that apply)

☐ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC)
☐ LANDMARKS PRESERVATION COMMISSION APPROVAL
☐ OTHER, explain:

***State or Federal Actions/Approvals/Funding*:** ☐ YES ☒ NO If "yes," specify:

7. *Site Description:* *The directly affected area consists of the project site and the area subject to any change in regulatory controls. Except where otherwise indicated, provide the following information with regard to the directly affected area.*

***Graphics*:** *The following graphics must be attached and each box must be checked off before the EAS is complete. Each map must clearly depict the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. Maps may not exceed 11 x 17 inches in size and, for paper filings, must be folded to 8.5 x 11 inches.*

☒ SITE LOCATION MAP ☒ ZONING MAP ☒ SANBORN OR OTHER LAND USE MAP
☒ TAX MAP ☐ FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)
☒ PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP

Physical Setting (both developed and undeveloped areas)

Total directly affected area (sq. ft.): 45,000
Waterbody area (sq. ft) and type:
Roads, buildings, and other paved surfaces (sq. ft.):
Other, describe (sq. ft.):

8. *Physical Dimensions and Scale of Project* (if the project affects multiple sites, provide the total development facilitated by the action)

SIZE OF PROJECT TO BE DEVELOPED (gross square feet): 9,781
NUMBER OF BUILDINGS: 2
GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 9,781 gsf
HEIGHT OF EACH BUILDING (ft.): 17
NUMBER OF STORIES OF EACH BUILDING: 1

Does the proposed project involve changes in zoning on one or more sites? ☒ YES ☐ NO
If "yes," specify: The total square feet owned or controlled by the applicant: 22,350
The total square feet not owned or controlled by the applicant: 22,650

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? ☐ YES ☒ NO
If "yes," indicate the estimated area and volume dimensions of subsurface permanent and temporary disturbance (if known):
AREA OF TEMPORARY DISTURBANCE: sq. ft. (width x length) VOLUME OF DISTURBANCE: cubic ft. (width x length x depth)
AREA OF PERMANENT DISTURBANCE: sq. ft. (width x length)

Description of Proposed Uses (please complete the following information as appropriate)

	Residential	***Commercial***	***Community Facility***	***Industrial/Manufacturing***
Size (in gross sq. ft.)		9,781		
Type (*e.g.,* retail, office, school)	units	Automotive		

Does the proposed project increase the population of residents and/or on-site workers? ☒ YES ☐ NO
If "yes," please specify: NUMBER OF ADDITIONAL RESIDENTS: NUMBER OF ADDITIONAL WORKERS: 10
Provide a brief explanation of how these numbers were determined: *Based on an increment of 9,781 and one worker per 1000 sf

Does the proposed project create new open space? ☐ YES ☒ NO If "yes," specify size of project-created open space: sq. ft.

Has a No-Action scenario been defined for this project that differs from the existing condition? ☐ YES ☒ NO
If "yes," see Chapter 2, "Establishing the Analysis Framework" and describe briefly:

9. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2021

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 12

WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☒ YES ☐ NO	IF MULTIPLE PHASES, HOW MANY?
BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE:	

10. *Predominant Land Use in the Vicinity of the Project* (check all that apply)

☒ RESIDENTIAL ☐ MANUFACTURING ☒ COMMERCIAL ☐ PARK/FOREST/OPEN SPACE ☐ OTHER, specify:

Part II: TECHNICAL ANALYSIS

INSTRUCTIONS: For each of the analysis categories listed in this section, assess the proposed project's impacts based on the thresholds and criteria presented in the CEQR Technical Manual. Check each box that applies.

- If the proposed project can be demonstrated not to meet or exceed the threshold, check the "no" box.
- If the proposed project will meet or exceed the threshold, or if this cannot be determined, check the "yes" box.
- For each "yes" response, provide additional analyses (and, if needed, attach supporting information) based on guidance in the CEQR Technical Manual to determine whether the potential for significant impacts exists. Please note that a "yes" answer does not mean that an EIS must be prepared—it means that more information may be required for the lead agency to make a determination of significance.
- The lead agency, upon reviewing Part II, may require an applicant to provide additional information to support the Short EAS Form. For example, if a question is answered "no," an agency may request a short explanation for this response.

	YES	NO
1. *LAND USE, ZONING, AND PUBLIC POLICY*: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	☒	☐
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	☒	☐
(c) Is there the potential to affect an applicable public policy?	☐	☒
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach. See attached.		
(e) Is the project a large, publicly sponsored project?	☐	☒
○ If "yes," complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	☐	☒
○ If "yes," complete the Consistency Assessment Form.		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
○ Generate a net increase of 200 or more residential units?	☐	☒
○ Generate a net increase of 200,000 or more square feet of commercial space?	☐	☒
○ Directly displace more than 500 residents?	☐	☒
○ Directly displace more than 100 employees?	☐	☒
○ Affect conditions in a specific industry?	☐	☒
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
○ Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, hospitals and other health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
○ **Child Care Centers:** Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ **Libraries:** Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6)	☐	☒
○ **Public Schools:** Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ **Health Care Facilities and Fire/Police Protection:** Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
4. *OPEN SPACE*: CEQR Technical Manual Chapter 7		
(a) Would the proposed project change or eliminate existing open space?	☐	☒
(b) Is the project located within an under-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
○ If "yes," would the proposed project generate more than 50 additional residents or 125 additional employees?	☐	☐
(c) Is the project located within a well-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
○ If "yes," would the proposed project generate more than 350 additional residents or 750 additional employees?	☐	☐
(d) If the project in located an area that is neither under-served nor well-served, would it generate more than 200 additional residents or 500 additional employees?	☐	☒
5. *SHADOWS*: CEQR Technical Manual Chapter 8		

	YES	NO
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	☐	☒
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	☐	☒
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9		
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm)	☐	☒
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	☐	☒
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources.		
7. *URBAN DESIGN AND VISUAL RESOURCES*: CEQR Technical Manual Chapter 10		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?	☒	☐
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	☐	☒
8. *NATURAL RESOURCES*: CEQR Technical Manual Chapter 11		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11?	☐	☒
○ If "yes," list the resources and attach supporting information on whether the proposed project would affect any of these resources.		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed?	☐	☒
○ If "yes," complete the Jamaica Bay Watershed Form, and submit according to its instructions.		
9. *HAZARDOUS MATERIALS*: CEQR Technical Manual Chapter 12		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	☐	☒
(b) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	☐	☒
(c) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in Appendix 1 (including nonconforming uses)?	☒	☐
(d) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	☐	☒
(e) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (*e.g.*, gas stations, oil storage facilities, heating oil storage)?	☐	☒
(f) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	☐	☒
(g) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	☐	☒
(h) Has a Phase I Environmental Site Assessment been performed for the site?	☐	☒
○ If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify:	☐	☐
10. *WATER AND SEWER INFRASTRUCTURE*: CEQR Technical Manual Chapter 13		
(a) Would the project result in water demand of more than one million gallons per day?	☐	☒
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	☐	☒
(c) If the proposed project located in a separately sewered area, would it result in the same or greater development than the amounts listed in Table 13-1 in Chapter 13?	☐	☒
(d) Would the proposed project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	☐	☒
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas, including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	☐	☒
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	☐	☒

	YES	NO
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or generate contaminated stormwater in a separate storm sewer system?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
11. *SOLID WASTE AND SANITATION SERVICES*: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14, the project's projected operational solid waste generation is estimated to be (pounds per week): 1,343		
○ Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☐	☒
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	☐	☒
12. *ENERGY*: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15, the project's projected energy use is estimated to be (annual BTUs): 1,375,920		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. *TRANSPORTATION*: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	☐	☒
(b) If "yes," conduct the screening analyses, attach appropriate back up data as needed for each stage and answer the following questions:		
○ Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☐	☒
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.*	☐	☐
○ Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	☐	☒
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway trips per station or line?	☐	☐
○ Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☐	☒
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?	☐	☐
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☐	☒
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☒	☐
○ If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed) See attached.	☐	☒
(c) Does the proposed project involve multiple buildings on the project site?	☒	☐
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☒
(e) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	☐	☒
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) If "yes" to any of the above, would the project require a GHG emissions assessment based on the guidance in Chapter 18?	☐	☒
16. *NOISE*: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	☒	☐
(b) Would the proposed project introduce new or additional receptors (see Section 124 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	☐	☒
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☐	☒
(d) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	☐	☒
17. *PUBLIC HEALTH*: CEQR Technical Manual Chapter 20		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	☐	☒
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20, "Public Health." Attach a		

	YES	NO
preliminary analysis, if necessary.		
18. *NEIGHBORHOOD CHARACTER*: CEQR Technical Manual Chapter 21		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	☐	☒
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary.		
19. *CONSTRUCTION*: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
○ Construction activities lasting longer than two years?	☐	☒
○ Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☐	☒
○ Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, *etc.*)?	☐	☒
○ Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☐	☒
○ The operation of several pieces of diesel equipment in a single location at peak construction?	☐	☒
○ Closure of a community facility or disruption in its services?	☐	☒
○ Activities within 400 feet of a historic or cultural resource?	☐	☒
○ Disturbance of a site containing or adjacent to a site containing natural resources?	☐	☒
○ Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	☐	☒
(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in Chapter 22, "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination.		

20. *APPLICANT'S CERTIFICATION*

I swear or affirm under oath and subject to the penalties for perjury that the information provided in this Environmental Assessment Statement (EAS) is true and accurate to the best of my knowledge and belief, based upon my personal knowledge and familiarity with the information described herein and after examination of the pertinent books and records and/or after inquiry of persons who have personal knowledge of such information or who have examined pertinent books and records.

Still under oath, I further swear or affirm that I make this statement in my capacity as the applicant or representative of the entity that seeks the permits, approvals, funding, or other governmental action(s) described in this EAS.

APPLICANT/REPRESENTATIVE NAME	DATE
Justin Jarboe, ESC, Inc.	3/19/18

SIGNATURE

PLEASE NOTE THAT APPLICANTS MAY BE REQUIRED TO SUBSTANTIATE RESPONSES IN THIS FORM AT THE DISCRETION OF THE LEAD AGENCY SO THAT IT MAY SUPPORT ITS DETERMINATION OF SIGNIFICANCE.

Part III: DETERMINATION OF SIGNIFICANCE (To Be Completed by Lead Agency)

INSTRUCTIONS: In completing Part III, the lead agency should consult 6 NYCRR 617.7 and 43 RCNY § 6-06 (Executive Order 91 or 1977, as amended), which contain the State and City criteria for determining significance.

1. For each of the impact categories listed below, consider whether the project may have a significant adverse effect on the environment, taking into account its (a) location; (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude.

IMPACT CATEGORY	Potentially Significant Adverse Impact: YES	NO
Land Use, Zoning, and Public Policy	☐	☒
Socioeconomic Conditions	☐	☒
Community Facilities and Services	☐	☒
Open Space	☐	☒
Shadows	☐	☒
Historic and Cultural Resources	☐	☒
Urban Design/Visual Resources	☐	☒
Natural Resources	☐	☒
Hazardous Materials	☐	☒
Water and Sewer Infrastructure	☐	☒
Solid Waste and Sanitation Services	☐	☒
Energy	☐	☒
Transportation	☐	☒
Air Quality	☐	☒
Greenhouse Gas Emissions	☐	☒
Noise	☐	☒
Public Health	☐	☒
Neighborhood Character	☐	☒
Construction	☐	☒

2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? ☐ YES ☒ NO

If there are such impacts, attach an explanation stating whether, as a result of them, the project may have a significant impact on the environment.

3. Check determination to be issued by the lead agency:

☐ **Positive Declaration:** If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a *Positive Declaration* and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).

☐ **Conditional Negative Declaration:** A *Conditional Negative Declaration* (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements of 6 NYCRR Part 617.

☒ **Negative Declaration:** If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a *Negative Declaration*. The *Negative Declaration* may be prepared as a separate document (see template) or using the embedded Negative Declaration on the next page.

4. ***LEAD AGENCY'S CERTIFICATION***

TITLE	LEAD AGENCY
Director, Environmental Assessment and Review Division	Department of City Planning, acting on behalf of the City Planning Commission
NAME	DATE
Robert Dobruskin, AICP	3/23/2018

SIGNATURE Robert Dobruskin

NEGATIVE DECLARATION (Use of this form is optional)

Statement of No Significant Effect

Pursuant to Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York and 6 NYCRR, Part 617, State Environmental Quality Review, the Department of City Planning, acting on behalf of the City Planning Commission, assumed the role of lead agency for the environmental review of the proposed project. Based on a review of information about the project contained in this environmental assessment statement and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the proposed project would not have a significant adverse impact on the environment.

Reasons Supporting this Determination

The above determination is based on information contained in this EAS, which that finds the proposed project action sought before the City Planning Commission would have no significant effect on the quality of the environment. Reasons supporting this Determination are noted below.

Hazardous Materials and Air Quality

1. An (E) designation (E-469) has been incorporated into the proposed action. Refer to "Determination of Significance Appendix: (E) Designation" for a list of the sites affected by the proposed (E) Designation and applicable (E) Designation requirements. The (E) Designation for air quality and hazardous materials would ensure that the proposed action would not result in significant adverse impacts related to air quality and hazardous materials.

No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA).

TITLE	LEAD AGENCY
Director, Environmental Assessment and Review Division, Department of City Planning	Department of City Planning, acting on behalf of the City Planning Commission
NAME	DATE
Robert Dobruskin, AICP	3/23/2018
SIGNATURE	
Robert Dobruskin	

TITLE Chair, City Planning Commission	
NAME Marisa Lago	DATE 3/26/2018
SIGNATURE	

Determination of Significance Appendix: (E) Designations (E-469)

Hazardous Materials

To avoid any potential impacts associated with hazardous materials, the proposed action will place an (E) Designation for hazardous materials on the following properties:

Block 2159, Lots 13, 15, and 18 in Staten Island

The text of the (E) Designation is as follows:

Due to the possible presence of hazardous materials on the aforementioned designated site, there is potential for contamination of the soil and groundwater. To determine if contamination exists and perform the appropriate remediation, the following tasks must be undertaken by the fee owners of the lot restricted by this (E) designation prior to any demolition or disturbance of soil on the lot.

Task 1
The fee owners of the lot restricted by this (E) designation will be required to prepare a scope of work for any soil, gas, or groundwater sampling and testing needed to determine if contamination exists, the extent of the contamination, and to what extent remediation may be required. The scope of work will include all relevant supporting documentation, including site plans and sampling locations. This scope of work will be submitted to the Mayor's Office of Environmental Remediation (OER) for review and approval prior to implementation. It will be reviewed to ensure that an adequate number of samples will be collected and that appropriate parameters are selected for laboratory analysis.

No sampling program may begin until written approval of a work plan and sampling protocol is received from the OER. The number and location of sample sites should be selected to adequately characterize the type and extent of the contamination, and the condition of the remainder of the site. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of the sampling data. Guidelines and criteria for choosing sampling sites and performing sampling will be provided by OER upon request.

Task 2
A written report with findings and a summary of the data must be presented to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such test results, a determination will be provided by OER if the results indicate that remediation is necessary.

If OER determines that no remediation is necessary, written notice shall be given by OER. If remediation is necessary according to test results, a proposed remediation plan must be submitted to OER for review and approval. The fee owners of the lot restricted by this (E) designation must perform such remediation as determined necessary by OER. After completing the remediation, the fee owners of the lot restricted by this (E) designation should provide proof that the work has been satisfactorily completed.

An OER-approved construction-related health and safety plan would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil and/or groundwater. This Plan would be submitted to OER for review and approval prior to implementation.

Air Quality

An E-Designation is required to restrict the stack location of Lots 13, 15 and 18 in Staten Island, to ensure HVAC emissions would not significantly affect residential properties to the west of the proposed new facility. In addition, the existing spray booth facility on Lot 15 would be restricted. The (E) designation language is as follows:

Block 2159, Lots 13, 15 and 18:
Any new commercial development on Block 2159, Lot 13, 15 and 18 must ensure that the heating, ventilating and air conditioning stack(s) is located at the highest tier (28 feet above the grade) and at least 60 feet away from the lot line facing Jones Street, to avoid any potential significant air quality impacts.

Block 2159, Lot 15:
Any new or existing development on the above-referenced property must contain no enlargement to the existing auto body spray booth to avoid any significant adverse air quality impacts.

PROJECT DESCRIPTION

Proposed Actions

The applicant, C & A Realty Holding LLC, seeks a zoning map amendment from R3X/C2-2 to C8-1 within the Bulls Head section of Staten Island Community District 2. The proposed rezoning would legalize pre-existing nonconforming automotive uses and facilitate the redevelopment of an existing automobile service facility. The proposal includes a single merged site ("the Development Site") located at 3130 Victory Boulevard and 3130 Clifton Street (Block 2159, Lots 13, 15, and 18 or Future Tax and Zoning Lot 13), which are located at the southwest corner of Richmond Avenue and Victory Boulevard.

The proposed rezoning would affect five lots: Block 2159, Lots 1, 10, 13, 15 & 18 (the "Project Area"), which is the majority of Block 2159, and would replace an existing R3X/C2-2 district with a new C8-1 district. The proposed rezoning is intended to facilitate the redevelopment of an existing automobile repair establishment (Use Group 16). The rezoning is necessary because the existing zoning does not permit the enlargement of the automotive use contained within the Project Site, as well as other uses contained on a majority of the affected lots, rendering the uses within the Project Area nonconforming and thus unable to expand their use. Specifically, the proposed zoning map amendment will bring two legal nonconforming uses into compliance (Block 2159, Lots 15 and 18) and legalize an additional nonconforming use at 3130 Victory Boulevard (Block 2159, Lot 13).

(**See Figure 1 - Site Location, Figure 2 – Tax Map, Figure 3 – Zoning Map, Figure 4 – Land Use Map; Figure 5 - Aerial Map; Figure 6 – Site Photographs; and Figure 7- Zoning Change Map**).

Existing Conditions

The Project Area is located in the Bulls Head section of Staten Island Community District 2. The proposed rezoning would affect five lots: Block 2159, Lots 1, 10, 13, 15 & 18, which is the majority of Block 2159. This area is bound by Victory Boulevard to the north, Jones Street to the west, Richmond Avenue to the east and Clifton Street to the south. This area encompasses approximately 45,000 square feet (approximately 350 feet wide by 128 feet in depth). The affected area is zoned R3X/C2-2. The applicant controls all of Lots 13, 15 and 18, which consist of a single zoning lot, while Lots 1 and 10 are not applicant owned and are separate zoning and tax lots.

Both Victory Boulevard and Richmond Avenue are wide streets. Clifton Street and Jones Street are narrow streets. Lot 1 contains frontage along Richmond Avenue, Victory Boulevard and Clifton Street. The remaining lots (10, 13, 15 & 18) are through lots with frontage along both Victory Boulevard and Clifton Street.

Lot 1 (1700 Richmond Avenue) is a corner lot that contains a single-story commercial retail use (recently re-tenanted as a Tim Horton's) on a 14,028-square foot lot with 2,580 square feet of floor area (an FAR of 0.18). The building was constructed in 2005 and contains approximately 111 feet of frontage along Victory Boulevard and Clifton Street and 124 feet of frontage along Richmond Avenue. Accessory parking surrounds the building.

Lot 10 (3118 Victory Boulevard) is a though lot that contains a legally nonconforming single-story automotive service use (a car wash and basic automotive service facility) on a 9,600-square foot lot. The parcel contains 3,760 square feet of floor area (an FAR of 0.39). The automotive use dates to the construction of the building in approximately 1938 and the parcel contains approximately 75 feet of frontage along both Victory Boulevard and Clifton Street. A Certificate of Occupancy has from 1947 indicates an automotive show room and repair shop and an updated Certificate of Occupancy from 1990 indicates an Automotive Laundry, Auto Sales and Auto Supply Store.

Lot 13 (3130 Victory Boulevard) is a through lot that contains a nonconforming single-story automotive service use (a small garage) on a 6,400-square foot lot. The garage consists of 1,397 square feet of floor area (an FAR of 0.22) and was constructed in approximately 1989. The lot contains 50 feet of frontage along both Victory Boulevard and Clifton Street. The building was initially constructed as an Auto Laundry (car wash) and in 1999 the Board of Standards and Appeals (BSA) approved a legalization (47-99-BZ) of such use for a term of one year. Following the expiration of that term, the Department of Buildings (DOB) issued a ECB use violation (34334889P) for an automotive use on September 23, 2002, which erroneously notes a "G9 Garage Gas Station" for an automotive detail facility. Thereafter, on October 29, 2002 the BSA granted an amendment to the pre-existing approval to permit a change of use to an "Auto-Detailing Facility" and an extension of term until October 29, 2007, which resolved the prior DOB violation. Two subsequent use violations (34370405H and 34382618J) were issued by the DOB during the term of the BSA approval (March of 2003 and April of 2003, respectively) and were dismissed, as the use was permitted until October 29, 2007. There is no record of any actions since that time period, rendering the current automotive related-use noncomplying.

Lot 15 (3130 Victory Boulevard) is a through lot that contains a legally nonconforming single-story automotive service use on a 9,600-square foot lot. The lot contains approximately 5,000 square feet of floor area (an FAR of 0.5) and was constructed in approximately 1947. The lot contains 75 feet of frontage along both Victory Boulevard and Clifton Street and a depth of 128 feet. The property has a Certificate of Occupancy indicating a Commercial Garage (with gasoline service) dating back to 1947 and was subsequently amended in 1987 to reflect Automotive Repairs.

Lot 18 (No mapped address) is a through lot that is currently vacant and utilized as parking/storage, which is a nonconforming use. The lot contains 6,350 square feet of lot area with 50 feet of frontage along both Victory Boulevard and Clifton Street. There are no available DOB records with respect to prior development of Lot 18, which the Applicant currently uses for the storage of vehicles waiting to be serviced. Photos from the Department of Finance from the 1980s indicate that the lot was paved with gravel and used for parking. The lot was acquired by the Applicant in 2012, paving was installed, and the lot has been used since that time for the storage of cars awaiting service. On December 19, 2017, ECB violation number 35163681Z was issued for "Illegal use in a commercial district".

The Project Area is located within an R3X zoning district of the Staten Island Lower Density Growth Management Area (LDGMA). The R3X zoning district allows only one and two-family detached residential buildings on lots at least 35 feet wide and permits residential use (Use Groups 1 & 2) as well as community facility uses (Use Groups 3 & 4). The maximum FAR in R3X districts for both housing and community facility uses is 0.50 in the Staten Island LDGMA, and may be increased by an attic allowance of up to 20% for the inclusion of space beneath a pitched roof as well as an exemption of 500 square feet for two parking spaces.

Proposed Development

The proposed rezoning would legally permit the pre-existing nonconforming uses within the Project Area. The proposed zoning map amendment would not increase the maximum commercial FAR, as the existing zoning permits a commercial FAR of 1.0. The proposed zoning map amendment from R3X/C2-2 would increase the permitted uses from Use Groups 1-4 & 6-9 & 14 to Use Groups 4-14 & 16. The C8-1 commercial zoning district is requested because it primarily functions as a district for general service and would legalize all the nonconforming uses within the Project Area.

With automotive service use permitted, the applicant would demolish the garage located on Lot 13 of the Project Site and construct a new single-story automotive use with 4,767 square feet of floor area and 7 accessory parking spaces for a built FAR of 0.78. The new building on new Tax Lot 13 would rise to a height of 17 feet and would be utilized in conjunction with the existing 5,014 square foot automotive service facility on Lot 15 (also 17 feet in height). Lot 15 is unable to add floor area to expand its use due to noncompliance in the provision of accessory parking with one space required per 600 square feet. The accessory parking of Lot 13 would be accessible from Victory Boulevard. No new curb cuts are being sought as part of the proposed action. Lot 18 currently contains open automobile storage for the applicant's automotive facility and would continue to be utilized as such in the future with the proposed development.

Therefore, in total the Project Site would contain 9,781 square feet of automotive service use or an FAR of 0.43 on the 22,350 square foot zoning lot.

Purpose and Need

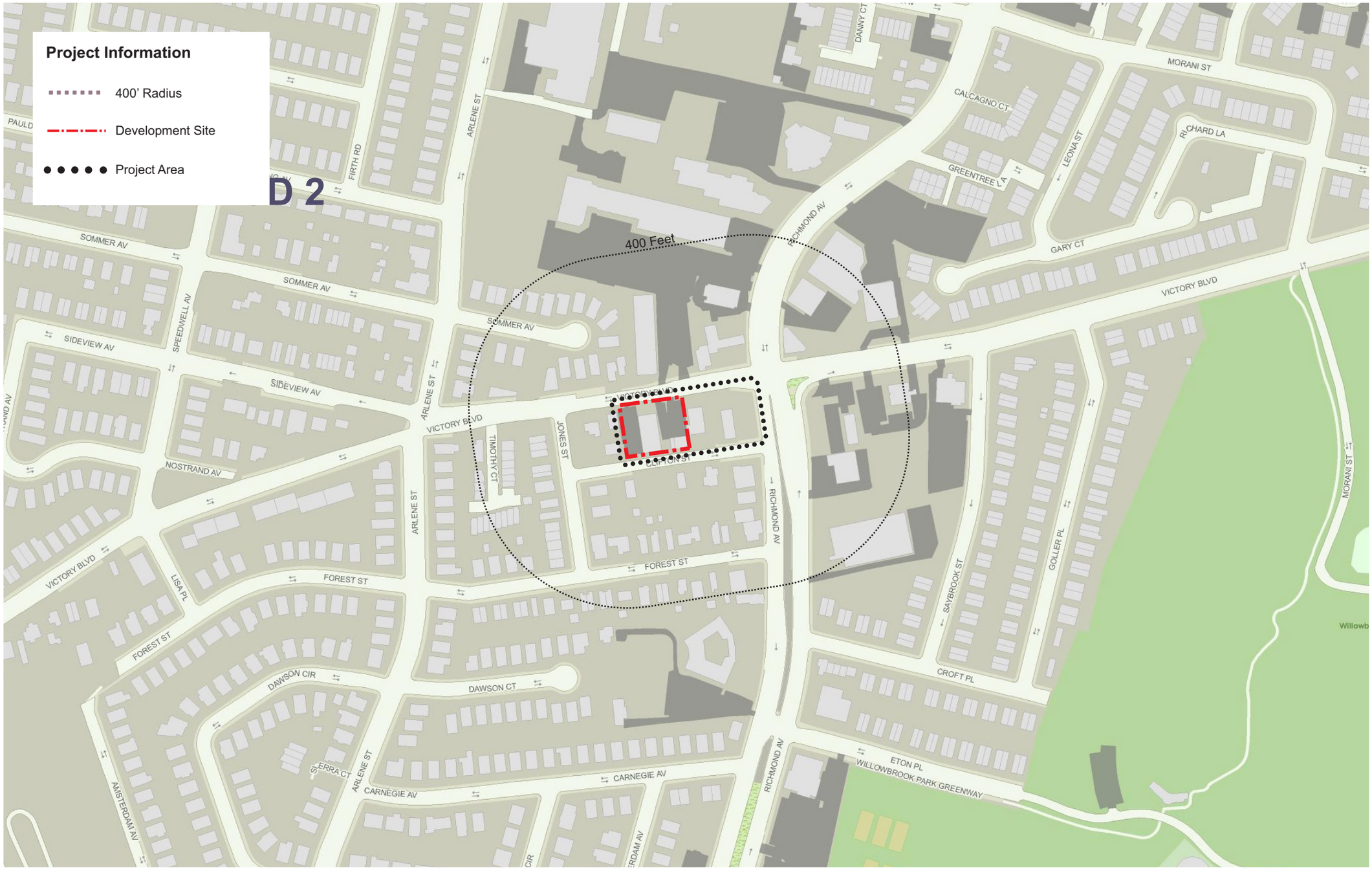
The proposed rezoning would permit the pre-existing nonconforming uses within the Project Area. The proposed zoning map amendment would not increase the maximum commercial FAR, as the existing zoning permits a commercial FAR of 1.0. The proposed zoning map amendment from R3X/C2-2 would increase the permitted uses from Use Groups 1-4 & 6-9 & 14 to Use Groups 4-14 & 16. The C8-1 commercial zoning district is requested because it primarily functions as a district for general service and would legalize all the nonconforming uses within the Project Area.

The pre-existing nonconforming uses on the Development Sites date from 1946, when a one-story garage was constructed at 3030 Victory Boulevard (Block 2159, Lot 15). The small garage to the south of Lot 15 was constructed in 1989 (Block 2159, Lot 13). The existing C2-2 commercial overlay was created in 2011 as part of the Lower Growth Density Management Area (LDGMA) Text Amendment and Commercial Corridor Rezoning, which aimed to apply LDGMA commercial regulations and commercial parking lot design guidelines to residential areas where commercial uses existed, and to create a consistent regulatory framework for the area and to encourage reinvestment by existing businesses. However, the new C2-2 commercial district allows neighborhood commercial retail use (Use Groups 1 through 9 & 14) but not automotive repair facilities (Use Group 16). The proposed C8-1 zoning district would legalize pre-existing uses within the affected area, which contain nonconforming Use Group 16 uses. The proposed rezoning would also facilitate development on the Project Sites.

Required Approvals

The proposed development requires a zoning map amendment to rezone the Project Area (Block 2159, Lots 1, 10, 13, 15 & 18). The rezoning would serve to legalize pre-existing nonconforming uses and facilitate the redevelopment on the Project Sites. The granting of the zoning text amendment is a discretionary action that is subject to both the Uniform Land Use Review Procedure (ULURP) as well as the City Environmental Quality Review (CEQR). ULURP is a process that allows public review of the proposed action at four levels: the Community Board; the Borough President; the City Planning Commission; and, if applicable, the City Council. CEQR is a process by which agencies review discretionary actions for the purpose of identifying the effects those actions may have on the environment.

Figure 1 - Site Location



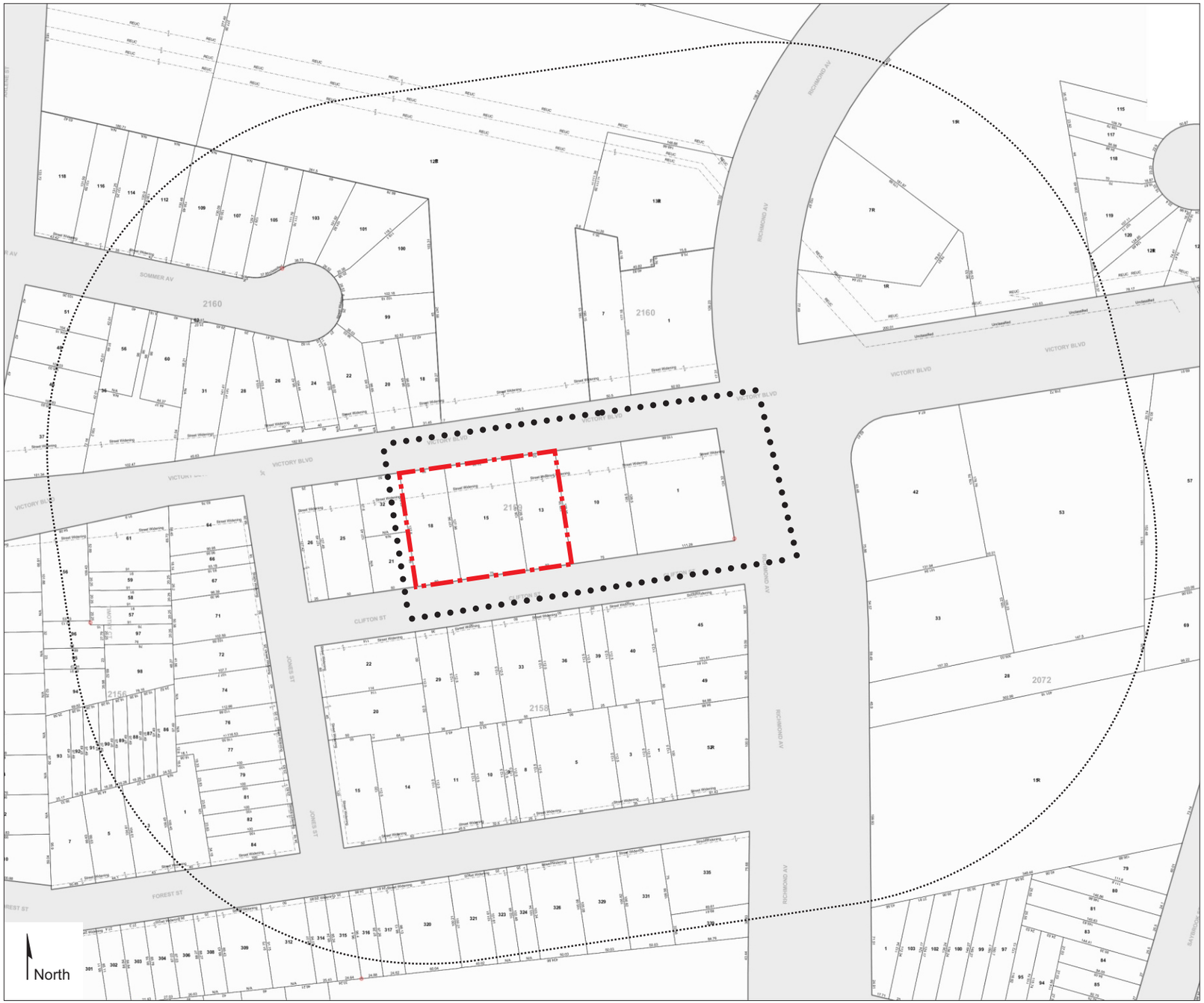
Project Information

Figure 2 - Tax Map

400’ Radius

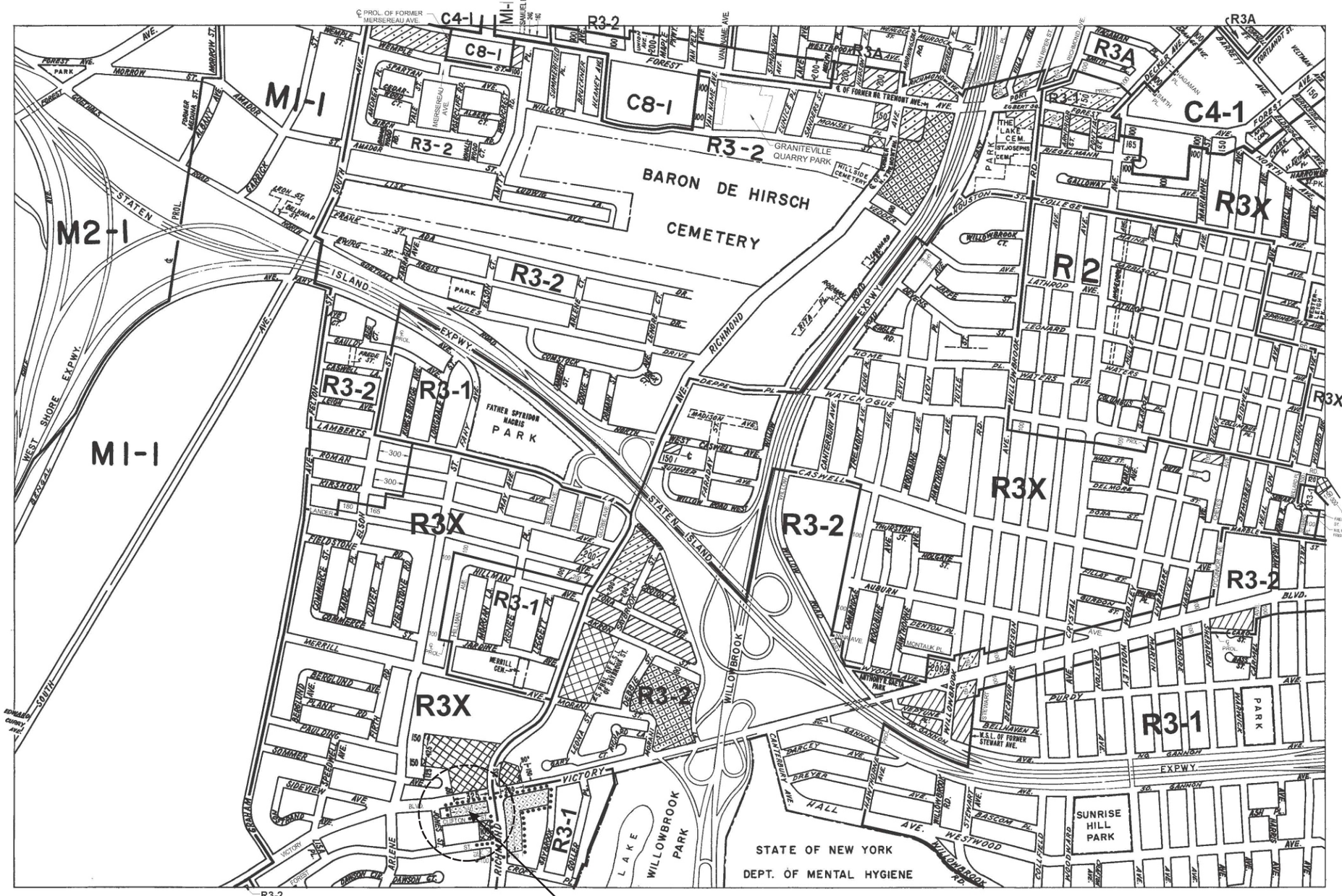
Development Site

Project Area



0 100 200 400 Feet

Figure 3 - Zoning Map



ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

Major Zoning Classifications:

The number(s) and/or letter(s) that follows an **R**, **C** or **M** District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.

R – RESIDENTIAL DISTRICT

C – COMMERCIAL DISTRICT

M – MANUFACTURING DISTRICT

SPECIAL PURPOSE DISTRICT
The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.

AREA(S) REZONED

Effective Date(s) of Rezoning:

01-18-2011 C 110069 ZMR

Special Requirements:

For a list of lots subject to CEQR environmental requirements, see APPENDIX C.

For a list of lots subject to "D" restrictive declarations, see APPENDIX D.

For Inclusionary Housing designated areas on this map, see APPENDIX F.

N

MAP KEY

20a	20c	21a
20b	**20d**	21b
26a	26c	27a

ZONING MAP **20d**

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website: **www.nyc.gov/planning** or contact the Zoning Information Desk at (212) 720-3291.

Figure 4 - Land Use Map

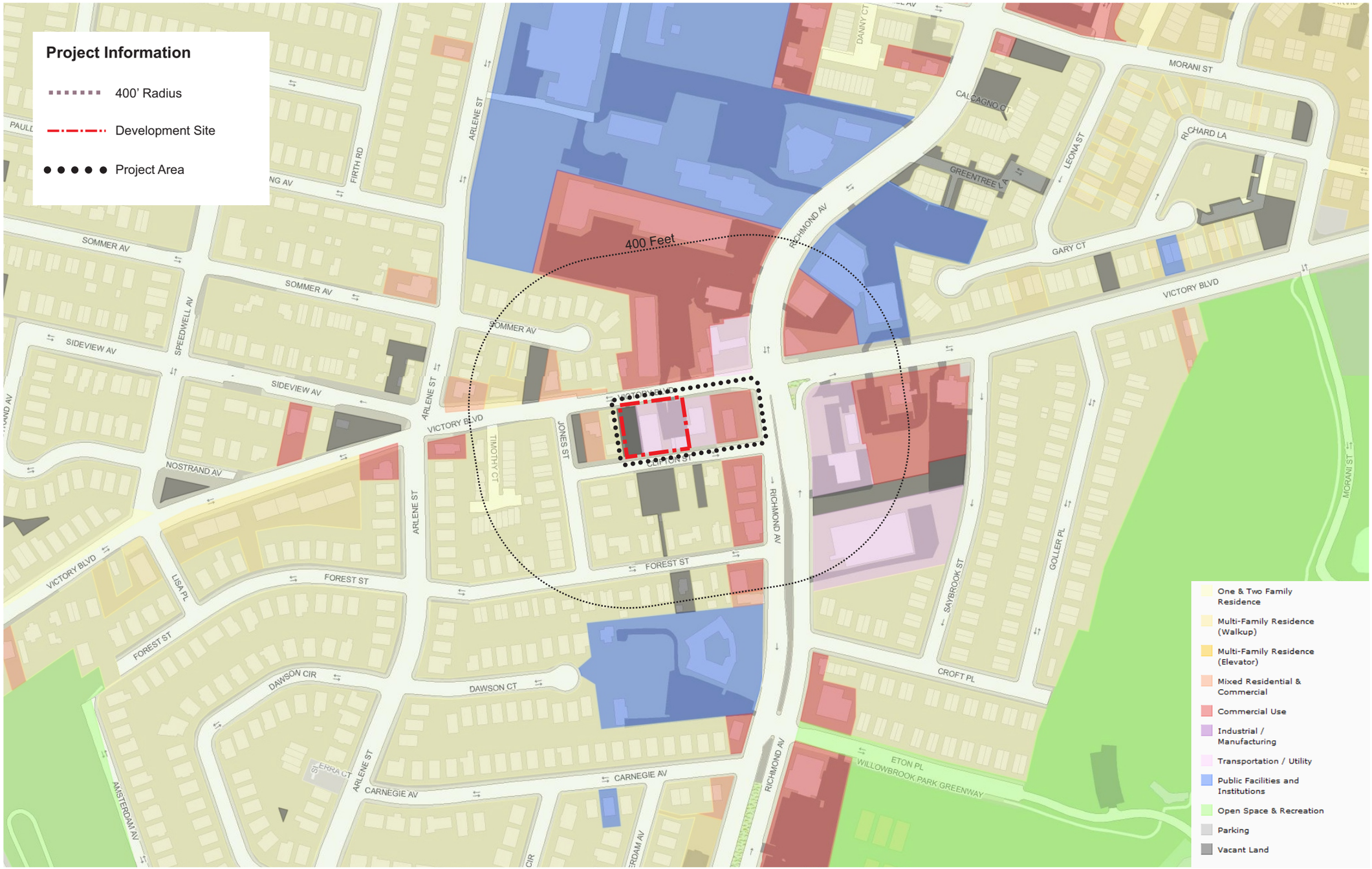
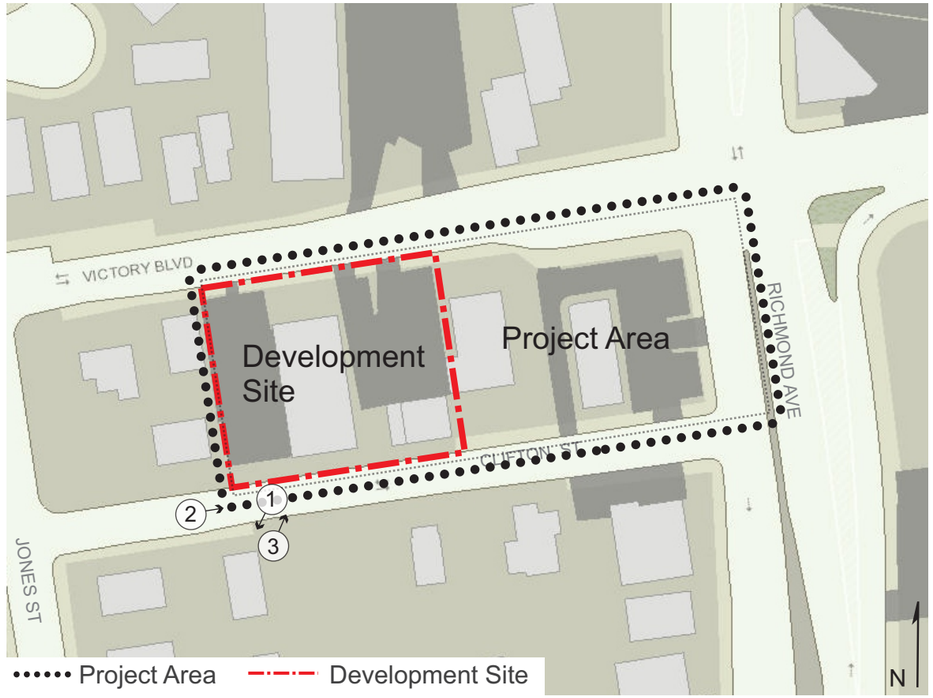


Figure 5 - Aerial Map

1. View of Clifton Street facing southwest from the Development Site.

2. View of Clifton Street facing east (Development Site at left).

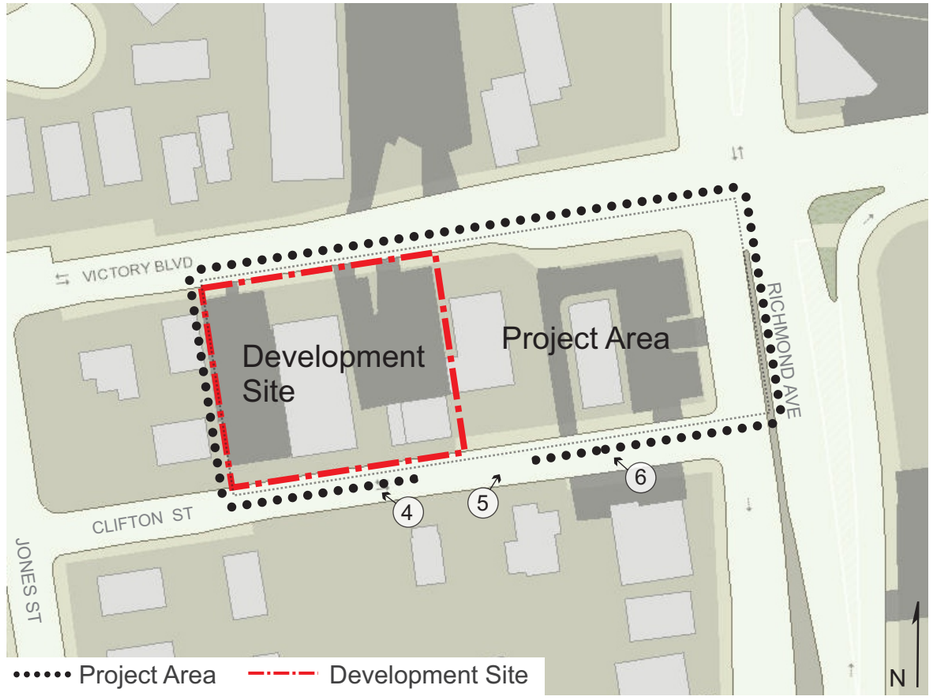
3. View of the Development Site facing northeast from Clifton Street.



4. View of the Development Site facing northwest from Clifton Street.

5. View of the Project Area facing northeast from Clifton Street.

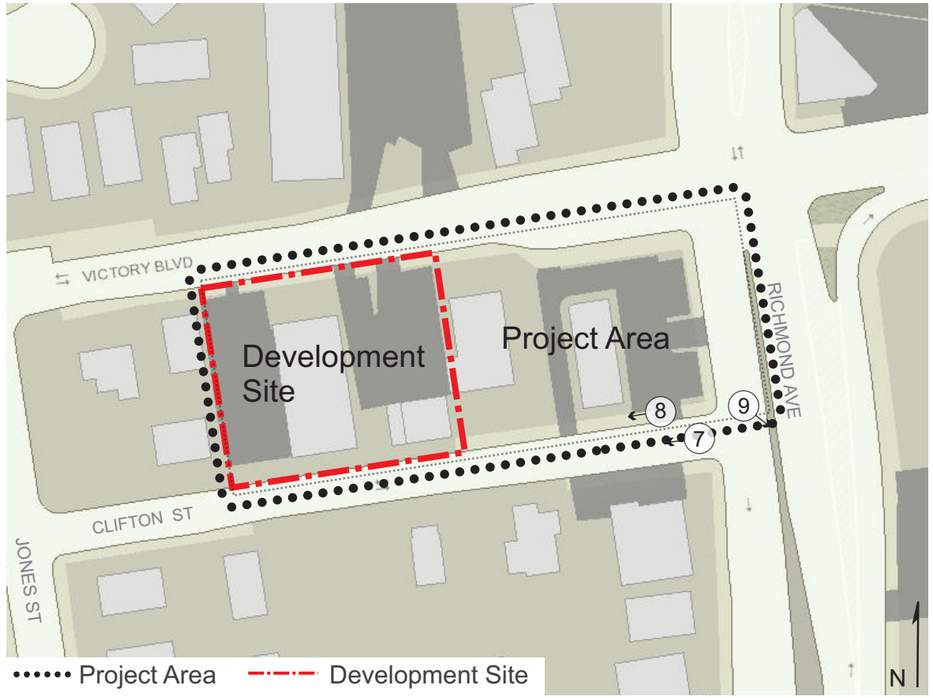
6. View of the Project Area facing northwest from Clifton Street.



7. View of Clifton Street facing west from Richmond Avenue (Project Area at right).

8. View of the sidewalk along the north side of Clifton Street from Richmond Avenue (Project Area at right).

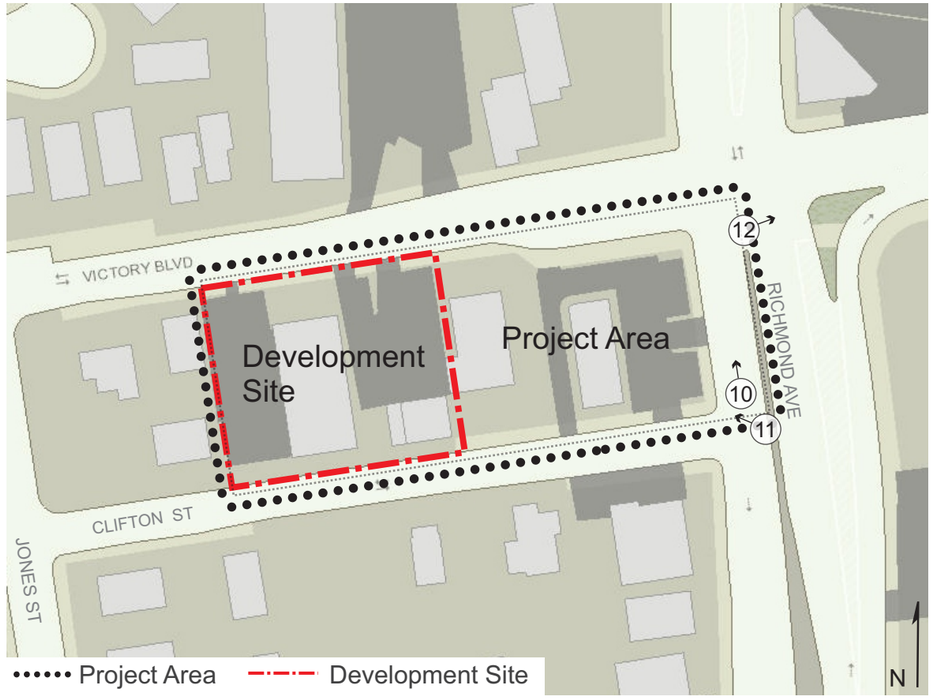
9. View of Richmond Avenue facing southeast from the Project Area.



10. View of Richmond Avenue facing north (Project Area at left).

11. View of the Project Area facing northwest from Richmond Avenue.

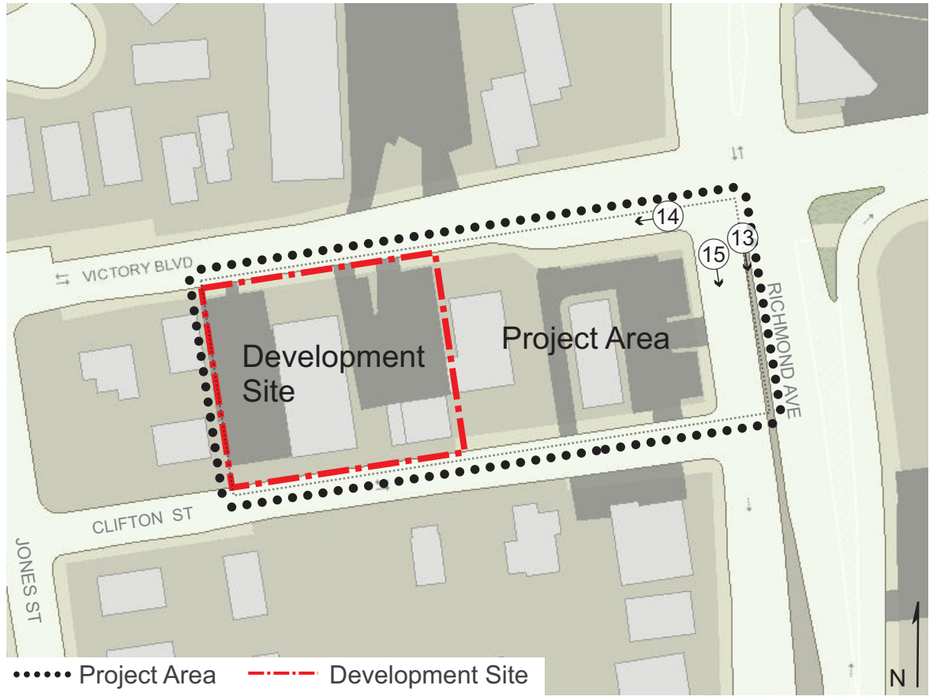
12. View of Victory Boulevard facing east from Richmond Avenue.



13. View of Richmond Avenue facing south from Victory Boulevard (Project Area at right).

14. View of the sidewalk along the south side of Victory Boulevard facing west (Project Area at left).

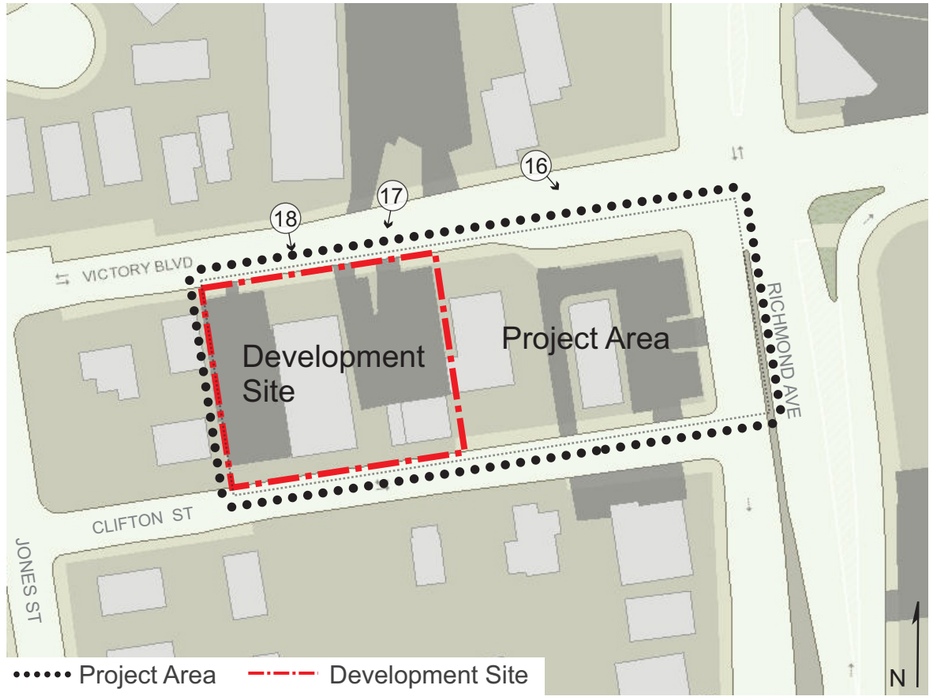
15. View of the sidewalk along the west side of Richmond Avenue facing south (Project Area at right).



16. View of the Project Area facing southeast from Victory Boulevard.

17. View of the Development Site facing southwest from Victory Boulevard.

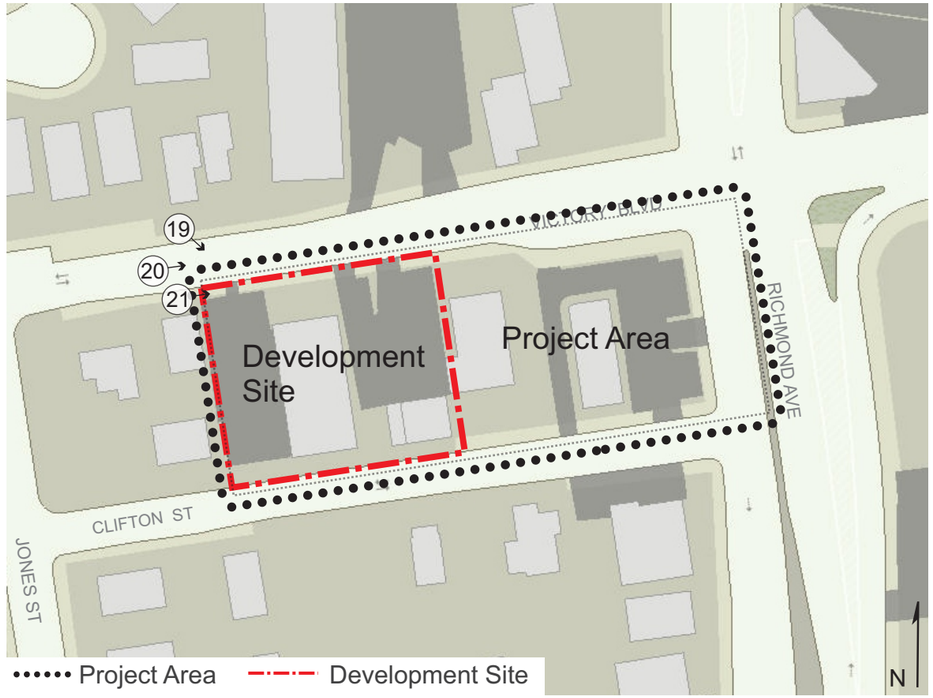
18. View of the Development Site facing south from Victory Boulevard.



19. View of the Development Site facing southeast from Victory Boulevard.

20. View of Victory Boulevard facing east (Development Site at right).

21. View of the sidewalk along the south side of Victory Boulevard facing east (Development Site at right).



22. View of Victory Boulevard facing northwest from the Development Site.

23. View of Victory Boulevard facing northeast from the Development Site.

24. View of Victory Boulevard facing northwest from the Project Area.

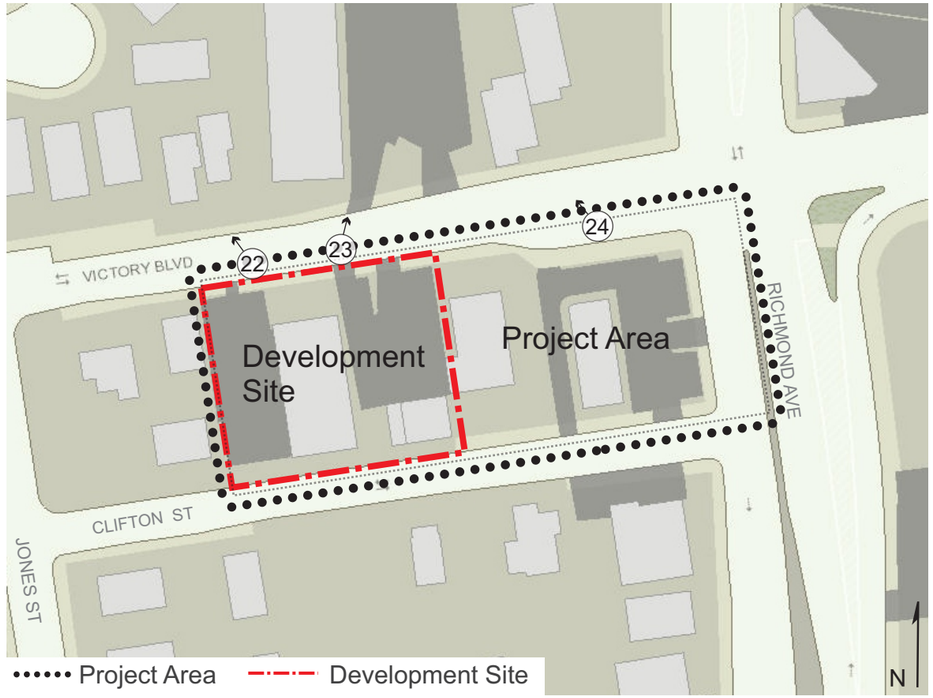
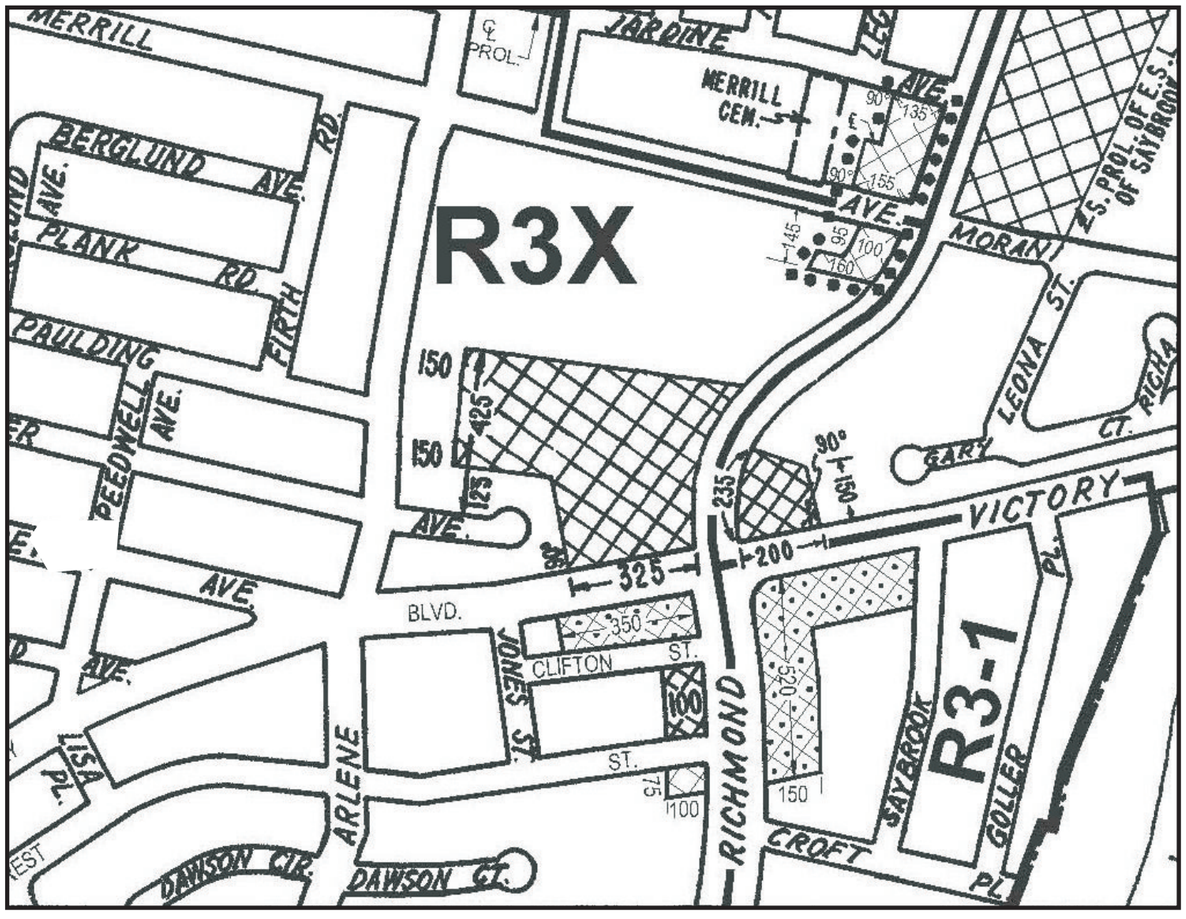
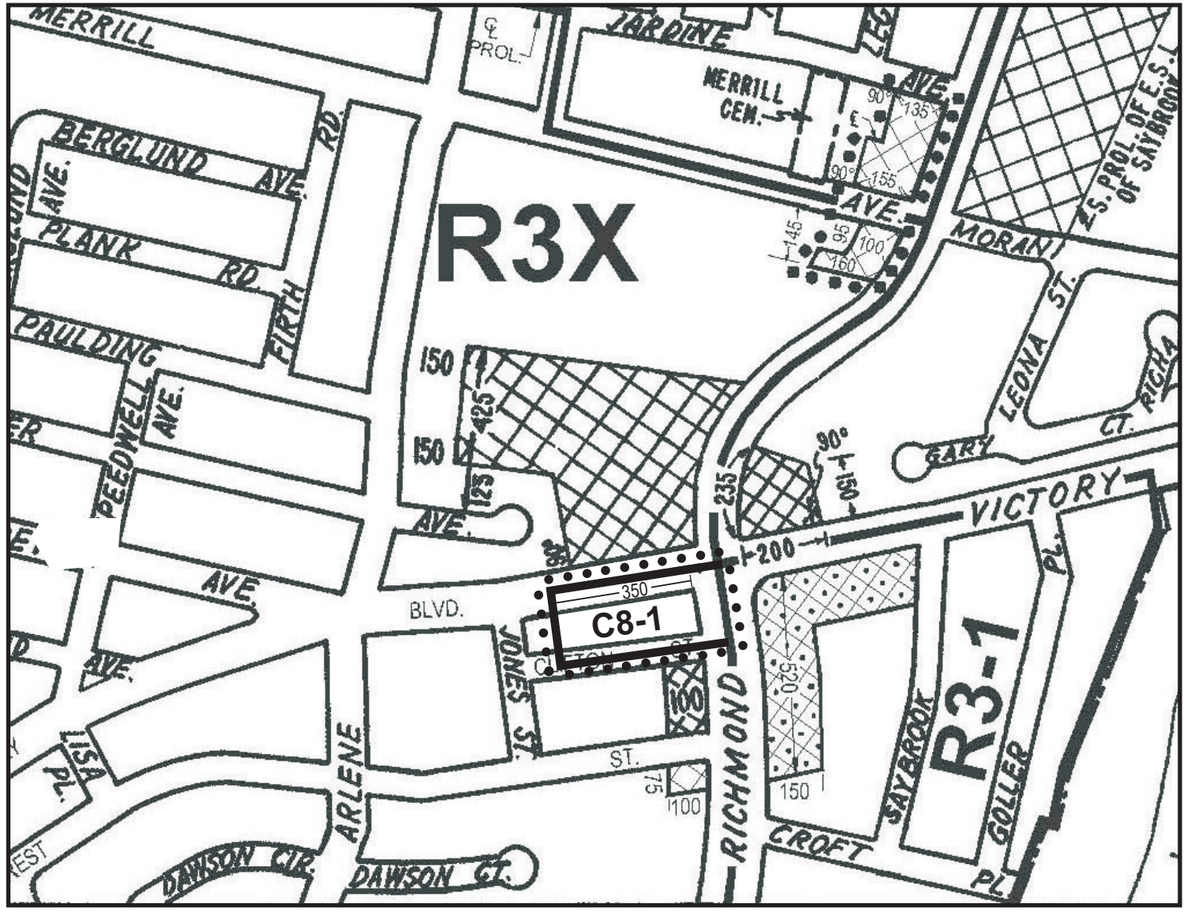


Figure 7 - Zoning Change Map



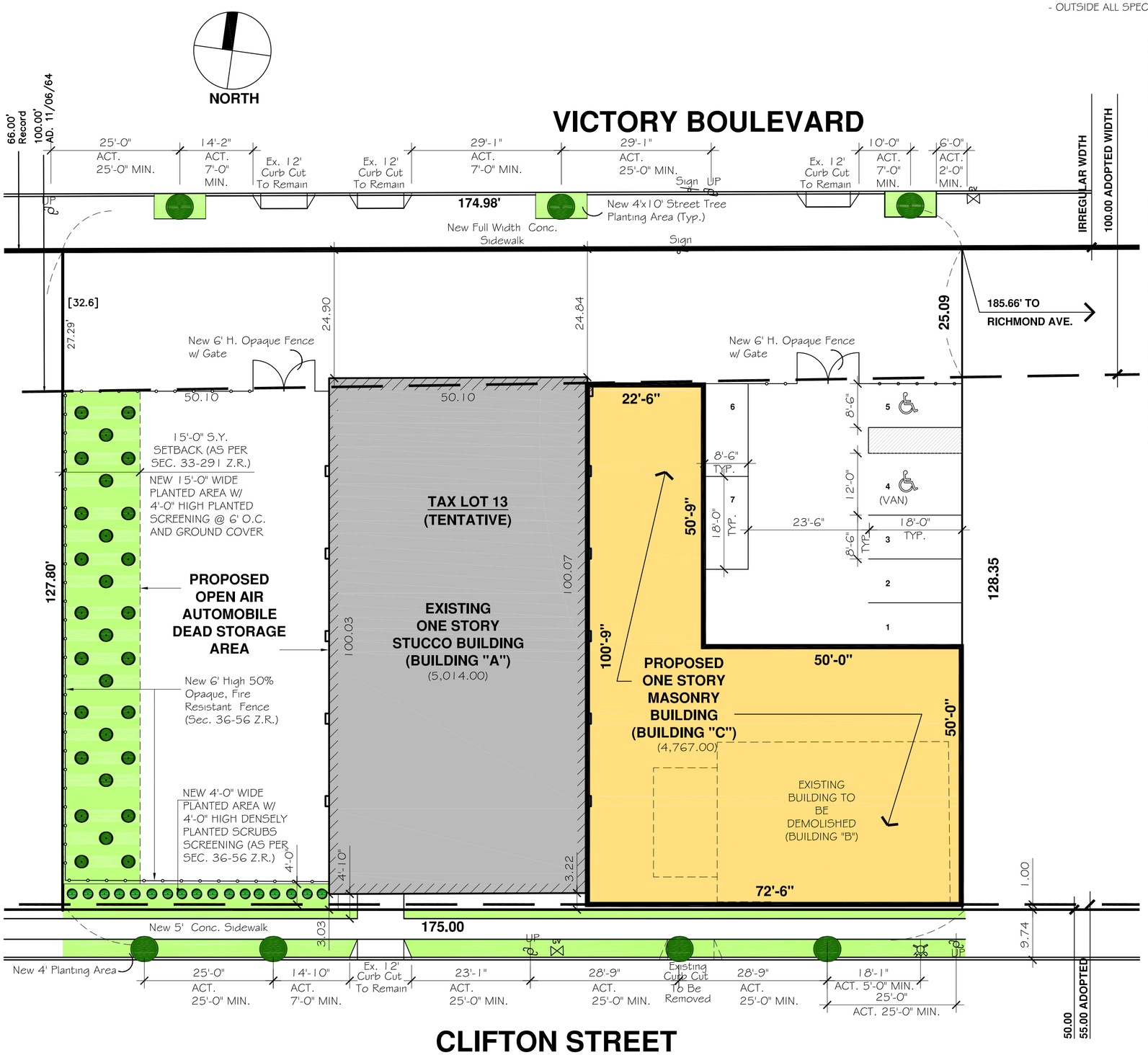
Current Zoning Map (Map 20d)



Proposed Zoning Map (20d) - Project Area is outlined with dotted lines

Rezoning from R3X/C2-2 to C8-1

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5



SITE PLAN (Proposed)

SCALE: 1" = 15'-0"

GENERAL INFORMATION

ADDRESS	3130 VICTORY BOULEVARD	USE GROUP	16 (AUTO REPAIR)
BLOCK NO.	2159	OCCUPANCY GROUP	COMMERCIAL
LOT NO.	13,15, 18 (TENTATIVE 13)	CONSTRUCTION CLASS	3
MAP NO.	20 d	C.O. NO.	070006
ZONING DISTRICT	C 2-2 (EXISTING) C 8-1 (PROPOSED)		

- INSIDE LOWER DENSITY GROWTH MANAGEMENT AREA
- OUTSIDE ALL SPECIAL PURPOSE DISTRICTS
- OUTSIDE FIRE DISTRICT
- OUTSIDE FRESH WATER WETLANDS AREA
- OUTSIDE FLOOD PLANE

ZONING CALCULATIONS (BASED ON PROPOSED C8-1 ZONE CHANGE)

LOT AREA	22,413.00 SQ.FT.
PERMITTED FAR (33-122 Z.R.)	1.0
MAX. PERMITTED FL. AREA 1.0 x 22,413.00 SF = 22,413.00 SQ.FT.	
LOT COVERAGE	
BUILDING "A" (EXISTING)	5,014.00 SQ.FT.
BUILDING "B" (EXISTING TO BE DEMO.)	0 SQ.FT.
BUILDING "C" (PROPOSED)	4,767.00 SQ.FT.
TOTAL	9,781.00 SQ.FT.
OPEN SPACE	12,632.00 SQ.FT.
FLOOR AREA	
BUILDING "A" (EXISTING)	5,014.00 SQ.FT.
BUILDING "B" (EXISTING TO BE DEMO.)	0 SQ.FT.
BUILDING "C" (PROPOSED)	4,767.00 SQ.FT.
TOTAL	9,781.00 SQ.FT.

9,781.00 SQ.FT. < 22,413.00 SQ. FT. THEREFORE OK

PARKING CALCULATIONS (BASED ON PROPOSED C8-1 ZONE CHANGE)

PARKING CATEGORY: "C" (36-21 Z.R.)
(1) CAR / 600 SQ.FT. OF FLOOR AREA
4,767 SQ.FT. / 600 SQ.FT. = 7.945 = 8 CARS REQUIRED
8 CARS PROVIDED = 8 CARS REQUIRED THEREFORE OK
PARKING WAIVER (36-231 Z.R.)
C8-1 (15) CARS
8 CARS < 15 CARS THEREFORE NO PARKING REQUIRED.
VOLUNTARY PARKING PROVIDED = 7 CARS

TREE CALCULATIONS

TREES TO BE 3" CAL. AT TIME OF PLANTING, CHOSEN FROM THE APPENDIX B OF THE ZONING RESOLUTION.
STREET TREES:
PROVIDE (1) TREE FOR EVERY 25' LINEAR FEET OF STREET FRONTAGE as per sec. 26-41 Z.R.

VICTORY BOULEVARD	174.98'
REQUIRED NO. OF STREET TREES	7
EXISTING NO. STREET TREE CREDITS	0
NO. OF NEW STREET TREES (ON SITE)	3
NO. OF NEW STREET TREES (OFF SITE)	4
CLIFTON STREET	175.00'
REQUIRED NO. OF STREET TREES	7
EXISTING NO. STREET TREE CREDITS	0
NO. OF NEW STREET TREES (ON SITE)	4
NO. OF NEW STREET TREES (OFF SITE)	3

BUILDING HEIGHT (BASED ON PROPOSED C8-1 ZONE CHANGE)

MAXIMUM HEIGHT OF FRONT WALL	30' (33-432 Z.R.)
SKY EXPOSURE PLANE	1 TO 1
PERMITTED OBSTRUCTION IN REAR YARD EQUIVALENT	23' HIGH NON-LIVING OR SLEEPING PURPOSES BLDG. (33-23 Z.R.)

Legend:

- EXISTING BUILDING "A" (TO REMAIN)
- EXISTING BUILDING "B" (TO BE DEMOLISHED)
- PROPOSED BUILDING "C" ENLARGEMENT
- PROPOSED SIDEWALK TREES
- PROPOSED 4' HIGH SHRUBS

Revisions

12-23-15 ADDED "PROPOSED OPEN AIR AUTOMOBILE STORAGE AREA" ON TAX LOT 18.

6-17-16 ADDED SIDEWALK TREES, REVISED ZONING CALCULATIONS.

11-7-16 GENERAL REVISIONS

3-13-17 ADDED PLANTING AREA, CORRECTED "FENCING NOTE" (AS PER NYC CPC)

4-14-17 ADDED PLANTING AREA, (AS PER NYC CPC)

Architect:

Buday & Schuster Architects, LLP

98 Lincoln Avenue
Staten Island, New York 10306
(718) 979-5700

Project:

VICTORY AUTO CENTER

3130 Victory Boulevard
Staten Island, New York 10314

GENERAL INFORMATION AND SITE PLAN (PROPOSED)

Seal & Signature:

Date:	3-22-11
Project No.:	4335
Drawing By:	DAA
Chk. By:	
Dwg. No.:	

A-002.00 (P)

Cado File No.: Z:4335/SITE6-13-16

3122-3136 VICTORY BOULEVARD

ENVIRONMENTAL ASSESSMENT STATEMENT (EAS)

INTRODUCTION

Based on the analysis and the screens contained in the Environmental Assessment Statement Short Form, the analysis areas that require further explanation include land use, zoning, and public policy and air quality as further detailed below. The subject heading number below correlates with the relevant chapter of the *CEQR Technical Manual.*

REASONABLE WORST CASE DEVELOPMENT SCENARIO

Future No-Action Scenario

Block 2159, Lot 1 is currently developed with a 2,580 square foot commercial retail property (recently re-tenanted as a Tim Horton's) on a 12,028 square foot lot (a built FAR of 0.18). Although there is ample excess FAR remaining on this site to accommodate additional development (up to a maximum permitted FAR of less than 1.0 with commercial use) it is not anticipated that new floor area would be added to this parcel due to the active use contained within. It is more reasonable to assume this property would remain without any further improvements. Furthermore, any new commercial retail development would require accessory parking (1 space her 200 square feet of floor area) that would make full use of the lot infeasible, making full redevelopment of the lot unlikely.

Block 2159, Lot 10 is currently developed with a 3,760 square foot nonconforming automotive service facility (a car wash and basic automotive service station) on a 9,600 square foot lot (built FAR of 0.39). Although there is ample excess FAR remaining on this site to accommodate additional development (up to a maximum permitted FAR of less than 1.0 with commercial use) it is not anticipated that new floor area would be added to this parcel alone given the active use contained on the lot and the grandfathered status of the existing automobile related use. It is more reasonable to assume this property would remain without any further improvements.

Block 2159, Lot 13 was initially constructed as an Auto Laundry (car wash) and in 1999 the Board of Standards and Appeals (BSA) approved a legalization (47-99-BZ) of such use for a term of one year. Following the expiration of that term, the Department of Buildings (DOB) issued a ECB use violation (34334889P) for an automotive use on September 23, 2002, which erroneously notes a "G9 Garage Gas Station" for an automotive detail facility. Thereafter, on October 29, 2002 the BSA granted an amendment to the pre-existing approval to permit a change of use to an "Auto-Detailing Facility" and an extension of term until October 29, 2007, which resolved the prior DOB violation. Two subsequent use violations (34370405H and 34382618J) were issued by the DOB during the term of the BSA approval (March of 2003 and April of 2003, respectively) and were dismissed, as the use was permitted until

October 29, 2007. There is no record of any actions since that time period, rendering the current automotive related-use noncomplying. Since this use is not permitted absent the proposed action, the 1,397 square foot building (an FAR of 0.22) would be converted into a commercial retail building (Use Group 6) that is currently permitted as-of-right in the underlying zoning district.

Block 2159, Lot 15 (3130 Victory Boulevard) is a through lot that contains a legally nonconforming single-story automotive service use on a 9,600-square foot lot. The lot contains approximately 5,000 square feet of floor area (an FAR of 0.5) and was constructed in approximately 1947. The lot contains 75 feet of frontage along both Victory Boulevard and Clifton Street and a depth of 128 feet. The property has a Certificate of Occupancy indicating a Commercial Garage (with gasoline service) dating back to 1947 and was subsequently amended in 1987 to reflect Automotive Repairs. This building and use are anticipated to remain, given the grandfathered status of the existing use on the property.

Block 2159, Lot 18 is currently undeveloped with a 6,350 square foot lot and is currently utilized for accessory storage of automobiles, which is a nonconforming use. Since this use is not permitted absent the proposed action, it is assumed the parcel would be converted into an as-of-right commercial retail building (Use Group 6), similar to Lot 13. Based on accessory parking requirements for the underlying C2-2 commercial district, 4,200 square feet of commercial space (0.66 FAR) could be provided before accessory parking is required[1].

Future With-Action Scenario

The applicant seeks a rezoning to comprehensively permit pre-existing nonconforming uses that would facilitate the expansion of an existing automotive service facility uses, to be merged into a single tax and zoning lot.

Lot 1 (non-applicant controlled) is currently developed with a 2,580 square foot active commercial retail use (a recently re-tenanted Tim Horton's) on a 12,028 square foot lot (built FAR of 0.18). This property is anticipated to remain in its current condition in the future with the proposed C8-1 zoning district due to its active use.

Although there is ample FAR remaining on this site to accommodate additional development under the proposed rezoning (up to a maximum permitted FAR of less than 1.0 with commercial or general service use for C8-1) it is not anticipated that new floor area would be added to this parcel alone, due to retail parking requirements that would make additional floor area and full utilization of the lot infeasible (one spot per 600 square feet of

[1] One accessory parking space is required per 300 square feet of general retail in C2-2 districts, with accessory parking waived under 15 spaces.

floor area under the C8-1 zoning district). It is more reasonable to assume this property would remain without any further improvements under the proposed C8-1 zoning district.

Block 2159, Lot 10 (non-applicant controlled) is currently developed with a 3,760 square foot nonconforming automotive service facility (car wash and general auto service facility) on a 9,600 square foot lot (a built FAR of 0.39). Under the proposed C8-1 zoning, the nonconforming use would become legal and the active use is anticipated to remain in its current condition.

Lot 13 would be redeveloped with a 4,767 gsf automotive service facility to be utilized in tandem with the existing use on Lot 15. This facility would contain 7 parking spaces pursuant to C8-1 accessory parking requirements, which must include one spot per 600 square feet of space. No new curb cuts are being sought as part of the proposed action. This is the maximum amount of floor area permitted on the Site due to parking requirements, as noted above.

Lot 15 contains 5,014 gsf of active automotive service use constructed to an FAR of 0.5 where 1.0 is permitted under the proposed C8-1 zoning. While the proposed C8-1 zoning permits an additional 0.5 of floor area on the lot, the existing building is anticipated to remain but would be utilized with newly constructed buildings on Lots 13 and 18.

Lot 18 is projected for development with an automotive service facility with 3,000 square gsf of floor area and 7 accessory parking spaces, for a built FAR of 0.47. The building would be configured for use with the existing building on Lot 15 (see above), as well as Lot 13.

Analysis Framework

For the purpose of the environmental analysis, the projected development would consist of the With-Action development scenario. The RWCDS will then consist of a single merged site (Lots 13, 15, and 18) that would total 12,781 gsf of automotive service use (Use Group 16) and 13 accessory parking spaces. For the purpose of the RWCDS, the projected development would consist of the With-Action development scenario. The increment between the No-Action and With-Action scenarios would consist of the addition of 7,767 gsf of automotive service facility use, 13 accessory parking spaces and 10 new workers.

RWCDS – Summary of Existing, No-Action and With-Action Conditions

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
LAND USE				
Residential	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Describe type of residential structures				
No. of dwelling units				
No. of low- to moderate-income units				
Gross floor area (sq. ft.)				
Commercial	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:	Lots 10, 13, 15, 18	Lots 10, 13, 15, 18	Lots 10, 13, 15, 18	
Describe type (retail, office, other)	Automotive	Retail/Automotive	Automotive	
Gross floor area (sq. ft.)	10,157	5,597 (Retail) 5,014 (Auto)	12,781	-5,597 (Retail) +7,767 (Auto)
Manufacturing/Industrial	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Type of use				
Gross floor area (sq. ft.)				
Open storage area (sq. ft.)				
If any unenclosed activities, specify:				
Community Facility	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Type				
Gross floor area (sq. ft.)				
Vacant Land	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				
Other Land Uses	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				
Garages	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces				
Lots	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces	0	0	13	+13
ZONING				
Zoning classification	R3X/C2-2	R3X/C2-2	C8-1	
Maximum amount of floor area that can be developed	0.5 FAR (RES/CF)	0.5 FAR (RES/CF)	0.5 FAR (RES/CF) 1.0 (Commercial)	+0.5 FAR
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	Residential; Commercial; Community Facility	Residential; Commercial; Community Facility	Residential; Commercial; Community Facility	

1. LAND USE, ZONING AND PUBLIC POLICY

I. INTRODUCTION

The analysis of land use, zoning and public policy characterizes the existing conditions of the project site and the surrounding study area; anticipates and evaluates those changes in land use, zoning and public policy that are expected to occur independently of the proposed project; and identifies and addresses any potential impacts related to land use, zoning and public policy resulting from the project. Various sources have been used to prepare a comprehensive analysis of land use, zoning and public policy characteristics of the area, including field surveys, studies of the neighborhood, census data, and land use and zoning maps.

Land Use Study Area
In order to assess the potential for project related impacts, the land use study area has been defined as the area located within a 400-foot radius of the site, which is an area within which the proposed project has the potential to affect land use or land use trends. The 400-foot radius study area is bounded by an area with Merrill Avenue to the north; Arlene Street to the west; Carnegie Avenue to the south; and Saybrooke Street to the east (See **Figure 4 – Land Use Map**). This area contains the intersection of two main commercial thoroughfares within Staten Island: Victory Boulevard and Richmond Avenue. The study area contains commercial and automotive service uses along Victory Boulevard and Richmond Avenue, while the interior streets predominantly contain residential neighborhoods.

II. Land Use

Site Description
The Project Area (or the Proposed Rezoning Area) is located in the Bulls Head section of Staten Island Community District #2. It is comprised of five tax lots: Block 2159, Lots 1, 10, 13, 15 & portions of Lot 18, which occupy the majority of Block 2159. This area is bound by Victory Boulevard to the north, a line 350 west of the west Street line of Richmond Avenue to the west, Richmond Avenue to the east and Clifton Street to the south. This area encompasses approximately 45,000 square feet (approximately 350 feet wide by 128 feet deep) of private lot area. The affected area is currently zoned R3X/C2-2. The applicant controls all of Lots 13, 15 and 18, which consist of a single zoning lot, while Lots 1 and 10 are not applicant owned and are separate zoning and tax lots.

Both Victory Boulevard and Richmond Avenue are wide streets. Clifton Street and Jones Street are narrow streets. Lot 1 contains frontage along Richmond Avenue, Victory

Boulevard and Clifton Street. The remaining lots (10, 13, 15 & 18) are through lots with frontage along both Victory Boulevard and Clifton Street.

Lot 1 (1700 Richmond Avenue) is a corner lot that contains a single-story commercial retail use (recently re-tenanted as a Tim Horton's) on a 14,028-square foot lot with 2,580 square feet of floor area (an FAR of 0.18). The building was constructed in 2005 and contains approximately 111 feet of frontage along Victory Boulevard and Clifton Street and 124 feet of frontage along Richmond Avenue. Accessory parking surrounds the building.

Lot 10 (3118 Victory Boulevard) is a though lot that contains a legally nonconforming single-story automotive service use (a car wash and basic automotive service facility) on a 9,600-square foot lot. The parcel contains 3,760 square feet of floor area (an FAR of 0.39). The automotive use dates to the construction of the building in approximately 1938 and the parcel contains approximately 75 feet of frontage along both Victory Boulevard and Clifton Street. A Certificate of Occupancy has from 1947 indicates an automotive show room and repair shop and an updated Certificate of Occupancy from 1990 indicates an Automotive Laundry, Auto Sales and Auto Supply Store.

Lot 13 (3130 Victory Boulevard) is a through lot that contains a nonconforming single-story automotive service use (a small garage) on a 6,400-square foot lot. The garage consists of 1,397 square feet of floor area (an FAR of 0.22) and was constructed in approximately 1989. The lot contains 50 feet of frontage along both Victory Boulevard and Clifton Street. The building was initially constructed as an Auto Laundry (car wash) and in 1999 the Board of Standards and Appeals (BSA) approved a legalization (47-99-BZ) of such use for a term of one year. Following the expiration of that term, the Department of Buildings (DOB) issued a ECB use violation (34334889P) for an automotive use on September 23, 2002, which erroneously notes a "G9 Garage Gas Station" for an automotive detail facility. Thereafter, on October 29, 2002 the BSA granted an amendment to the pre-existing approval to permit a change of use to an "Auto-Detailing Facility" and an extension of term until October 29, 2007, which resolved the prior DOB violation. Two subsequent use violations (34370405H and 34382618J) were issued by the DOB during the term of the BSA approval (March of 2003 and April of 2003, respectively) and were dismissed, as the use was permitted until October 29, 2007. There is no record of any actions since that time period, rendering the current automotive related-use noncomplying.

Lot 15 (3130 Victory Boulevard) is a through lot that contains a legally nonconforming single-story automotive service use on a 9,600-square foot lot. The lot contains approximately 5,000 square feet of floor area (an FAR of 0.5) and was constructed in approximately 1947. The lot contains 75 feet of frontage along both Victory Boulevard and Clifton Street and a depth of 128 feet. The property has a Certificate of Occupancy indicating a Commercial Garage (with gasoline service) dating back to 1947 and was subsequently amended in 1987 to reflect Automotive Repairs.

Lot 18 (No mapped address) is a through lot that is currently vacant and utilized as vehicle storage, which is a nonconforming use. The lot contains 6,350 square feet of lot area with 50 feet of frontage along both Victory Boulevard and Clifton Street.

Future No-Action Scenario
In the future and absent the proposed action, the Project Area is anticipated to remain in its existing condition except for the non-conforming uses on Lots 13 and 18. Since these uses are not permitted absent the proposed action, they would both be converted into commercial retail (Use Group 6) establishments. Therefore, Lot 13 would contain 1,397 square feet of commercial retail (0.22 FAR) and Lot 18 would be converted into a 4,200 square foot commercial retail building (0.66 FAR), both of which would be permitted as-of-right in the underlying C2-2 commercial district.

No other new development is anticipated within the immediate study area by the project build year of 2021. The surrounding land uses within this area are also anticipated are expected to remain unchanged by the Projected Build Year of 2021. The study area currently contains commercial retail and automotive service facilities along Richmond Avenue and Victory Boulevard, with residential neighborhoods behind these arterial thoroughfares. These uses are all anticipated to remain in the future.

Future With-Action Scenario
In the future with the proposed C8-1 rezoning, the existing nonconforming automotive uses on Block 2159, Lots 10, 13 and 15 would become conforming uses. With automotive service facility use now permitted, the rezoning would facilitate redevelopment on Lots 13 and 18 with new automotive service facilities to expand the existing facility located on Lot 15. This would entail 4,767 gsf of automotive service use on Lot 13 with 8 accessory parking spaces and 3,000 gsf of automotive service use on Lot 18 with 5 accessory parking spaces. The automotive service use on Lot 15 would remain but would be reconfigured for use with Lot 13 and 18. In total, there would be 12,781 square feet of automotive service use. No further land use changes are anticipated as a result of the proposed action (See **Table 1**).

Conclusion
The proposed rezoning is necessary to allow the pre-existing nonconforming automobile service uses within the Project Area and facilitate the proposed redevelopment on the Sites to allow these active uses to expand. The automotive service uses (Use Group 16) are nonconforming uses but have existed prior to the current zoning (circa 1946). They are currently heavily utilized uses and the proposed rezoning would allow them to legally operate in harmony with surrounding commercial retail and residential uses.

No potentially significant adverse impacts related to land use are expected to occur as a result of the proposed action. Therefore, further analysis of land use is not warranted.

III. Zoning

Existing Conditions

The proposed development is located within an R3X/C2-2 within the Lower Density Growth Management Area (LDGMA), which covers a large portion of Staten Island. The surrounding 400 feet are within the LDGMA but also contains portions of R3-1, R3-2 and C1-2 zoning districts.

The R3X zoning district allows only one and two-family detached houses on lots at least 35 feet wide. The maximum FAR in R3X districts for both residential and community facility uses is 0.50 in the Staten Island LDGMA, and may be increased by an attic allowance of up to 20% for the inclusion of space beneath a pitched roof as well as an exemption of 500 square feet for two parking spaces. The maximum perimeter wall and total building heights are 26 and 35 feet, respectively. Two side yards that total at least 10 feet are required and there must be a minimum distance of eight feet between houses on adjacent lots. The front yard of a new home must be at least 10 feet deep and it must be at least as deep as an adjacent front yard but need not exceed a depth of 20 feet. One and a half off-street parking spaces are required for each unit in the Staten Island LDGMA. No parking is allowed in the front yard.

R3-1 is the lowest density contextual residential district that allows for semi-detached and detached houses commonly found in Staten Island. The maximum FAR for R3-1 is 0.5, however most houses utilize an attic allowance of up to 20% for the inclusion of space beneath a pitched roof with a maximum building height of 35 feet. In R3-1 districts, the minimum lot width for detached houses is 40 feet; semi-detached buildings must be on zoning lots that are at least 18 feet wide. For both detached and semi-detached houses, the maximum lot coverage is 35% All parking must be located in the side or rear yard or in the garage. An enclosed garage is permitted in a semi-detached house, or in a detached house if the lot is 40 feet or wider. One off-street parking space is required for each dwelling unit. R3-2 districts are similar to R3-1 districts but permit multiple dwellings.

C1-2 and C2-2 are commercial overlay districts mapped within residential districts. C1 districts permit neighborhood retail (Use Groups 1 through 6) while C2 districts permit an expanded range of commercial uses (Use Groups 1 through 9 and 14). The maximum FAR for both districts within R3 districts is 1.0.

Staten Island contains Lower Density Growth Management Areas (LDGMAs), which place additional development regulations in R1, R2, R3, R4-1, R4A or C3A districts, as well as any developments accessed via private road in lower density zoning districts. Additional regulations affect parking, building bulk and lot size; yards, open space and landscaping; private road development; commercial development; medical offices and community facilities.

For the proposed development, the LDGMA requires additional parking (1.5 spaces per dwelling unit) as well as increases the maximum perimeter wall height to accommodate a parking garage, and provides a floor area exemption of up to 500 square feet for a parking garage. Furthermore, for an irregularly-shaped lot, the LDGMA requires a rear yard of least 30 feet.

Future No-Action Scenario

In the future without the proposed action, the provisions of the existing R3X/C2-2 zoning district would continue to apply and no other actions would be sought from the CPC. The Project Area is anticipated to remain in its existing condition except for the non-conforming uses on Lots 13 and 18. Since these uses are not permitted absent the proposed action, they would both be converted into commercial retail (Use Group 6) establishments. Therefore, Lot 13 would contain 1,397 square feet of commercial retail (0.22 FAR) and Lot 18 would be converted into a 4,200 square foot commercial retail building (0.66 FAR), both of which would be permitted as-of-right in the underlying C2-2 commercial district.

Surrounding land uses within the immediate study area are expected to remain largely unchanged by the project build year of 2021. The 400-foot area surrounding the project site is developed with commercial retail surrounded by a stable residential community. No significant new development or redevelopment in the area is expected.

Future With-Action Scenario

In the future with the proposed action, the affected area (Block 2159, Lots 1, 10, 13, 15 & 18) would be rezoned C8-1. The surrounding C1-2, R3X, R3-1 and R3-2 districts would remain unchanged. The proposed C8-1 zoning would legalize the pre-existing nonconforming use (automotive service) on Lots 10, 13 & 15 and the commercial retail use on Lot 1 would contain to remain a legal use. With as-of-right automotive service use permitted, Lots 13 & 18 would be redeveloped with automotive service facility uses and would be utilized in tandem with Lot 15 for merged facility containing 12,781 square feet. This would entail 4,767 gsf of automotive service use on Lot 13 with 8 accessory parking spaces and 3,000 gsf of automotive service use on Lot 18 with 5 accessory parking spaces. The automotive service use on Lot 15 would remain but would be utilized in tandem with Lot 13. No further development is anticipated as a result of the proposed action.

The proposed C8-1 zoning district is a general commercial zoning district that permits a wide range of uses (Use Groups 4 through 14 and 16) that bridge commercial and manufacturing districts. C8-1 districts are generally mapped along major thoroughfares, such as Victory Boulevard or Richmond Avenue. Most commonly, these districts contain heavy commercial uses consisting of automotive service facilities (including gas stations, auto sales, and body repair and general service facilities). C8-1 districts permit an FAR of 1.0 and the sky exposure plane, which begins 30 feet above the street line, governs maximum building height. Parking regulations vary by use but require one spot per 600 square feet of floor area.

The proposed C8-1 district is not affected by Lower Growth Density Management Area regulations. The proposed development would not result in any non-conforming uses or non-complying developments, as the proposed development and adjacent parcels contain well below the permitted maximum floor area and would otherwise adhere to the C8-1 zoning use regulations (a maximum of 1.0 FAR). Lot 1 contains an FAR of 0.18; Lot 10 contains 0.39 FAR; Lot 13 contains 0.22 FAR; Lot 15 contains 0.5 FAR; and Lot 18 contains no FAR.

Lot 15 in the future would continue to be legal noncomplying with no provision of accessory parking, where one space per 600 square feet of floor area is required. As such, no floor area would be added to this lot that would increase its noncompliance.

Therefore, the proposed rezoning action and the resulting proposed development are not expected to result in any significant adverse impacts or conflicts with the zoning in the study area.

Conclusion

No significant impacts to zoning patterns in the area would be expected. The Applicant feels the C8-1 district is consistent with the pre-existing automotive and commercial character of Victory Boulevard. The proposed C8-1 general service district and redevelopment of the Project Sites would not result in any new nonconforming or noncomplying developments, as all the affected parcels contain commercial uses permitted within the proposed C8-1 zoning district and would not affect the underlying Lower Density Growth Management provisions of the Zoning Resolution. The proposed action would therefore not have a significant impact on the extent of conformity with the current zoning in the surrounding area, and it would not adversely affect the viability of conforming uses on nearby properties.

No significant adverse impacts related to zoning are expected to occur as a result of the proposed action, and a further assessment of zoning is not warranted.

IV. Public Policy

Existing Conditions
The Bulls Head neighborhood of Staten Island, which is located in Staten Island Community District 2, is primarily a residential neighborhood developed with one- and two-family residences and commercial retail. According to the 2010 U.S. Census, the population of the neighborhood increased by 0.7% between 2000 and 2010 from 39,309 people to 39,597 people.

The proposed development is not located within the coastal zone and therefore does not affect the City's Waterfront Revitalization Program. The rezoning area is not controlled by

or located in any designated Empire Zones or industrial business zones (IBZs). Additionally, the rezoning area is not governed by a 197a Plan, nor does the proposed action involve the siting of any public facilities (Fair Share). The proposed action is also not subject to the New Housing Marketplace Plan. Finally, the project site is not located within a critical environmental area, a significant coastal fish and wildlife habitat, a wildlife refuge, or a special natural waterfront area.

Future No-Action Scenario
In the future without the proposed action, any new development within the Project Area would continue to be governed by the provisions of the underlying R3X/C2-2 zoning district and LDGMA regulations. No other public policy initiatives would pertain to the project site or to the 400-foot study area around the property by the project build year of 2021. In addition, no changes are anticipated to the zoning districts and zoning regulations or to any public policy documents related to the project site or the surrounding study area by the project build year.

Future With-Action Scenario
No impact to public policies would occur as a result of the proposed action. The proposed action would be in accordance with the proposed C8-1 zoning provisions applicable to the affected properties. The proposed actions would not alter conditions on any adjoining or nearby properties. The proposed development would be compatible with existing uses in the vicinity of the project site.

Conclusion
Since non-applicable public policies govern the project site, no potential significant adverse impacts related to public policy are anticipated. No potential significant adverse impacts related to public policy are anticipated to occur as a result of the proposed action and further assessment of public policy is not warranted.

V. Conclusion

No significant adverse impacted related to land use, zoning and public policy are anticipated to occur as a result of the proposed action. The action is not expected to result in any of the conditions that would warrant the need for further assessment of land use, zoning, or public policy.

2. URBAN DESIGN AND VISUAL RESOURCES

Introduction

An assessment of urban design is needed when a project may have effects on any of the elements that contribute to the pedestrian experience of public space. A preliminary assessment is appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning. An assessment would be appropriate for the following:

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'.

No-Action Scenario

The R3X/C2-2 zoning district permits a commercial building with a maximum FAR of 1.0. The maximum height provisions of the district are controlled by the R3X district. However, commercial buildings are not permitted to exceed a single-story. For commercial buildings, near full lot coverage is permitted with no front yards required. The underlying R3X district permits one and two-family homes at 0.5 FAR with required front and side yards and a maximum height of 35 feet.

With-Action Scenario

The proposed C8-1 zoning district also permits a commercial FAR of 1.0 for commercial buildings. The height provisions of the C8-1 districts are controlled by the sky exposure plane, which begins at 30 feet above the street line. However, C8-1 districts generally result in single-story commercial buildings. Near full lot coverage is permitted in the C8-1 district with no front yards required. C8-1 districts do not permit residences.

Assessment

A more detailed assessment of urban design is not warranted because the proposed zoning map amendment from R3X/C2-2 to C8-1 would not result in the modification of the underlying yard, height and setback requirements between the two districts for a commercial building, with both districts generally facilitating single-story commercial buildings. In addition, the change in zoning would not result in an increase in the maximum permitted floor area between the districts, with a maximum of 1.0 FAR permitted for commercial buildings in both districts. Therefore, the Proposed Action would not create a physical alteration beyond what is allowed by as-of-right. The only notable difference between the districts is the permitted use groups, with C8-1 districts permitting a wider range of uses (Use Groups 4-14 & 16) compared to R3X/C2-2 districts permitting residential and local retail uses (Use Groups 5-9).

Based on the above, a preliminary urban design assessment is not warranted and no urban design or visual resources impacts would occur.

3. HAZARDOUS MATERIALS

A hazardous material is any substance that poses a threat to human health or the environment. Substances that can be of concern include but are not limited to, heavy metals, volatile and semivolatile organic compounds, methane, polychlorinated biphenyls, and hazardous wastes (defined as substances that are chemically reactive, ignitable, corrosive, or toxic). According to the *CEQR Technical Manual*, the potential for significant adverse impacts from hazardous materials can occur when: a) hazardous materials exist on a site and b) an action would increase pathways to their exposure; or c) an action would introduce new activities or processes using hazardous materials.

In accordance with the *CEQR Technical Manual* guidelines, an assessment was conducted to determine whether the proposed action could lead to increased exposure of people or the environment to hazardous materials and whether the increased exposure would result in significant adverse public health impacts or environmental damage.

The proposed rezoning would facilitate the redevelopment of Lots Block 2159, Lots 13, 15 and 18, which contain a history of automotive service use. Prior to any soil disturbance on these properties, an (E) designation (E-469) related to hazardous materials will be assigned to development sites as described below.

To avoid any potential impacts associated with hazardous materials, the proposed action will place an (E) designation for hazardous materials on the following property:

Block 2159, Lots 13, 15 and 18

The text of the (E) designation is as follows:

Due to the possible presence of hazardous materials on the aforementioned designated site, there is potential for contamination of the soil and groundwater. To determine if contamination exists and perform the appropriate remediation, the following tasks must be undertaken by the fee owners of the lot restricted by this (E) designation prior to any demolition or disturbance of soil on the lot.

Task 1
The fee owners of the lot restricted by this (E) designation will be required to prepare a scope of work for any soil, gas, or groundwater sampling and testing needed to determine if contamination exists, the extent of the contamination, and to what extent remediation may be required. The scope of work will include all relevant supporting documentation, including site plans and sampling locations. This scope of work will be submitted to the Mayor's Office of Environmental Remediation (OER) for review and approval prior to implementation. It will be reviewed to ensure that an adequate

number of samples will be collected and that appropriate parameters are selected for laboratory analysis.

No sampling program may begin until written approval of a work plan and sampling protocol is received from the OER. The number and location of sample sites should be selected to adequately characterize the type and extent of the contamination, and the condition of the remainder of the site. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of the sampling data. Guidelines and criteria for choosing sampling sites and performing sampling will be provided by OER upon request.

Task 2
A written report with findings and a summary of the data must be presented to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such test results, a determination will be provided by OER if the results indicate that remediation is necessary.

If OER determines that no remediation is necessary, written notice shall be given by OER. If remediation is necessary according to test results, a proposed remediation plan must be submitted to OER for review and approval. The fee owners of the lot restricted by this (E) designation must perform such remediation as determined necessary by OER. After completing the remediation, the fee owners of the lot restricted by this (E) designation should provide proof that the work has been satisfactorily completed.

An OER-approved construction-related health and safety plan would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil and/or groundwater. This Plan would be submitted to OER for review and approval prior to implementation.

With the implementation of the above (E) designation, no significant adverse impacts related to hazardous materials would occur. Therefore, there is no potential for the proposed action to result in significant adverse impacts related to hazardous materials.

Correspondence with DEP is available in **Appendix B**.

4. AIR QUALITY

Introduction

Under *CEQR*, two potential types of air quality impacts are examined. These are mobile and stationary source impacts. Potential mobile source impacts are those that could result from an increase in traffic in the area, resulting in greater congestion and higher levels of carbon monoxide. Potential stationary source impacts are those that could occur from stationary sources of air pollution, such as major industrial processes or heat and hot water boilers of major buildings in close proximity to the proposed project. Both the potential impacts of buildings surrounding the proposed project and potential impacts of the proposed project on surrounding buildings are considered in this assessment.

Mobile Source

Under guidelines contained in the *CEQR Technical Manual,* and in this area of New York City, projects generating fewer than 170 additional vehicle trips in any given hour are considered as unlikely to result in significant mobile source impacts, and do not warrant detailed mobile source air quality studies. Additionally, since a traffic assessment is not warranted, therefore a mobile source AQ analysis is not required. No detailed air quality mobile source analysis would be required per the *CEQR Technical Manual***,** and no significant mobile source air quality impacts would be generated by the proposed action.

Stationary Source

The stationary air quality impacts that were addressed in this analysis are:

• The potential for emissions from the heating, ventilation and air conditioning (HVAC) systems of the proposed development to significantly impact nearby existing land uses;
• The potential for air toxic emissions released from existing industrial facilities to significantly impact the proposed development.

<u>Heating, Ventilation and Air Conditioning (HVAC)</u>

A screening analysis was performed, using the methodology described in the CEQR Technical Manual, to determine if the heat and hot water systems of the proposed building would result in potential air quality impacts to another building in the area. This methodology determines the threshold of development size below which the action would not have a significant impact. The results of this analysis found that there would be no

significant air quality impacts from the project's heating, ventilation, and air conditioning (HVAC) systems.

Impacts from boiler emissions are a function of fuel type, stack height, minimum distance from the source to the nearest building of similar or greater height, and the square footage size of the building. The newly constructed facility on Lots 13, 15, and 18 would be 17 feet in height and the closest building of similar height is located at 3140 Victory Boulevard (Block 2159, Lot 32), which is approximately the same height. The CEQR Technical Manual Stationary Source Screen graph Figure 17-3 was utilized for the analysis assuming an 80-foot distance from the location of a stack on Lot 15 and using the 30-foot stack height curve, since the proposed building would be less than 30 feet in height. As shown on the attached screen from the CEQR Technical Manual (See **Figure 17-3a**), the plotted point is below the curve (the 12,781 square foot building would fall below the plotted point of nearly 8,000 square feet), and no stationary source impacts would be generated by the project.

An E-Designation is required to restrict the stack location of Lot 15, to ensure HVAC emissions would not significantly affect residential properties to the west of the proposed new facility. In addition, the existing spray booth facility on Lot 15 would be restricted. The (e) designation language (E-469) is as follows:

Block 2159, Lots 13, 15 and 18:
Any new commercial development on Block 2159, Lot 13, 15 and 18 must ensure that the heating, ventilating and air conditioning stack(s) is located at the highest tier (28 feet above the grade) and at least 60 feet away from the lot line facing Jones Street, to avoid any potential significant air quality impacts.

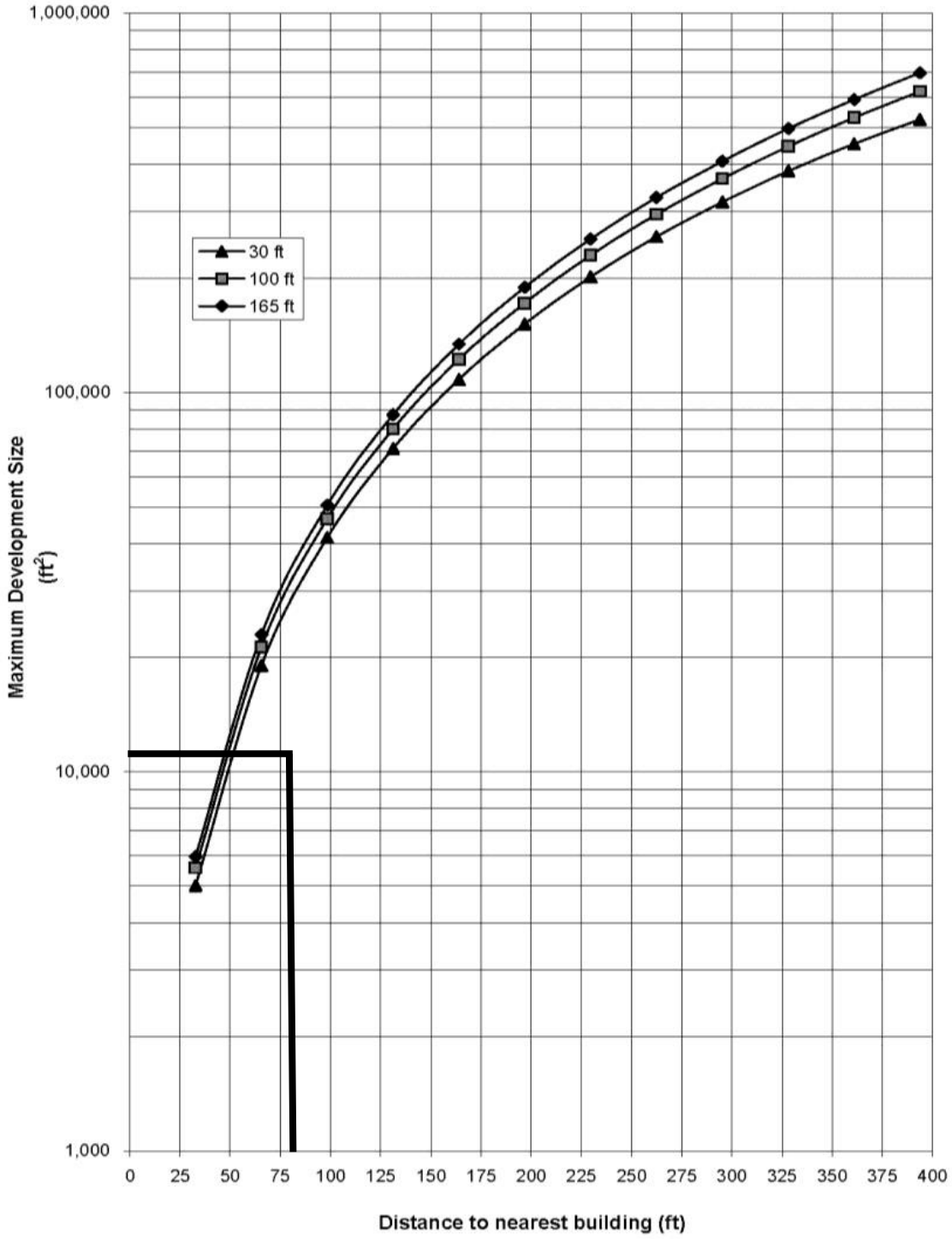
Block 2159, Lot 15
Any new or existing development on the above-referenced property must contain no enlargement to the existing auto body spray booth to avoid any significant adverse air quality impacts.

Toxic Air Emissions from Project Site

The proposed action would allow for the legal use of automotive service facility within the Project Area with new development on Lots 13, 15 and 18. As the action would legally permit an automotive facility use (Lot 15) within proximity to residential uses, an air toxics analysis was performed (See **Appendix A**). This analysis concludes that toxic air emissions from two spray booth operations on Lot 15 would result in no exceedances of the applicable guideline values as estimated. As such, the proposed action is not anticipated to significantly impact existing land uses from industrial sources.

Conclusion
The proposed action is not anticipated to result in stationary source impacts from the project's heating, ventilation, and air conditioning or existing spray booth facility through

Figure 17-3:
Stationary Source Screen



(E) designation restrictions on the Project Site. Furthermore, the proposed action would not significantly impact adjacent land uses from the release of potential industrial sources. Therefore, no stationary source air quality impacts are anticipated to occur, and no additional analysis is warranted.

5. NOISE

INTRODUCTION

Under *CEQR*, two potential types of air quality impacts are examined; mobile and stationary source impacts. Potential mobile source impacts are those that could result from an increase in traffic in the area, resulting in greater congestion and higher levels of carbon monoxide. Potential stationary source impacts are those that could occur from stationary sources of air pollution, such as major industrial processes or heat and hot water boilers of major buildings in close proximity to the proposed project. Both the potential impacts of buildings surrounding the proposed project and potential impacts of the proposed project on surrounding buildings are considered in this assessment.

Mobile Source

Relative to mobile source impacts, a noise analysis would be required if a proposed project would at least double existing passenger car equivalent (PCE) traffic volumes along a street on which a sensitive noise receptor (such as a residence, a park, a school, etc.) is located. The surrounding area is principally developed with residential uses. The proposed development is an automotive service facility.

Pursuant to CEQR methodology, no mobile source noise impacts would be anticipated since traffic volumes would not double due to the proposed project. Therefore, the proposed project would not result in a mobile source noise impact.

Stationary Source

The project would not locate a receptor within 1,500 feet of a substantial stationary source noise generator, and there is not a substantial stationary source noise generator close to the project site that is also a sensitive receptor. Additionally, the proposed project would not include any unenclosed heating or ventilation equipment that could adversely impact other sensitive uses in the surrounding area. Therefore, the project would not have any potentially adverse stationary source noise impacts.

Conclusion

A detailed noise analysis is not required for the proposed action, as the action would not result in the introduction of new sensitive receptors near a substantial stationary source noise generator. In addition, the proposed development would not introduce significant mobile or stationary source noise into the surrounding area.

APPENDIX A:

Air Toxics

Air Toxics Analysis of the Automobile Paint Spray Booth Operations at 3130 Victory Boulevard in Staten Island

August 2015

Introduction

The Victory Auto Center Corporation (Auto Center), located at 3130 Victory Boulevard in Staten Island (Block 2159 Lot 15), operates two auto paint spray booths that have been permitted by the NYC Department of Environmental Protection (DEP). Nearby residential land uses could be impacted by toxic air emissions released from this facility.

Three residences are close to the Auto Center -- a residential building located west of the Center (on Block 2159) and two residential buildings located south of the Center at 24 and 38 Clifton Street (Block 2158, Lots 36 and 29). The location of the Auto Center and these residences are shown on Figure 1.

An analysis was conducted to determine whether the toxic air pollutants emitted from the Auto Center has the potential to significantly impact these residences.

Data Sources

Information regarding emissions of toxic air pollutants from the existing nearby industrial sources was developed using the following procedure:

- The Open Accessible Space Information System (OASIS) mapping and data analysis application was used to identify industrial uses within the study area and develop a land use map for the analysis.
- Aerial photographs (via Google Earth) were reviewed.
- A formal request for the relevant information, with blocks and lot numbers necessary to identify the industrial source permits was submitted to DEP.
- The data on the Auto Center received from DEP that were contained in the permits were reviewed to determine the types of operations and pollutant emission rates, and served as the primary basis of emission data for this analysis.

Based on information received from DEP, the following two permits for the Auto Center were identified (one for each spray booth unit): Permit PB0244-09N and Permit PA555-92N.

Pollutants

According to PB0244-09N, only two pollutants are listed as being emitted from its spray booth operation:

- Solids with a CAS number (which is a unique numerical identifier of every chemical substance) of NY079-00-0, which are particular matter: and
- Solvents with a CAS number of NY998-00-0, which is group of volatile organic compounds (VOCs).

Particulate Matter

The current (2014) New York State "Guidelines for the Control of Toxic Ambient Air Contaminants" (DAR-1) does not have a pollutant with a CAS number of NY079-00-0 but instead classifies all particulate matter as either total suspended particulate matter (with a CAS No. of NY075-00-0); particulate matter smaller than 10 microns (PM_{10} with a CAS No. of NY075-00-5), particulate matter smaller than 2.5 microns ($PM_{2.5}$ with CAS No. of NY075-02-5).

Following New York City Department of City Planning (DCP) guidance, which currently requires analyzing particulate matter from spray booth operations as $PM_{2.5}$ emissions, $PM_{2.5}$ was considered are being the particulate matter released from Auto Center spray booth in this analysis.

Figure 1: Victory Blvd Auto Center Corporation and Nearby Residential Uses

Volatile Organic Compounds

No guideline values have been established for solvent-type contaminants with a CAS No. of NY998-00-0 in the DAR-1 database because it represents a group of VOCs (not an individual substance) that consist of hundreds of different compounds of varying toxicities.

PA555-92N identifies five pollutants as being emitted from the Auto Center's spray booth (pigment, toluene, n-butyl acetate, propylene glycol methyl ethyl acetate and ethylene glycol butyl ether acetate) for which guideline values have been established in DAR-1 database.

Health Risk Assessment Methodology

Toxic air pollutants can be grouped into two categories: carcinogenic air pollutants, and non-carcinogenic air pollutants. These include hundreds of pollutants, ranging from high to low toxicity. While no federal standards have been promulgated for toxic air pollutants, the US Environmental Protection Agency (EPA) and the New York state Department of Environmental Conservation (NYSDEC) have issued guidelines that establish acceptable ambient levels for these pollutants based on human exposure criteria. The pollutants listed in both spray booth permits are all non-carcinogens.

In order to evaluate short-term and annual impacts of the non-carcinogenic toxic air pollutants, the NYSDEC has established short-term ambient guideline concentrations (SGCs) and ambient annual-average-based guideline concentrations (AGCs) for exposure limits. These are maximum allowable

1-hour and annual guideline concentrations, respectively, that are considered acceptable concentrations below which there should be no adverse effects on the health of the general public.

In accordance with established procedure to estimate impact of toxic pollutants using the DAR-1-based approach, ratios of 1-hour and annual concentrations of each pollutant to their respective SGCs or AGCs have to developed (e.g., concentration-to-guideline values). These ratios are used to determine whether concentration of each pollutant exceeds it applicable guideline value. If no exceedances are found (i.e., ratios are less than 1), no adverse health effects would occur.

This approach, together with the use of current 2014 DAR-1 guideline values, was used for this analysis.

CEQR Screening Analysis

For estimating potential impacts, the *New York City Environmental Quality Review Technical Manual* (*CEQR TM*) recommends using a screening procedure for industrial emission sources with toxic air pollutants as a first step in an analysis. This procedure uses pre-tabulated pollutant concentration values based on a generic emission rate of 1 gram per second from Table 17-3, "Industrial Source Screen," of the *CEQR TM* for the applicable averaging time periods. This approach, which can be used to estimate maximum short-term and annual average concentration values at various distances (from 30 to 400 feet) from an emission source, was used to assess the potential impacts of the emissions from spray booth operations.

Permit PB0244-09N

The hourly and annual emission rates for solids (e.g., particulate matter) presented in the permit were used to estimate potential impacts from the spray booth, which is equipped with a high efficiency filter (with a 90% control efficiency for particles).

To estimate the potential impact of a group of VOCs, it was necessary to use representative compounds of this group so that a comparison to guideline values could be made. In this case, a methodology for an analysis of the organic solvents that constitutes VOC group from spray booth operations at auto painting facilities that has been approved by both the (DEP) and (DCP) was applied. This methodology was originally used in an Air Quality Report, dated March 2010, entitled, "Air Toxic Analysis of Auto Repair Spray Paint Booth Near Solow Centers," which lists representative organic solvent-type compounds typically associated with spray primers and paints operations. As recommended by this methodology:

> Twelve (12) individual solvent-based compounds (acetone, ethanol, butyl acetate, ethyl benzene, methyl ethyl ketone, toluene, xylene, stoddard solvent, propane, butane, Ethyl 3-Ethoxyproprioanate, and aromatic petroleum distillates) were selected to represent the VOC group.

According to PB0244-09N, approximately 0.125 gallons of paint per hour or 0.5 gallons paint per day are consumed at the facility. This amount includes primer, base coats, top coats, clear coats, thinner, reducer, and all other paint additives. Emission rates presented in the Solow Report were developed for an auto body paint facility that uses exactly the same amount (0.5 gallons) of paint in day (for 4 hours of operations) and includes all paint components. Both facilities operate 4 hours a day for 250 days a year. Therefore, it was assumed that short-term and annual emission rates for individual organic solvents for the group of total VOCs under Permit PB0244-09N would be similar to those presented in the Solow Report, and these emission rates were used in the analysis (Table 1). All of the particulate matter was conservatively assumed to be $PM_{2.5}$ particles.

Calculations from the Solo Report and those that were used in this analysis provide conservative emission estimates because: 1) a high VOC content in the paint was assumed, 2) the highest percentage of each compound in the paint was used, and 3) it was assumed that 100 percent of VOCs

would be released into the atmosphere. These assumptions result in a total summed percentage that is greater than 100 percent.

The lot line of the Auto Center is approximately 60 feet from the nearby residential building located west of the site (Block 2159, Lot 21) and 79 feet north of the lot line of two (residential) buildings located south of the site (Block 2158, Lots 29 and 36). The closest distance between the Auto Center and the nearest residence (i.e., 60 feet) was used in this analysis to estimate pollutant concentrations. At this distance, based on a 1 gram per second emission rate, the maximum 1-hour and annual concentrations (using Table 17-3 of the CEQR Manual) were estimated to be 41,870 and 2,052 ug/m^3, respectively. These values were then multiplied by the actual emission rates of each compound in the paint to estimate actual pollutant concentrations (see Table 1). All twelve (12) compounds have annual guideline values (AGC) but only (7) have short-term guideline values.

Both the estimated short-term and annual ratios of concentrations to SGC and AGCs are less than the SGC and AGC values for each compound and all compounds combined. Therefore, no further analyses are required (see Tables 2 and 3).

Table 1: Pollutant Emission Rates and Estimated Pollutant Concentrations for PB0244-09N

Pollutant Name	CAS No.	Pollutant Emission Rates				Conc. for 1 g/sec		Actual Conc.	
		Hourly	Annual	Hourly	Annual	1-hour	Annual	Hourly	Annual
		lb/hr	lb/year	g/sec	g/sec	µg/m^3	µg/m^3	µg/m^3	µg/m^3
$PM_{2.5}$	NY075-02-5	0.008	6.5	0.0010	0.0001			42.2	0.192
Group of Organic Solvents									
Acetone	00067-64-1			0.0677	0.0078			2834.6	16.006
Propane	00074-98-6			N/A	0.0054			N/A	11.079
Ethanol	00064-17-5			N/A	0.0020			N/A	4.061
EER (1)	00763-69-9			0.0032	0.00036			131.9	0.739
Toluene	00108-88-3			0.0158	0.0018	**41,870**	**2,052**	660.0	3.694
Ethylbenzene	00100-41-4			0.0142	0.0016			594.1	3.324
Stoddard Solvent	08052-41-3			N/A	0.0014			N/A	2.955
Methyl Ethyl Ketone	00078-93-3			0.0079	0.0009			330.0	1.847
N-Butyl Acetate	00123-86-4			0.0079	0.0009			330.0	1.847
Xylene	01330-20-7			0.0173	0.0020			726.0	4.061
Butane	00106-97-8			N/A	0.0009			N/A	1.847
APD (2)	64742-94-5			N/A	0.0009			N/A	1.847

(1) EER = Ethyl 3-Ethoxypropionate
(2) APD = Aromatic Petroleum Distillates

Table 2: Estimated Short-term Pollutant Concentration Ratios for PB0244-09N

Chemical Name	CAS No.	Max Estimated 1-hour Concentration	SGC	C_a/SGC
		µg/m^3	µg/m^3	
$PM_{2.5}$	NY075-02-5	42.2	88	4.80E-01
Acetone	00067-64-1	2834.6	180,000	1.57E-02
EER (1)	00763-69-9	131.9	140	9.42E-01
Toluene	00108-88-3	660.0	37,000	1.78E-02
Methyl Ethyl Ketone	00078-93-3	330.0	13,000	2.54E-02
N-Butyl Acetate	00123-86-4	330.0	95,000	3.47E-03
Xylene	01330-20-7	726.0	22,000	3.30E-02

(1) EER = Ethyl 3-Ethoxypropionate

Table 3: Estimated Annual Pollutant Concentration Ratios for PB0244-09N

Chemical Name	CAS No.	Max Estimated Concentration	AGC	C_a/AGC
		µg/m^3	µg/m^3	
$PM_{2.5}$	NY075-02-5	0.192	12	1.60E-02
Acetone	00067-64-1	16.006	30,000	5.34E-04
Propane	00074-98-6	11.079	43,000	2.58E-04
Ethanol	00064-17-5	4.061	45,000	9.02E-05
EER (1)	00763-69-9	0.739	64	1.15E-02
Toluene	00108-88-3	3.694	5,000	7.39E-04
Ethyl benzene	00100-41-4	3.324	1,000	3.32E-03
Stoddard Solvent	08052-41-3	2.955	900	3.28E-03
Methyl Ethyl Ketone	00078-93-3	1.847	5,000	3.69E-04
N-Butyl Acetate	00123-86-4	1.847	17,000	1.09E-04
Xylene	01330-20-7	4.061	100	4.06E-02
Butane	00106-97-8	1.847	238,000	7.76E-06
APD (2)	64742-94-5	1.847	100	1.85E-02

(1) EER = Ethyl 3-Ethoxypropionate
(2) APD = Aromatic Petroleum Distillates

PA555-92N

As indicated in the permit, the solvent is composed of 29% Toluene, 30% N-Butyl acetate, 15% Propylene Glycol Methyl Ethyl Acetate, and 5% Ethylene Glycol Butyl Ether Acetate. The solid content the VOC is 2%. Emission rates of all five pollutants obtained directly from the permit were used. This spray booth is equipped with high efficiency filter with 95% control of particles. Estimated pollutant concentrations, and short-term and annual ratios are provided in Tables 4 through 6.

Table 4: Pollutant Emission Rates and Estimated Pollutant Concentrations for PA555-92N

Pollutant Name	CAS No.	Pollutant Emission Rates				Conc. for 1 g/sec		Actual Conc.	
		Hourly	Annual	Hourly	Annual	1-hour	Annual	Hourly	Annual
		lb/hr	lb/year	g/sec	g/sec	µg/m^3	µg/m^3	µg/m^3	µg/m^3
$PM_{2.5}$	NY075-02-5	0.006	4.8	0.0008	0.0001	**41,870**	**2,052**	31.6	0.142
Toluene	00108-88-3	0.540	432	0.0680	0.0062			2848.5	12.749
N-Butyl Acetate	00123-86-4	0.560	448	0.0706	0.0064			2954.0	13.221
Propylene Glycol Methyl Ethyl Acetate	00108-65-6	0.280	224	0.0353	0.0032			1477.0	6.611
Ethylene Glycol Butyl Ether Acetate	00112-07-2	0.100	80	0.0126	0.0012			527.5	2.361

Table 5: Estimated Short-term Pollutant Concentration Ratios for PA555-92N

Chemical Name	CAS No.	Max Estimated 1-hour Concentration	SGC	C_a/SGC
		µg/m^3	µg/m^3	
$PM_{2.5}$	NY075-02-5	31.6	88	3.60E-01
Toluene	00108-88-3	2848.5	37,000	7.70E-02
N-Butyl Acetate	00123-86-4	2954.0	95,000	3.11E-02
Propylene Glycol Methyl Ethyl Acetate	00108-65-6	1477.0	55,000	2.69E-02

Table 6: Estimated Annual Pollutant Concentration Ratios for PA555-92N

Chemical Name	CAS No.	Max Estimated Annual Concentration	AGC	C_a/AGC
		µg/m^3	µg/m^3	
$PM_{2.}$	NY075-02-5	0.142	12	1.18E-02
Toluene	00108-88-3	12.749	5,000	2.55E-03
N-Butyl Acetate	00123-86-4	13.221	17,000	7.78E-04
Propylene Glycol Methyl Ethyl Acetate	00108-65-6	6.611	2,000	3.31E-03
Ethylene Glycol Butyl Ether Acetate	00112-07-2	2.361	310	7.62E-03

Cumulative Analysis

Because the same three pollutants ($PM_{2.5}$, Toluene, and N-Butyl Acetate) are released under both permits, the estimated concentrations of these pollutants from each spray booth were added together to estimate the cumulative effect of both operations, and these combined values were compared to the applicable guideline values (Tables 7 and 8). The result is that the combined short-term and annual ratios for each pollutant that may have a cumulative effect are also less than the applicable SGC and AGC values.

Table 7: Combined Short-term Concentration Ratios

Chemical Name	CAS No.	Max Estimated 1-hour Concentration	SGC	C_a/SCG
		(µg/m^3)	(µg/m^3)	
$PM_{2.5}$	NY075-02-5	73.8	88	8.39E-01
Toluene	00108-88-3	3508.5	37,000	9.48E-02
N-Butyl Acetate	00123-86-4	3284.0	95,000	3.46E-02

Table 8: Combined Annual Concentration Ratios

Chemical Name	CAS No.	Max Estimated Annual Concentration	SGC	C_a/ACG
		($\mu g/m^3$)	($\mu g/m^3$)	
$PM_{2.5}$	NY075-00-5	0.283	12	2.36E-02
Toluene	00108-88-3	16.442	5,000	3.29E-03
N-Butyl Acetate	00123-86-4	15.068	17,000	8.86E-04

Results

The result of analysis of toxic air emissions from two spray booth operations at the Victory Auto Center Corporation in Staten Island is that no exceedances of the applicable guideline values are estimated. As such, the Victory Auto Center Corp is not predicted to significantly impact existing land uses.

CITY OF NEW YORK
Department of Environmental Protection
Division of Emergency Response & Technical Assessment
Right-to-Know Program

Fee Invoice

Reporting Year 2013 - Annual Submission

Make check or money order payable to : **NYC Commissioner of Finance.** Staple the check to a copy of this form.

VICTORY AUTO CENTER CORP Facility ID: 5638

3130 VICTORY BOULEVARD Boulevard
New York STATEN ISLAND 10314
Phone: (732) 446-4997

Invoice No: 52850

Invoice Date: 3/21/2014 2:12:10 PM

ITEM	AMOUNT
Base Fee (Highest Range: 02 - No of Hazardous Chemicals: 19) (A)	$350.00
EHS Surcharge:(25% of the Base Fee) (B)	$0.00
Invoice Amount	$350.00

For Office Use Only:

Fee Paid:
Fee Due:
Balance Due:
Initials:

Tier II Emergency and Hazardous Chemical Inventory

Reporting Period From January 1, 2014 to December 31, 2014 Incomplete Tier II Form. Note: Report has not been signed by submitter.

Facility Identification			
ID	5638		
Name	VICTORY AUTO CENTER CORP		
Street Address	3130 VICTORY BOULEVARD Boulevard		
Borough	Staten Island	City	STATEN ISLAND
State	New York	Community Board	Staten Island Community Board 2
Facility Contact Name	VICTORY AUTO CENTER CORP	Zip Code	10314
Business Phone	(718) 698-9786	Email Address	victory3130@yahoo.com
Facility Contact Phone	(718) 698-9789	Lat/Long	0, 0
RMP Required	No	RMP ID	
Manned/Unmanned	Unmanned	Max # of Occupants	N/A
Hurricane Evacuation Zone		Flood Zone	

NAICS	811121	Dun & Brad No	
SIC Code	7532	TRIFID	
EIN ID (Tax Number)	710888472		

Mailing Address if different from Facility Address			
Company		Country	United States
ATTN			
Mailing Address			
Street Address 2			
City		State	
Zip Code		Phone	

Owner/Operator Details	
Name	ANTHONY CAVA
Owner Phone	(732) 446-4997
Owner Email	
Owner Address	10 WALNUT LANE
City	MANALAPAN
State	New Jersey
Zip Code	07726
Country	United States

Emergency Contacts			
Name	MICHAEL CIRINGEONI		
Title	MANAGER		
Phone	(718) 698-9786	24 Hr. Phone	(347) 733-6374
Name	LOUIS PERRINO		
Title	MANAGER		
Phone	(718) 698-9786	24 Hr. Phone	(347) 820-2906

Facility Emergency Coordinator			
Name			
Title			
Phone		24 Hr. Phone	

Optional Attachments			
☑	Site Plan	☑	Safeguard Measures
☑	Site Coordinates	☑	Facility Emergency Response Plan

Chemical Description	
Chemical ID	25509
CAS Number	N/A
Chemical Name	**DUPONT CHROMA CLEAR**
☐ Trade Secret	**MSDS**
☐ EHS	☐ Contains EHS
EHS Name	

Physical & Health Hazards
☑ Fire
☐ Pressure
☐ Reactivity
☐ Immediate (Acute)
☑ Delayed (Chronic)

Inventory	
Max Daily Amt (lbs)	28
Max Daily Amt Code	1
Avg Daily Amt (lbs)	28
Avg Daily Amt Code	1
No. of days on site	365

☐ Pure
☑ Mix
☐ Solid
☑ Liquid
☐ Gas

Mixture Components

Chemical Name	Percentage	CAS Number	Is EHS	EHS Name
N-HEXYL ACETATE	1.00	N/A	☐	
ACRYLIC POLYMER	5.00	N/A	☐	
N-BUTYL ACETATE	1.00	N/A	☐	
TOLUENE	2.00	108883	☐	
O-XYLENE, M-XYLENE, P-XYLENE	5.00	1330207	☐	
METHYL ISOBUTYL KETONE	5.00	108101	☐	

Storage Locations

Container Type	Pressure	Temperature	Location Description
Can	Ambient	Ambient	PAINT STORAGE AREA REAR OF SHOP

Chemical Description	
Chemical ID	139930
CAS Number	N/A
Chemical Name	**MULTI USE THINNER**
☐ Trade Secret	**MSDS**
☐ EHS	☐ Contains EHS
EHS Name	

Physical & Health Hazards
☑ Fire
☑ Pressure
☑ Reactivity
☑ Immediate (Acute)
☑ Delayed (Chronic)

Inventory	
Max Daily Amt (lbs)	459
Max Daily Amt Code	2
Avg Daily Amt (lbs)	459
Avg Daily Amt Code	2
No. of days on site	365

☑ Pure
☐ Mix
☐ Solid
☑ Liquid
☐ Gas

Storage Locations

Container Type	Pressure	Temperature	Location Description
Steel drum	Ambient	Ambient	R/S REAR OF SHOP

Chemical Description	
Chemical ID	139933
CAS Number	N/A
Chemical Name	**STANDOX BASE COAT**
☐ Trade Secret	**MSDS**
☐ EHS	☐ Contains EHS
EHS Name	

Physical & Health Hazards
☑ Fire
☐ Pressure
☑ Reactivity
☑ Immediate (Acute)
☑ Delayed (Chronic)

Inventory	
Max Daily Amt (lbs)	262
Max Daily Amt Code	2
Avg Daily Amt (lbs)	262
Avg Daily Amt Code	2
No. of days on site	365

☑ Pure
☐ Mix
☐ Solid
☑ Liquid
☐ Gas

Storage Locations			
Container Type	Pressure	Temperature	Location Description
Steel drum	Ambient	Ambient	PAINT STORAGE AREA REAR OF SHOP

Chemical Description	
Chemical ID	139936
CAS Number	N/A
Chemical Name	**ACETYLENE**
☐ Trade Secret	**MSDS**
☐ EHS	☐ Contains EHS
EHS Name	

Physical & Health Hazards
☑ Fire
☑ Pressure
☑ Reactivity
☑ Immediate (Acute)
☑ Delayed (Chronic)

Inventory	
Max Daily Amt (lbs)	155
Max Daily Amt Code	2
Avg Daily Amt (lbs)	155
Avg Daily Amt Code	2
No. of days on site	365

☑ Pure
☐ Mix
☐ Solid
☐ Liquid
☑ Gas

Storage Locations			
Container Type	Pressure	Temperature	Location Description
Cylinder	Greater than ambient	Ambient	R/S FRONT OF SHOP

Chemical Description	
Chemical ID	139942
CAS Number	N/A
Chemical Name	**ARGON GAS**
☐ Trade Secret	**MSDS**
☐ EHS	☐ Contains EHS
EHS Name	

Physical & Health Hazards
☑ Fire
☑ Pressure
☐ Reactivity
☐ Immediate (Acute)
☑ Delayed (Chronic)

Inventory	
Max Daily Amt (lbs)	125
Max Daily Amt Code	2
Avg Daily Amt (lbs)	125
Avg Daily Amt Code	2
No. of days on site	365

☑ Pure
☐ Mix
☐ Solid
☐ Liquid
☑ Gas

Storage Locations			
Container Type	Pressure	Temperature	Location Description
Cylinder	Greater than ambient	Ambient	R/S FRONT OF SHOP

Chemical Description	
Chemical ID	139945
CAS Number	N/A
Chemical Name	**COMPRESSED OXYGEN**
☐ Trade Secret	**MSDS**
☐ EHS	☐ Contains EHS
EHS Name	

Physical & Health Hazards
☑ Fire
☑ Pressure
☐ Reactivity
☐ Immediate (Acute)
☑ Delayed (Chronic)

Inventory	
Max Daily Amt (lbs)	125
Max Daily Amt Code	2
Avg Daily Amt (lbs)	125
Avg Daily Amt Code	2
No. of days on site	365

☑ Pure
☐ Mix
☐ Solid
☐ Liquid
☑ Gas

Storage Locations			
Container Type	Pressure	Temperature	Location Description
Cylinder	Greater than ambient	Ambient	R/S FRONT OF SHOP

Chemical Description	
Chemical ID	139947
CAS Number	N/A
Chemical Name	**ANTIFREEZE / CASTROL**
☐ Trade Secret	**MSDS**
☐ EHS	☐ Contains EHS
EHS Name	

Physical & Health Hazards
☐ Fire
☐ Pressure
☐ Reactivity
☑ Immediate (Acute)
☑ Delayed (Chronic)

Inventory	
Max Daily Amt (lbs)	459
Max Daily Amt Code	2
Avg Daily Amt (lbs)	459
Avg Daily Amt Code	2
No. of days on site	365

☑ Pure
☐ Mix
☐ Solid
☑ Liquid
☐ Gas

Storage Locations			
Container Type	Pressure	Temperature	Location Description
Plastic or nonmetallic drum	Ambient	Ambient	RIGHT SIDE CENTER OF SHOP

Chemical Description	
Chemical ID	139951
CAS Number	N/A
Chemical Name	**ADDITIVES**
☐ Trade Secret	**MSDS**
☐ EHS	☐ Contains EHS
EHS Name	

Physical & Health Hazards
☑ Fire
☑ Pressure
☑ Reactivity
☑ Immediate (Acute)
☑ Delayed (Chronic)

Inventory	
Max Daily Amt (lbs)	7
Max Daily Amt Code	1
Avg Daily Amt (lbs)	7
Avg Daily Amt Code	1
No. of days on site	365

☑ Pure
☐ Mix
☐ Solid
☑ Liquid
☐ Gas

Storage Locations			
Container Type	Pressure	Temperature	Location Description
Steel drum	Ambient	Ambient	2ND FLOOR STORAGE CLOSET

Chemical Description	
Chemical ID	139953
CAS Number	N/A
Chemical Name	**BONDO**
☐ Trade Secret	**MSDS**
☐ EHS	☐ Contains EHS
EHS Name	

Physical & Health Hazards
☐ Fire
☐ Pressure
☑ Reactivity
☑ Immediate (Acute)
☑ Delayed (Chronic)

Inventory	
Max Daily Amt (lbs)	24
Max Daily Amt Code	1
Avg Daily Amt (lbs)	24
Avg Daily Amt Code	1
No. of days on site	365

☑ Pure
☐ Mix
☑ Solid
☐ Liquid
☐ Gas

Storage Locations			
Container Type	Pressure	Temperature	Location Description
Can	Ambient	Ambient	2ND FLOOR STORAGE CLOSET

Chemical Description	
Chemical ID	139956
CAS Number	N/A
Chemical Name	**ALL PURPOSE CLEANER & DEGREASER**
☐ Trade Secret	**MSDS**
☐ EHS	☐ Contains EHS
EHS Name	

Physical & Health Hazards
☑ Fire
☑ Pressure
☑ Reactivity
☑ Immediate (Acute)
☑ Delayed (Chronic)

Inventory	
Max Daily Amt (lbs)	33
Max Daily Amt Code	1
Avg Daily Amt (lbs)	33
Avg Daily Amt Code	1
No. of days on site	365

☑ Pure
☐ Mix
☐ Solid
☑ Liquid
☐ Gas

Storage Locations			
Container Type	Pressure	Temperature	Location Description
Can	Ambient	Ambient	2ND FLOOR STORAGE CLOSET

Chemical Description	
Chemical ID	139958
CAS Number	N/A
Chemical Name	**POLYESTER FINISHING PUTTY**
☐ Trade Secret	**MSDS**
☐ EHS	☐ Contains EHS
EHS Name	

Physical & Health Hazards
☐ Fire
☐ Pressure
☑ Reactivity
☑ Immediate (Acute)
☑ Delayed (Chronic)

Inventory	
Max Daily Amt (lbs)	20
Max Daily Amt Code	1
Avg Daily Amt (lbs)	20
Avg Daily Amt Code	1
No. of days on site	365

☑ Pure
☐ Mix
☑ Solid
☐ Liquid
☐ Gas

Storage Locations			
Container Type	Pressure	Temperature	Location Description
Can	Ambient	Ambient	2ND FLOOR STORAGE CLOSET

Chemical Description	
Chemical ID	139961
CAS Number	N/A
Chemical Name	**COMPOUND**
☐ Trade Secret	**MSDS**
☐ EHS	☐ Contains EHS
EHS Name	

Physical & Health Hazards
☐ Fire
☐ Pressure
☑ Reactivity
☑ Immediate (Acute)
☑ Delayed (Chronic)

Inventory	
Max Daily Amt (lbs)	38
Max Daily Amt Code	1
Avg Daily Amt (lbs)	38
Avg Daily Amt Code	1
No. of days on site	365

☑ Pure
☐ Mix
☑ Solid
☐ Liquid
☐ Gas

Storage Locations			
Container Type	Pressure	Temperature	Location Description
Can	Ambient	Ambient	2ND FLOOR STORAGE CLOSET

Chemical Description	
Chemical ID	139964
CAS Number	N/A
Chemical Name	**DURAMIX ADHESIVE**
☐ Trade Secret	**MSDS**
☐ EHS	☐ Contains EHS
EHS Name	

Physical & Health Hazards
☑ Fire
☐ Pressure
☑ Reactivity
☑ Immediate (Acute)
☑ Delayed (Chronic)

Inventory	
Max Daily Amt (lbs)	1
Max Daily Amt Code	1
Avg Daily Amt (lbs)	1
Avg Daily Amt Code	1
No. of days on site	365

☑ Pure
☐ Mix
☑ Solid
☐ Liquid
☐ Gas

Storage Locations			
Container Type	Pressure	Temperature	Location Description
Can	Ambient	Ambient	2ND FLOOR STORAGE CLOSET

Chemical Description	
Chemical ID	139965
CAS Number	N/A
Chemical Name	**MOTOR OIL / CASTROL**
☐ Trade Secret	**MSDS**
☐ EHS	☐ Contains EHS
EHS Name	

Physical & Health Hazards
☑ Fire
☐ Pressure
☑ Reactivity
☑ Immediate (Acute)
☑ Delayed (Chronic)

Inventory	
Max Daily Amt (lbs)	54
Max Daily Amt Code	1
Avg Daily Amt (lbs)	54
Avg Daily Amt Code	1
No. of days on site	365

☑ Pure
☐ Mix
☐ Solid
☑ Liquid
☐ Gas

Storage Locations			
Container Type	Pressure	Temperature	Location Description
Plastic or nonmetallic drum	Ambient	Ambient	2ND FLOOR STORAGE CLOSET

Chemical Description	
Chemical ID	139966
CAS Number	N/A
Chemical Name	**TRANSMISSION FLUID / CASTROL**
☐ Trade Secret	**MSDS**
☐ EHS	☐ Contains EHS
EHS Name	

Physical & Health Hazards
☐ Fire
☐ Pressure
☑ Reactivity
☑ Immediate (Acute)
☑ Delayed (Chronic)

Inventory	
Max Daily Amt (lbs)	36
Max Daily Amt Code	1
Avg Daily Amt (lbs)	36
Avg Daily Amt Code	1
No. of days on site	365

☑ Pure
☐ Mix
☐ Solid
☑ Liquid
☐ Gas

Storage Locations			
Container Type	Pressure	Temperature	Location Description
Plastic or nonmetallic drum	Ambient	Ambient	2ND FLOOR STORAGE CLOSET

Chemical Description	
Chemical ID	139969
CAS Number	N/A
Chemical Name	**GREY SPRAY PRIMER**
☐ Trade Secret	**MSDS**
☐ EHS	☐ Contains EHS
EHS Name	

Physical & Health Hazards
☑ Fire
☑ Pressure
☑ Reactivity
☑ Immediate (Acute)
☑ Delayed (Chronic)

Inventory	
Max Daily Amt (lbs)	7
Max Daily Amt Code	1
Avg Daily Amt (lbs)	7
Avg Daily Amt Code	1
No. of days on site	365

☑ Pure
☐ Mix
☐ Solid
☑ Liquid
☐ Gas

Storage Locations			
Container Type	Pressure	Temperature	Location Description
Steel drum	Ambient	Ambient	2ND FLOOR STORAGE CLOSET

Chemical Description	
Chemical ID	140164
CAS Number	140164
Chemical Name	**WD-40**
☐ Trade Secret	**MSDS**
☐ EHS	☐ Contains EHS
EHS Name	

Physical & Health Hazards
☑ Fire
☑ Pressure
☑ Reactivity
☑ Immediate (Acute)
☑ Delayed (Chronic)

Inventory	
Max Daily Amt (lbs)	8
Max Daily Amt Code	1
Avg Daily Amt (lbs)	8
Avg Daily Amt Code	1
No. of days on site	365

☑ Pure
☐ Mix
☐ Solid
☑ Liquid
☐ Gas

Storage Locations			
Container Type	Pressure	Temperature	Location Description
Can	Ambient	Ambient	2ND FLOOR STORAGE CLOSET

Chemical Description	
Chemical ID	140168
CAS Number	811972
Chemical Name	**SUVA 134A FREON**
☐ Trade Secret	**MSDS**
☐ EHS	☐ Contains EHS
EHS Name	

Physical & Health Hazards
☑ Fire
☑ Pressure
☑ Reactivity
☑ Immediate (Acute)
☑ Delayed (Chronic)

Inventory	
Max Daily Amt (lbs)	30
Max Daily Amt Code	1
Avg Daily Amt (lbs)	30
Avg Daily Amt Code	1
No. of days on site	365

☑ Pure
☐ Mix
☐ Solid
☑ Liquid
☐ Gas

Storage Locations			
Container Type	Pressure	Temperature	Location Description
Plastic or nonmetallic drum	Ambient	Ambient	2ND FLOOR STORAGE CLOSET

Chemical Description	
Chemical ID	220499
CAS Number	139936
Chemical Name	**ACETYLENE**
☐ Trade Secret	**MSDS**
☐ EHS	☐ Contains EHS
EHS Name	

Physical & Health Hazards
☑ Fire
☑ Pressure
☑ Reactivity
☑ Immediate (Acute)
☑ Delayed (Chronic)

Inventory	
Max Daily Amt (lbs)	155
Max Daily Amt Code	2
Avg Daily Amt (lbs)	155
Avg Daily Amt Code	2
No. of days on site	365

☑ Pure
☐ Mix
☐ Solid
☐ Liquid
☑ Gas

Storage Locations			
Container Type	Pressure	Temperature	Location Description
Cylinder	Greater than ambient	Ambient	R/S FRONT OF SHOP

Notes		
Date Entered	Entered By	Message
1/1/1900 12:00:00 AM	T2ADMIN	MOVED IN JUNE 02 TOLD TO FILE FIF 02/REC SIGN FIF03 AND ADD MSDS03 ON 1/11/05 IN COMPLIANCE

APPENDIX B:

DEP Correspondence

NYC Environmental Protection

Emily Lloyd
Commissioner

Angela Licata
Deputy Commissioner of Sustainability

59-17 Junction Blvd.
Flushing, NY 11373

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Fax (718) 595-4479
alicata@dep.nyc.gov

August 7, 2015

Mr. Robert Dobruskin
Director, Environmental Assessment and Review Division
New York City Department of City Planning
22 Reade Street, Room 4E
New York, New York 10007

Re: 3130 Victory Boulevard
Block 2159, Lots 1, 10, 13, 15, and 18
CEQR # 15DCP182R
Staten Island, New York

Dear Mr. Dobruskin:

The New York City Department of Environmental Protection, Bureau of Environmental Planning and Analysis (DEP) has reviewed the May 2015 Environmental Assessment Statement prepared by Environmental Project Data Statements Company, the April 2012 Phase I Environmental Site Assessment Report (Phase I) prepared by AEI Consultants, and the August 2012 Limited Phase II Environmental Site Investigation (Phase II) prepared by GEI Consultants, Inc. (GEI) on behalf of C & A Realty Holding LLC (applicant) for the above referenced project. It is our understanding that the applicant is seeking a zoning map amendment from the New York City Department of City Planning (DCP) to the New York City Zoning Map, from an R3X/C2-2 to a C8-1 zoning district within the Bulls Head section of Staten Island Community District 2. The proposed rezoning would legalize pre-existing nonconforming automotive uses and facilitate the redevelopment of an existing automobile service facility. The proposal includes two development sites located at 3130 Victory Boulevard and 3130 Clifton Street (Block 2159, Lots 13 and 18), which are located at the southwest corner of Richmond Avenue and Victory Boulevard. The proposed rezoning would affect five lots: Block 2159, Lots 1, 10, 13, 15, and 18, which is the majority of Block 2159. The proposed rezoning is intended to facilitate the enlargement and merger of an existing automobile repair establishment (Use Group 16). Lots 13, 15, and 18 are under control of the applicant, while Lots 1 and 10 are not under the applicant's control.

The April 2012 Phase I report revealed that historical on-site and surrounding area land uses consisted of a variety of residential and commercial uses including an auto body shop, an auto detailing garage, a tattoo salon, a shopping center, an auto spa, restaurants, residential buildings, tractor trailer truck parking, a garage, an office building, a dry cleaner, gas stations, etc. Based on the known historical use of the subject property for automobile-related operations and the presence of a septic tank system, there is a potential that past operations have impacted the subsurface. The New York State Department of Environmental Conservation (NYSDEC) Spills database identified 9 spills

within a 1/8-mile of the subject property. The NYSDEC Leaking Tanks (LTANKS) database identified 8 LTANKS sites within a 1/2-mile of the subject property. In addition, one Brownfields site was identified within a 1/2-mile of the subject property.

During the July 2012 fieldwork, GEI advanced seven (7) soil borings (B-1 through B-7) to depth of approximately 12 feet below grade surface (bgs). Groundwater was encountered at depths ranging from 3 to 5 feet bgs. One soil sample was collected from each soil boring and three (3) groundwater samples were collected at soil borings B-1, B-2, and B-3. Soil and groundwater samples were collected and analyzed for NYSDEC CP-51 Table 2 Gasoline Constituent Compounds by United States Environmental Protection Agency Method 8260.

The soil analytical results revealed semi-volatile organic compounds and metals concentrations were either non-detect or below their respective NYSDEC 6 NYCRR Part 375 Unrestricted Use Soil Cleanup Objectives (SCOs), Residential Use SCOs, and/or NYSDEC CP-51 Cleanup Guidelines. One volatile organic compound (4-isopropyltoluene) was detected above its NYSDEC CP-51 Cleanup Guideline.

The groundwater analytical results revealed several volatile organic compounds (124-trichlorobenzene, ethyl benzene, isopropylbenzene, naphthalene, n-butylbenzene, n-propylbenzene, and sec-butylbenzene) were detected above their respective NYSDEC Technical and Operational Guidance Series 1.1.1 Class GA Water Quality Standards and Guidance Values.

It should be noted that the Phase I is dated April 2012 and the Limited Phase II was conducted in July 2012 without DEP approval.

Based upon our review of the submitted documentation, we have the following comments and recommendations to DCP:

Block 2159, Lots 1, 10, 13, 15, and 18

- Based on prior on-site and/or surrounding area land uses which could result in environmental contamination, DEP recommends that an "E" designation for hazardous materials should be placed on the zoning map pursuant to Section 11-15 of the New York City Zoning Resolution for the subject properties. The "E" designation will ensure that testing and mitigation will be provided as necessary before any future development and/or soil disturbance. Further hazardous materials assessments should be coordinated through the Mayor's Office of Environmental Remediation.

Future correspondence and submittals related to this project should include the following CEQR number **15DCP182R**. If you have any questions, you may contact Mr. Wei Yu at (718) 595-4358.

Sincerely,

Maurice S. Winter
Deputy Director, Site Assessment

c: E. Mahoney; M. Winter; W. Yu; T. Estesen; M. Wimbish; O. Abinader – DCP; I. Young – DCP; M. Bertini – OER; File