

**Staten Island & Bronx**

**Special Districts Update**

**Draft Final Scope of Work for an Environmental Impact Statement**



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## A. INTRODUCTION

This Final Scope of Work outlines the technical areas to be analyzed in the preparation of the Environmental Impact Statement (EIS) for the proposed zoning map and text amendments related to the Staten Island and Bronx Special Districts Update proposal (Proposed Actions) described below.

The New York City Department of City Planning (DCP) is proposing updates zoning map and text amendments to the Zoning Resolution (ZR) to modify existing Special Districts regulations and establish the Special Natural Area Resources District (SNRD) in Community Districts (CD) 1, 2 and 3 in Staten Island and CD 8 in the Bronx. The proposed Special District regulations would Special South Richmond Development District and Special Hillside Preservation District to provide a clear and consistent framework for natural resource preservation that balances development and ecological goals. within these Special Districts. In Staten Island, the Proposed Actions also includes targeted zoning text changes to the Lower Density Growth Management Areas (LDGMA) and to cross-access requirements to further the original purposes of protecting neighborhood character and making the regulations easier to apply.

The Proposed Actions include zoning text and related zoning map changes that would affect the Special Natural Area District (SNAD) (Article X, Chapter 5), Special South Richmond Development District (SSRDD) (Article X, Chapter 7), and Special Hillside Preservation District (SHPD) (Article XI, Chapter 9) of the Zoning Resolution (ZR). The Proposed Actions would affect Staten Island's Special Hillside Preservation District (SHPD) in Community District 1; Staten Island's SNADs Special Natural Area Districts (NA-1 and NA-3) in Community Districts 1 and 2; Staten Island's Special South Richmond Development District (SSRDD) in Community District 3; and the Bronx's SNAD Special Natural Area District (NA-2) district in Riverdale and Fieldston, Community District 8. The proposed zoning text amendment to the Lower Density Growth Management Area (LDGMA) will would affect all three Community Districts in Staten Island; in addition, modification of requirements for cross access between non-residential parking lots, which applies would apply in C4-1, C8, M1, M2 and M3 districts in Staten Island would be affected. The Proposed Actions would not affect the Special Natural Area District in Queens (NA-4) would not be affected by the proposed changes.

The Special Districts that are the subject of the Proposed Actions were established in the 1970s and 1980s to balance development with environmental protections in areas with significant natural features, such as aquatic, botanic, biologic, geologic and topographic features, having ecological and conservation values. Collectively, these regulations introduced valuable resource protection and oversight mechanisms, resulting in beautiful green neighborhoods. However, e Current regulations lack a broader approach to the ecological context, focusing on the preservation of natural features on a site-by-site basis. Without considering the relationship of the natural features on a site to the wider ecological context, the current regulations lack clear and consistent parameters to guide the City Planning Commission's (CPC) review when a property owner requests permission to remove or modify natural features, resulting in unpredictable and inconsistent outcomes. Additionally, a one-size fits all approach for properties of all sizes, land uses, and types of natural feature subject to CPC review imposes burdensome costs and time delays for homeowners seeking to make modest changes to their properties, while allowing some larger developments in sensitive areas to go without any public oversight.

Moreover, the City's understanding of the natural environment has evolved, revealing a better understanding of the importance of larger natural areas, such as Forever Wild parklands, which are referred to as "designated natural resources" in the proposed regulations. These larger natural areas are now understood to be key "anchor habitats" that have a high level of biodiversity with more species of plants and animals and form an integral part of the larger ecosystem. Technology has also improved in the last 40 years, allowing these areas to be mapped more accurately. These "designated natural resources" that are already on publicly protected lands, combined with other larger habitats on private properties, are the most important assets to protect, preserve and enhance.

The Proposed Actions seeks to (1) update and refine these regulations to strengthen and rationalize natural resource preservation, ~~to~~ (2) codify best practices learned over 40 years, and (3) ~~to~~ create a more homeowner-friendly environment with robust as-of-right rules with clearer outcomes for development on small lots (less than an acre). Such as-of-right regulations that protect significant natural features and ensure cohesion within neighborhoods with distinct character would allow small properties (less than an acre) to proceed directly to the Department of Buildings (DOB) for approval by showing compliance with the proposed regulations without requiring CPC review.

The Proposed Actions would require special review by ~~the~~ CPC for development on large properties (an acre or more), as well as development with new private roads or new buildings or subdivisions of a lot in historic districts. In areas of steep slope or ecological sensitivity (abutting designated natural resources), developments including four or more new lots or buildings or eight or more dwelling units ~~will~~ would also require CPC review. All these developments have a greater potential ~~of~~ to affecting the surrounding ecology, neighborhood character and the public realm.

Because the current regulations require many small properties to go through CPC review, the proposed framework ~~will~~ would result in a reduction of ~~over~~ more than 66 percent ~~in~~ of the number of applications requiring CPC review, based on data analysis of applications to ~~the~~ CPC in the three special districts from 2012 to 2017.

The Proposed Actions would set clear parameters for large and sensitive sites such that CPC review would result in predictable outcomes for natural feature preservation and development. Additionally, for sites with existing habitat, portions of habitat would be ~~required to be~~ preserved in perpetuity to maintain ecological connectivity and neighborhood character. These sites, which ~~will~~ would be pre-identified, ~~will~~ would require ecological assessment of habitat before a development is designed so that the requirement can be met by preservation of the most valuable ecological areas that may also provide connectivity to the larger protected natural areas. There ~~will~~ would be an option to cluster buildings on these sites ~~in order~~ to preserve natural habitat on a portion of the site while maintaining roughly the same development potential for the entire site. The proposal would encourage upfront long-term site planning to create a holistic development plan for the public and the property owner, that ~~considers~~ ing natural resource preservation.

The ~~proposal~~ Proposed Actions would also remove CPC review for Bluebelt properties managed by NYC Department of Environmental Protection (NYCDEP) and NYC Department of Parks and Recreation (NYC Parks) properties ~~that is~~ required in the existing SNAD. Previous CPC reviews have not added significant value to the NYC Parks' proposals and have been onerous for both

City agencies. ~~Owing to NYC Parks DPR and NYCDEP both have goals of preserving natural resources as well as and have their own public review process. and These processes, combined with the Public Design Commission (PDC) public review process, makes for any publicly owned property, CPC review is redundant and unnecessary.~~

To achieve these objectives, the proposal would combine the existing three special districts (~~SNAD, SHPD, and SSRDD~~) (~~Hillsides, Natural Areas and South Richmond~~) into one special district called the **Special Natural Resources District (SNRD)** to create consistent natural resource preservation rules, while retaining the special bulk, parking, and open space rules of the ~~SSRDD-Special South Richmond Development District~~ within a new subdistrict. ~~Within~~ In the new special district, three ecological areas (Escarpment, Resource Adjacent and Base Protection) would be established to create a hierarchy of natural resource preservation based on the proximity of a private property to 'designated natural resources' or those properties having steep slopes, to protect, enhance and connect the most ecologically sensitive resources.

The Proposed Actions would also update cross access regulations on Staten Island and LDGMA regulations that established residential development controls regarding parking, yard, open space, private roads and other regulations to preserve neighborhood character.

The Proposed Actions, as described in detail below, ~~is~~ are not expected to cause a significant change in the overall amount, type, or location of development. On large sites (one 1 acre or more) with existing habitat, where a portion of the site is required to be preserved, in certain cases, the development under proposed regulations may be slightly reduced to balance with the goals of preservation of habitat on ~~these~~ this limited number of sites. This proposal is not expected to induce development where it would not have occurred absent the Proposed Actions. However, the land use actions (certifications, authorizations and special permits) necessary to facilitate development on a site may be changed or eliminated by the proposed regulations. The proposed changes to LDGMA regulations in Staten Island are not expected to cause a significant change in the overall amount, type, or location of development, though in some cases ~~due to~~ because of updates in minimum lot area rules along private roads, the amount of development under proposed regulations may be slightly reduced. Updates to cross-access regulation are mostly clarifications of rules and changes to review process and would not affect the type or amount of development.

The Proposed Actions would address the connectivity of the ecosystem in the natural areas by allowing eco-conscious development and creating connective corridors. The Proposed Actions are expected to result in more consistent ecological outcomes in terms of trees; ground cover planting; permeability; and preservation of steep slopes, rock outcrops, aquatic resources, old growth trees, and habitat across the special district. The clear, strict standards included in the Proposed Actions would result in fewer discretionary processes for small sites and lend predictable development outcomes. On sites that would require discretionary review, the Proposed Actions are intended to produce improved site plans that preserve natural features and neighborhood character and create more opportunities for recreational spaces for communities.

The proposal is a coordinated effort developed over the course of several years with input from residents, elected officials, community boards, and other community stakeholders, and with city and other public agencies. Implementation of the proposed zoning text and map amendment ~~will~~

would require review and approval of the discretionary action pursuant to the City's Uniform Land Use Review Procedure (ULURP). DCP is acting as lead agency on CPC's behalf of the CPC and is conducting a coordinated environmental review under the City Environmental Quality Review (CEQR) process. The description of the Proposed Actions provided below in Section E includes the Reasonable Worst-Case Development Scenario (RWCDS), which establishes the framework for the environmental review of the Staten Island/Bronx Special Districts Update proposal.

## **B. REQUIRED APPROVALS AND REVIEW PROCEDURES**

CPC, as lead agency in the environmental review, determined that the Proposed Actions have the potential to result in significant environmental impacts. Therefore, pursuant to CEQR procedures, CPC issued a positive declaration requiring preparation of an EIS in conformance with all applicable laws and regulations, including the State Environmental Quality Review Act (SEQRA), the City's Executive Order No. 91, and CEQR regulations (August 24, 1977), as well as the relevant guidelines of the 2014 *CEQR Technical Manual*. The proposal would also require rule changes subject to the Citywide Administrative Procedure Act (CAPA). Proposed rule changes would include changes to: references to online maps, proposed site assessment protocols and associated fees. These proposed changes are required to implement the proposed zoning map and text amendments and are analyzed as part of the Proposed Actions.

Responding to the SEQRA and its implementing regulations, New York City has established rules for its environmental review process known as CEQR. The CEQR process provides a means for decision-makers to systematically consider environmental effects along with other aspects of project planning and design, to evaluate reasonable alternatives, and to identify and, when practicable, mitigate significant adverse environmental impacts. CEQR rules guide environmental review through the following steps:

- *Establishing a Lead Agency:* Under CEQR, the "lead agency" is the public entity responsible for conducting the environmental review. Usually, the lead agency is the entity principally responsible for carrying out, funding, or approving the proposed action. CPC is the lead agency for the Proposed Actions.
- *Determination of Significance:* The lead agency's first charge is to determine whether the proposed project may have a significant impact on the environment. To do so, it must prepare an EAS. The Proposed Actions were the subject of an EAS that was issued on November 9, 2018. Based on the information contained in the EAS, the lead agency (CPC) determined that the Proposed Actions may have a significant adverse effect on the environment and issued a Positive Declaration on November 9, 2018, requiring that an EIS be prepared.
- *Scoping:* Once the lead agency has issued a Positive Declaration, it must then issue a draft scope of work for the EIS. "Scoping," or creating the scope of work, is the process of focusing the environmental impact analyses on the key issues that are to be studied. CEQR requires a public scoping meeting as part of the process. Scoping meetings were held for the Proposed Actions and EIS Draft Scope of Work on December 10, 2018, and December 13, 2018. The period for agencies and the public to review and comment on the Draft Scope of Work was open through January 14, 2019. Modifications to the Draft



Scope of Work were made as a result of public and interested agency input during the scoping process. A Final Scope of Work for the project was issued on May 3, 2019.

- Draft Environmental Impact Statement: In accordance with the Final Scope of Work, a DEIS is prepared. Once the lead agency is satisfied that the DEIS is complete, it issues a Notice of Completion and circulates the DEIS for public review. DCP, acting on behalf of CPC, issued a Notice of Completion for the DEIS on May 3, 2019.
- Public Review: Publication of the DEIS and issuance of the Notice of Completion signal the start of the public review period. During this time, which is a period of not less than 30 days, the public has the opportunity to review and comment on the DEIS either in writing or at the public hearing convened for the purpose of receiving such comments. Where the CEQR process is coordinated with another City process that requires a public hearing, such as the CPC ULURP process (described below), the hearings may be held jointly. The lead agency must publish a notice of the hearing at least 14 days before it takes place and must accept written comments for at least 10 days following the close of the hearing. All substantive comments received at the hearing become part of the CEQR record and must be summarized and responded to in the FEIS.
- Final Environmental Impact Statement: After the close of the public comment period on the DEIS, the lead agency prepares the FEIS. The FEIS must incorporate relevant comments on the DEIS, either in a separate chapter or in changes to the body of the text, graphics, and tables. Once the lead agency determines that the FEIS is complete, it issues a Notice of Completion and circulates the FEIS.
- Findings: The lead agency will adopt a formal set of written findings based on the FEIS, reflecting its conclusions about the significant adverse environmental impacts of the proposed project, potential alternatives, and potential mitigation measures. The findings may not be adopted until at least 10 days after the Notice of Completion has been issued for the FEIS. Once findings are adopted, the lead agency may take its actions. This means that CPC must wait at least 10 days after the FEIS is complete to take action on a given application.

~~This Draft Scope of Work was prepared in accordance with these laws and regulations and the CEQR Technical Manual.~~

~~In accordance with CEQR, this Draft Scope of Work is being distributed for public review. Two public scoping meetings have been scheduled. The first public scoping meeting will be held on Monday, December 10, 2018 at Wagner College, Spiro Hall, Room 2, 1 Campus Road, Staten Island, NY 10301. The meeting will begin at 4:00PM. The second public scoping meeting will be held on Thursday, December 13, 2018 at Ethical Culture Fieldston School, Student Commons Room, 3901 Fieldston Road, Bronx, NY 10471. The meeting will begin at 4:00PM. Written comments will be accepted by the lead agency until the close of business on Monday, January 14, 2019.~~

~~A Final Scope of Work will then be prepared, taking into consideration comments received during the public comment period, to direct the content and preparation of the EIS. As the next step in the process, once the lead agency has determined that the EIS is complete, it will be subject to additional public review, in accordance with CEQR and the Uniform Land Use Review Process (ULURP) with a public hearing and a period for public comment. A Final EIS (FEIS) will then be~~

~~prepared to respond to and, as warranted, incorporate those comments. The lead agency will make CEQR findings based on the FEIS, before deciding on the Proposed Action.~~

### C. BACKGROUND

In November 1964, the opening of Verrazano-Narrows Bridge provided the first direct connection between Staten Island and the rest of New York City via roadway. In the early 1970s, environmental conservation was at the forefront of local and national political debate; the protection of air and water were codified in the Clean Air Act and the Clean Water Act. The protection of natural resources was broadly established through the National Environmental Policy Act (NEPA), which created the environmental assessment framework. ~~This~~The increased pressure of development in largely undeveloped areas that were recently connected via the Verrazano Bridge and the national environmental regulations were the main impetus for creating the special districts to guide development that is balanced with natural resource preservation.

In July 1974, DCP published a report entitled *Preservation of Natural Features and Scenic Views in New York City*, which analyzed strategies that were used to protect substantial natural resources in other areas of the country and local needs and opportunities for natural resource preservation. In accordance with these national trends, New York City began to adopt the principle that its significant natural features could be protected using zoning regulations. New York City's first Special Natural Area District (SNAD) was formed in December 1974 to balance the level of development with preserving natural features.

Staten Island's rapid growth (33 percent population increase in the 1960s and 19 percent in the 1970s), an increase spurred by connecting Staten Island to a large market of first-time homebuyers, created a need for an appropriate response through land use planning for the central and southern portions of the island. This was captured in a 1975 DCP report, titled *Towns in South Richmond* prepared by DCP, which resulted in the establishment of the ~~Special South Richmond Development District (SSRDD)~~ in 1975.

~~The Special Hillside Preservation District (SHPD)~~ was established over a decade later, in 1987, to guide development in the sensitive slopes of the Serpentine Ridge in the northern eastern portion of the island. This was based on the DCP's 1983 report ~~titled~~, *Staten Island: The North Shore Study*.

### EXISTING SPECIAL DISTRICTS

The three existing special districts, one in the Bronx and Staten Island (SNAD: NA-1, NA-2, and NA-3) and two others in Staten Island (SSRDD and SHPD), as shown in ~~the~~ **Figure 1**, are described in further detail in this section. LDGMA and cross-access regulations ~~as that are~~ as pertinent to the Proposed Actions are also described ~~after the three Special Districts~~.

#### *Special Natural Area District*

The SNAD was established in 1974 as the first special-purpose zoning district to protect natural features such as aquatic, biologic, botanic, geologic, and topographic features. The district is mapped in neighborhoods with significant natural features, such as steep slopes, rock outcroppings, forests, wetlands, ponds, and stream corridors. The district includes ~~over~~ more than

3,900 acres and comprising the neighborhoods of Emerson Hill, Dongan Hills, Todt Hill, Lighthouse Hill, and an area now known as the Greenbelt of Staten Island (~~Community District CD 2~~). In 1975, the SNAD was extended to the communities of Riverdale, Spuyten Duyvil and Fieldston in the Bronx (~~Community District CD 8~~) to include a little under 900 acres of area of ecological and geological significance both in its age and variety. This area is part of the Riverdale Ridge, formed with Fordham Gneiss, the oldest rock formation in New York City and contains numerous ecological resources that provide habitat for birds and other small animals. In 1977, SNAD was expanded to include Shore Acres in Staten Island (~~Community District CD 1~~) adding 50 acres; and in 1983, it was expanded again to include Fort Totten Park in Queens (~~Community District CD 744~~), which has separate rules from the rest of the Natural Areas that are not being changed through this proposal.

In 2005, the SNAD regulations were updated to include certain recommendations of the Staten Island Special Natural Area District Task Force and the Bronx CB 8 197-a plan, to strengthen the preservation of significant natural features, including steep slopes, trees and planting. The changes included:

- lot coverage standards on sloped sites similar to the SHPD;
- elimination of a grandfathering clause that exempted lots ~~less~~ smaller than 40,000 square feet from CPC review in certain situations,
- introduction of as-of-right regulations for lots under 10,000 square feet with less than 2,500 square feet of development on lots with flat topography and few trees,
- introduction of additional tree preservation rules ~~as well as;~~ and
- grading controls and tailoring of LDGMA private road regulations to preserve natural features in the SNAD.

Year Established | Community Boards | Neighborhoods

**Special Natural Area District (NA) | 1975**

- CB 8**
- Riverdale
  - Fieldston

**Special Natural Area District – Fort Totten | 1983\***

**Special Hillside Preservation District (SHPD) | 1987**

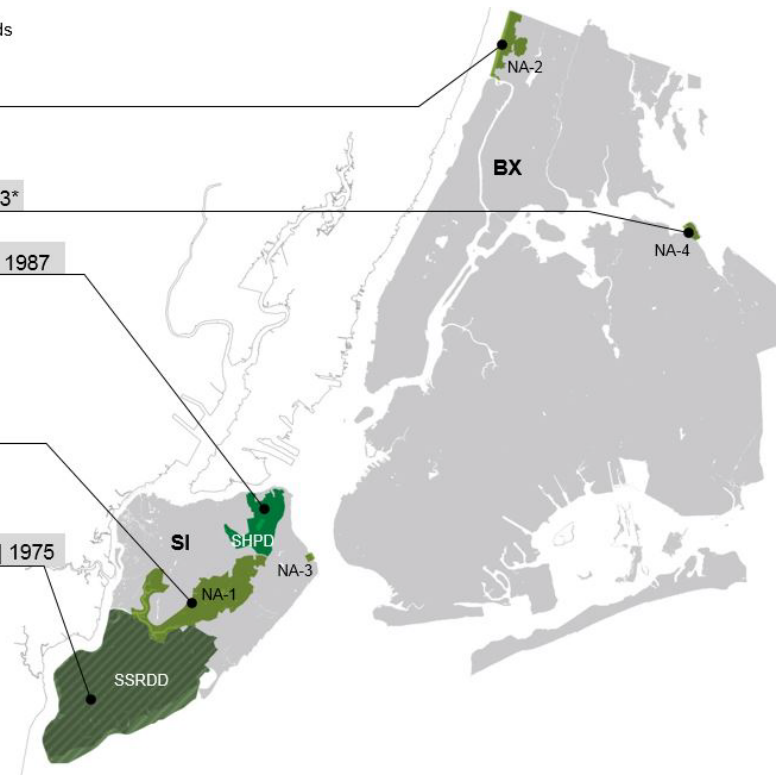
- CB 1**
- Silver Lake
  - Grymes Hill
  - Tompkinsville
  - New Brighton
  - West Brighton
  - Ward Hill
  - Randall Manor
  - St. George

**Special Natural Area District | 1974**

- CB 2**
- Todt Hill
  - Emerson Hill
  - Lighthouse Hill
  - Shore Acres

**Special South Richmond Development District | 1975**

- CB 3**
- Tottenville
  - Charleston
  - Rossville
  - Sandy Ground
  - Woodrow
  - Bay Terrace
  - Annadale
  - Eltingville
  - Arden Heights
  - Great Kills
  - Prince's Bay
  - Richmond Valley
  - Pleasant Plains



\*The regulations currently applicable to Fort Totten, Queens are independent from the rest of the Special Natural Area District and would remain unchanged in the proposal.

**Figure 1: Existing Special Districts**

The SNAD is mapped primarily in low-density residential zoning districts characterized by detached single- and two-family homes and community facilities on large parcels such as hospitals, senior care, educational and religious institutions, parkland and open space, and small amounts of local commercial use. In the Bronx NA-2, 83 percent of lots contain one or two-family homes, 5 percent are multifamily, and 12 percent are institutions, including schools, colleges, and nursing facilities. In Staten Island, over more than 90 percent of lots in NA-1 contain one or two-family homes, and over more than four 4 percent are used by institutions.

SNAD regulations guide development on private properties to preserve natural features, including trees, topography, topsoil, rock outcrops, erratic boulders, natural ground-level vegetation and aquatic features by requiring CPC review of developments, enlargements, or site alterations. ~~Permission by the CPC~~ permission is generally required to allow a minimum amount of disturbance of these natural features. Concurrently, applicants may request certain modifications in use, yard, and height and setback regulations of the underlying district by special permit of the CPC to help minimize disturbing natural features.

**Special South Richmond Development District**

The SSRDD was established in 1975 as an overall development plan for 12,000 acres of largely undeveloped land in the southern portion of Staten Island. The purpose of the district was to coordinate development and services, protect and maintain natural features such as trees and topography; avoid destruction of irreplaceable natural and recreational resources; and ~~to~~ ensure that new development was compatible with existing communities. The district encompasses all of

~~Community District CD~~ CD 3, which includes the neighborhoods of Annadale, Arden Heights, Bay Terrace, Charleston, Eltingville, Great Kills, Greenridge, Huguenot, New Dorp, Oakwood, Pleasant Plains, Prince's Bay, Richmond Valley, Richmond town, Rossville, Tottenville, and Woodrow. ~~It~~ The SSRD is bounded by the waters of Arthur Kill to the west and Raritan Bay to the southeast. In the SSRDD, 91 percent of lots contain one- or two-family homes, ~~less~~ fewer than ~~one~~ 1 percent are multifamily or mixed residential and commercial uses, commercial and manufacturing uses comprise approximately 1.5 percent, and ~~over one~~ more than 1 percent of lots have institutional or other uses.

The SSRDD established 'designated open space (DOS)': on South Richmond's streams, ponds, fresh-water wetlands, shorelines and woods, that would be left in a natural state as part of an open space network that also included public parks and waterfront esplanades. The district identified certain streets as 'arterial streets' for enabling through traffic and ~~some~~ others as 'park streets' to prioritize pedestrian and cyclist traffic between portions of an open space network by creating regulations pertaining to access restrictions, building setbacks, and landscaping on lots abutting such streets. The SSRDD rules applied to developments and site alterations, with rules establishing tree preservation and planting requirements, a limit on topographic modifications, special building height limits, increased lot width, and side yard regulations. The district also established requirements for adequate public facilities, including street access, sewers and sewage disposal facilities, and public school seats to serve any proposed development. Since the establishment of the special district, many DOS parcels have been acquired by ~~the NYC Department of Parks and Recreation~~ NYC Parks and the ~~NYC Department of Environmental Protection~~ NYCDEP to help form Staten Island's 103-acre network of city parks and its Bluebelt system.

### *Special Hillside Preservation District*

The SHPD was established in 1987 for the northeast section of Staten Island to protect a 1,900-acre area surrounding the Serpentine Ridge, a geologic feature formed by glacial shifts over 400 million years ago. The ridge provides unique scenic views of the surrounding area and is itself an important feature of the landscape when viewed from surrounding neighborhoods. The district encompasses the neighborhoods of Ward Hill, Grymes Hill, Stapleton Heights, Fort Hill Circle, Sunset Hill, Pavilion Hill, West Brighton, and Silver Lake. Clove Lake, Silver Lane, and Sailor's Snug Harbor Cultural Center and Botanical Garden are also included within the ~~district~~ SHPD's boundaries. In the SHPD, 80 percent of lots contain one- or two-family homes, 6.5 percent are multifamily, ~~three~~ 3 percent are mixed residential and commercial uses, ~~less~~ fewer than ~~one~~ 1 percent ~~comprise of~~ are lots with only commercial uses, and ~~over one~~ more than 1 percent of lots have institutional or other uses.

The SHPD was established to preserve the aesthetic value of hillsides; ~~to~~ protect steep slopes; and reduce hillside erosion, landslides, and excessive storm-water runoff by preserving the area's hilly terrain, trees, and vegetation. To achieve this, the district is regulated through specific controls on lot coverage, tree removal, and construction of driveways and private roads in areas with significant slope. Development on steep slopes is subject to discretionary review by ~~the~~ CPC, while parcels with less steep slopes are not required to go through such oversight.

### **ECOLOGY**

Ecology is a branch of science that deals with the interrelationships of organisms and their surroundings. Habitat is the natural environment in which an organism normally lives. When the

special districts were established in the 1970s and 1980s, the importance of habitat size and connections between habitats had not yet been explored. Today, a well-established body of research and practice has shown that larger habitats are much more valuable ~~as~~ because they can sustain large variety of species (and therefore rarer species) and larger populations of those species, which allows them to be more resilient. In addition, smaller patches of habitat can serve as stepping stones between natural areas. Furthermore, intact natural habitats of any size perform valuable ecosystem services, including stormwater absorption, flood mitigation, air and water filtration, and temperature regulation (e.g., reducing urban heat island effect).

The larger size of these natural areas allows an inner portion of the habitat area to function as 'core habitat' for certain species that cannot use the 'edge habitat' that is the outer boundary of such natural area. ~~This~~ The width of ~~the~~ this edge can vary for different organisms. For instance, pollinators like native bees and butterflies (mason bees and monarch butterflies) can take advantage of a much smaller area of habitat than bird species such as wood thrush, which require larger buffers. The shape of an area of habitat also has significant consequences regarding the amount of habitat that ~~could~~ can function as core versus edge: a long, thin rectangular area would have much less core habitat than a square or circular area of the same overall size. Disturbance at the edge of these natural areas can greatly reduce the amount of core habitat; hence, providing planted buffers or transition areas helps to maintain the size of the core habitat. Maintaining and creating ecological corridors between the large natural areas through small patches of biodiversity, especially in an urban environment, can increase the overall habitat and create resiliency in the ecosystem.

The three principles—the importance of core habitat for certain species, the value of larger habitats for sustaining genetic diversity and a more resilient population, and the value of maintaining connections between habitats, which also supports genetic diversity—are key guiding principles for the framework of proposed regulations. Proposed rules about habitat preservation on large sites, planted buffers at the boundary of protected natural areas, biodiversity gardens throughout the special district, and the variation in rules based on areas of ecological sensitivity are all based on these principles.

### **LOWER DENSITY GROWTH MANAGEMENT AREA**

LDGMA regulations were established in 2004 as a response to Staten Island's development boom in the 1990s identified by the Staten Island Growth Management Task Force. Between 1990 and 2000, Staten Island's population grew by approximately 65,000 and the number of housing units increased by approximately 24,000. By 2000, Staten Island's population had increased to 443,000, a 200 percent increase from its 1960 population. LDGMA regulations were created to maintain and enhance the neighborhood character by reducing the density of residential development and ensuring better quality design by modifying underlying zoning provisions for yards, open space, parking, private road developments, lot area, and lot width for residential development and for certain community facility uses.

To ensure adequate development on many large lots in Staten Island, private road standards were created to better align with standards for city streets, including bulk requirements for developments along ~~the~~ private roads. ~~Due to high~~ Because of high levels of car ownership and a lack of public transit, parking requirements for one- and two-family homes were increased to 1.5 parking spaces per dwelling unit. In 2005, LDGMA commercial regulations were adopted for the Borough of Staten Island to preclude the development of solely residential buildings in

commercial districts, requiring ground floor commercial or community facility uses in order to retain the neighborhood character of a local retail street.

LDGMA encompasses most of Staten Island, except for portions of the north and west shore, which are predominantly zoned for manufacturing use or higher-density multifamily residential developments (see **Figure 2**). Many LDGMA regulations overlap with the intent of the special districts, including incentivizing better site planning and preserving low-density residential character. The existing special districts on Staten Island described above overlap with the designated Lower Density Growth Management Areas LDGMAs, except for areas on the west shore of the SSRDD.



**Figure 2: Lower Density Growth Management Areas Affected Areas Map**

### **CROSS-ACCESS CONNECTIONS**

In order to help alleviate traffic congestion on thoroughfares, requirements for vehicular cross-access connections between non-residential parking lots were established for Staten Island in 2008 (see **Figure 3**). Cross-access connections are intended between open accessory parking lots on adjacent properties with commercial or community facility uses, so that vehicles driving from one site to another may avoid using public streets, thus allowing smooth traffic flow on thoroughfares. Cross-access rules apply to developments, enlargements, or an increase in parking lot capacity involving 36 or more parking spaces, in C4, C8, and M districts (see **Figure 3**). All proposed cross-access connections require a certification by the CPC Chair. The CPC may grant an authorization to waive or modify a cross-access connection requirement based on irregular lot shape or site planning constraints. A cross-access connection may be waived by CPC Chair certification ~~due to~~ because of extreme grade changes, the presence of wetland or trees along the lot line boundaries, or relocation of a previously certified connection.



**Figure 3: Cross-Access Connections Affected Areas That Include C4-1, C8, and Commercial Uses in M Districts**

#### **D. PURPOSE AND NEED**

The purpose of the ~~p~~Proposed a~~Actions~~ is to provide a clear and consistent framework for natural resource preservation that balances neighborhood development and ecological goals ~~by combining three special districts, the Special Natural Area District, Special South Richmond Development District and Special Hillside Preservation District into a single Special Natural Resources District. The update would codify best practices, streamline regulations to reflect the three principles (as stated in the “Background” section) of updated ecological science of prioritizing protection of core habitats, preserving large habitats on private properties, and creating connective corridors for resilient ecosystems; and create clear development standards, resulting in better and more predictable outcomes. Through clear standards, the purpose of the Proposed Actions is to create a streamlined process that would allow small properties (less than an acre) to go directly to DOB for permitting and require large properties (an acre or more) and sensitive sites to come for discretionary review. The goals of the Proposed Actions would be achieved by combining three special districts, the SNAD, SHPD, and SSRDD, into a single SNRD, while creating subdistricts to keep the distinct features of each area intact. The purpose of updating LDGMA and cross-access regulations applicable within Staten Island is to further the original LDGMA goals of maintaining neighborhood character and to streamline the cross-access regulations, making them easier to apply.~~

Since their establishment, the ~~S~~Special D~~istricts’~~ regulations have helped to guide thousands of developments and have resulted in ~~the~~ tree-lined streets, preserved rock outcrops, old growth trees, wetlands, and forested parks that today exemplify these communities. ~~T~~However, the existing regulatory framework has presented challenges over the last 40 years.

First, the special districts lack a clear development framework and broader ecological strategy to protect natural resources. The current rules focus on protecting individual natural features such as steep slopes, trees, and rock outcrops, and ~~don’t do not~~ consider the importance of ecological connectivity with neighboring sites. ~~There are n~~No clear guidelines for ~~preservation of exist to preserve~~ natural features on larger, ecologically sensitive sites that form part of the connected ecosystem. Such preservation is negotiated and decided on a case-by-case basis for a variety of



~~project types, which that~~ can result in unpredictable outcomes, time delays, and sometimes destruction of ecological connectivity, ~~undermining that undermines~~ the health of these natural ecosystems. To address this, the proposed CPC review process would have clear parameters that would result in better site plans with more predictable outcomes for the applicant and the community.

Second, the current framework of requiring discretionary review irrespective of the size of a property or the extent of natural features imposes burdensome cost and time delays for small property owners and results in unpredictable outcomes ~~both in terms of for the~~ development and preservation of natural features. More than 80 percent of these areas are ~~comprised composed~~ of one- or two-family homes and form the overwhelming majority (approximately 85 percent) of ~~the past~~ applications that have come ~~for to~~ CPC for approval. To address this challenge, best practices would be codified to create clearly defined parameters ~~which that~~ would allow applicants to proceed directly to DOB for building permits and confirm zoning regulation compliance. This would ease the process for homeowners by eliminating CPC review, where appropriate.

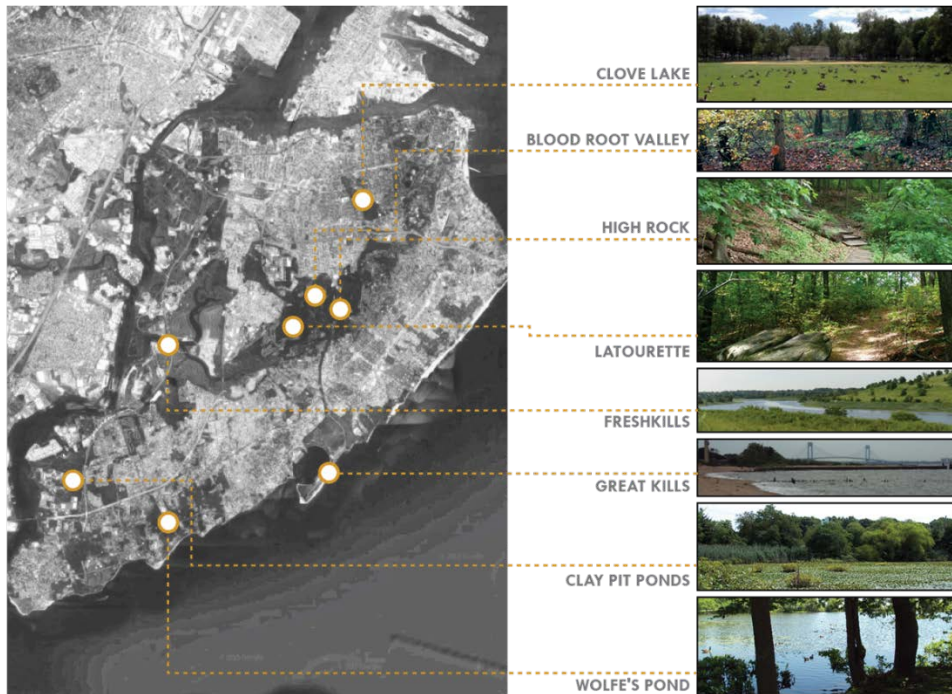
Third, under the current rules, multiple discretionary review actions are sometimes required to ~~be able to~~ create a good well-designed site plan that balances development with the preservation of natural features on a property. ~~But However~~, property owners are often reluctant to apply for optional land use actions that could result in a better project because these actions could trigger additional delays and costs. ~~They~~ focusing instead on those land use actions that are essential to moving the project forward, which can resulting in missed opportunities for good site planning. To address this, the CPC review process would be more integrated, so that optional land use actions would not result in significantly increased costs or delays.

Fourth, science and ~~know-how expertise~~ around environmental protection ~~has~~ have evolved since the special district rules were adopted nearly 40 years ago, but the rules have not evolved. Large consolidated natural areas are more ecologically valuable in providing core habitat to a variety of species than smaller areas, but current rules ~~don't do not~~ recognize the higher value of these larger areas. Technological advances in the last several decades have helped map these ecological communities more accurately, allowing for habitat on larger private properties to be pre-identified ~~in order to~~ better preserve regional ecological linkages and biodiversity. Current rules are more preservation focused and do not account for the diversity of native landscapes that are recognized today. Individual trees and small plant communities are renewable resources that can be replanted after disturbance to create micro-habitats and provide ecosystem services. Ground level plants and understory vegetation play a critical role in the long-term health of forests, help the nutrient cycle by building up of organic matter, and provide food and shelter to many insects and wildlife that help the larger ecosystem and human health.

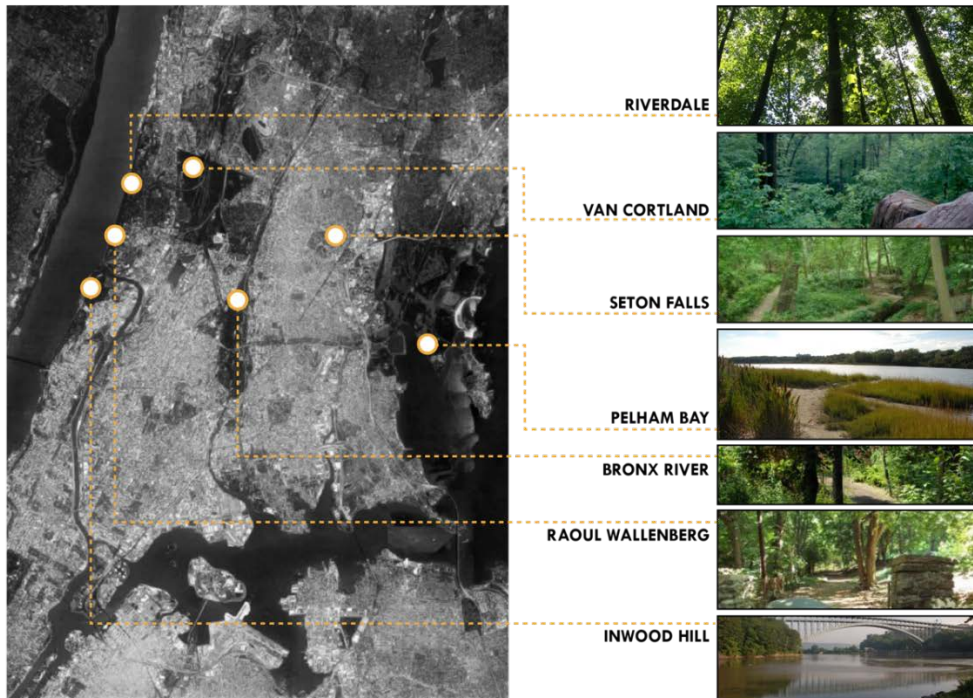
Based on research and an assessment of natural resources and natural features provided by ~~the NYC Department of Parks and Recreation NYC Parks~~, New York State Department of Environmental Conservation (NYSDEC), and the Natural Areas Conservancy, DCP identified the regional natural assets unique to areas of the Bronx and Staten Island (see **Figure 4** and **Figure 5**), that are critical for ecological connectivity. The proposal would ~~map~~ identify these natural assets, ~~including such as~~ City Forever Wild parks and Bluebelts that are protected by public entities, as part of the Proposed Actions in the form of text maps in the Zoning Resolution, within the Special Natural Resources District as These natural assets, called designated natural

resources,' in the SNRD, which would form the basis of a holistic ecological strategy to strengthen and protect these core natural areas while guiding development that is balanced with natural resource preservation across the special district.

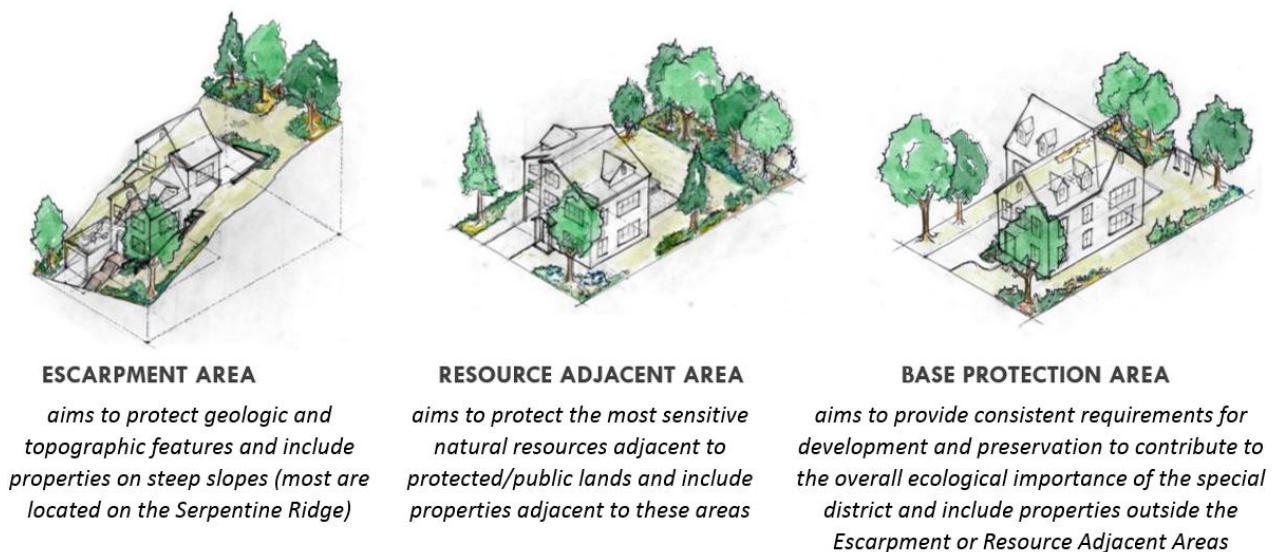
To achieve this goal, the ~~proposal~~ Proposed Actions would map "ecological areas" (Figure 6) based on proximity to such 'designated natural resources' such as large parks, forests, and hillsides. These would be represented as text maps in the Zoning Resolution as part of the SNRD and mapped across all subdistricts, as appropriate. Resource Adjacent Areas would be mapped within 100 feet of the property line abutting the designated natural resources. Specific regulations regarding landscape buffers would apply along the boundary of these Resource Adjacent Areas to protect and enhance the core habitat within the protect lands. Escarpment Areas would be mapped along the Serpentine Ridge and would have specific regulations to preserve steep slopes and address erosion and run-off. All other areas of the SNRD would be Base Protection Areas, where consistent regulations would help enhance and connect natural areas across the special district.



**Figure 4: Major Natural Assets in Staten Island**



**Figure 45: Major Natural Assets in the Bronx and Northern Manhattan**



**Figure 56: Proposed Ecological Areas based on proximity to natural resources**

To advance this effort and ensure input from community stakeholders, the DCP has met with local community boards and convened advisory groups of local civic organizations, architects, landscape architects, environmental groups, elected officials, institutions, and city agencies since April 2015. The advisory groups established the following principles, which have been used to guide the update process:

- Strengthen and rationalize natural resource preservation.

- Create a homeowner-friendly regulatory environment with robust as-of-right rules for the development of homes on small lots that protect significant natural features.
- Protect and enhance the natural resources and neighborhood character of the districts, with greater predictability of development outcomes.
- Strengthen and clarify regulations so that review by ~~the City Planning Commission~~ CPC focuses on sites that have a greater impact on natural resources and the public realm.
- Ensure consistency of regulations amongst ~~all~~ the three existing special districts.

Based on the ~~above~~ principles described above and to apply the framework, the Proposed Actions would:

- establish regulations that create a hierarchy of natural resource protection based on proximity of a development site to ‘designated natural resources’ and/or topography (Resource Adjacent Areas and Escarpment Areas) to protect and enhance the most ecologically sensitive resources; and
- combine the three existing special districts (~~Hillsides, Natural Areas, and South Richmond SNAD, SHPD, and SSRDD~~) into one special district, the ~~Special Natural Resources District~~ SNRD, to create consistent natural resource preservation rules.

The Proposed Action would determine the appropriate review process based on the size of properties, proximity to sensitive areas, and effects on neighborhood character and the public realm.

### **PROPERTIES LESS THAN ONE 1 ACRE:**

With clear ~~rules~~ zoning regulations that would ~~address~~ establish building footprint, permeability, trees, and ground cover, most small property owners ~~will~~ would go directly to DOB for project review and permits, skipping the current requirements for review by CPC. In some special cases, CPC review ~~will~~ would still be required. ~~This~~ These cases includes:

- development with new private roads, ~~that~~ because these sites are more likely to affect the public realm and neighborhood character;
- new buildings ~~and~~ or subdivisions of a lot in historic districts to align and coordinate review with Landmarks Preservation Commission (LPC) such that both goals of historic and natural resource preservation are met; and
- four or more new lots or buildings or eight or more dwelling units in areas that are adjacent to regionally important habitats, or on steep slopes (Resource Adjacent and Escarpment, respectively) ~~as~~ because the new as-of-right rules may not predict every outcome that best achieves the goals of balancing development and preservation.

### **PROPERTIES OF ONE 1 ACRE OR MORE:**

For larger sites, the proposed rules with clear parameters ~~will~~ would require individual site plan review by ~~the~~ CPC because large sites may contribute more to the public realm and preservation of natural habitat.

- The proposal encourages upfront long-term planning to create a holistic development plan for the public and the property owner, ~~considering~~ that considers natural resource preservation.
- For sites with existing habitats, portions of habitat ~~will be required to be~~ would be preserved in perpetuity to maintain ecological connectivity and neighborhood character, because the surrounding natural ecosystem ~~&and~~ public realm directly ~~relies~~ rely on intact, larger natural features found on properties that are ~~one~~ 1 acre or more.

The Proposed Actions would maintains the primary intent of each special district as guiding development in areas of outstanding natural beauty ~~in order to~~ protect, maintain, and enhance the natural features and creates a consistent framework in a new ~~‘Special Natural Resources District’~~ SNRD to increase predictability and efficiency.

## E. REASONABLE WORST CASE DEVELOPMENT SCENARIO

~~In order to assess the possible effects of the Proposed Action, a Reasonable Worst Case Development Scenario (RWCDs) was developed for the Future Without the Proposed Action (No-Action Condition), and the Future With the Proposed Action (With-Action Condition) for a 10-year period. The incremental difference between the No-Action and With-Action conditions will serve as the basis for assessing the potential environmental impacts of the Proposed Action.~~

~~To determine the No-Action and With-Action conditions, standard methodologies have been used pursuant to the CEQR Technical Manual. These methodologies have been used to identify the amount and location of future development, as discussed below.~~

### EXISTING ZONING

This section describes the existing regulations that ~~will be affected by~~ the Proposed Actions would affect. ~~This section~~ It is organized to describe the geography of the special districts and subdistricts, followed ~~with by~~ by an overview of how ~~proposed subdivisions, construction or other site work is reviewed by the Department of Buildings (DOB) and the City Planning Commission (CPC) review proposed subdivisions, construction, or other site work.~~ Next is a description of the various regulations pertaining to the protection of natural features, various use, bulk and parking regulations, and any associated discretionary actions to modify these existing provisions. The last section describes ~~the~~ CPC certifications, authorizations, and special permits available in the existing zoning in the special districts. LDGMA and cross-access regulations that are affected by the proposal are also described at the end of in this section.

### *Geography*

The special districts are located in the Boroughs of the Bronx, Staten Island, and Queens as illustrated in **Figure 1**. The special districts contain approximately 1,003 lots in the Bronx and 53,434 lots in Staten Island that would be affected by the updates to the special district rules as described below. ~~Since~~ Because there would be no substantive changes to the special district in Queens, it is not ~~further~~ described further in this document.

The ~~Lower Density Growth Management Area (LDGMA)~~ is located in portions of ~~Community Districts CD~~ 1, 2, and 3 in Staten Island and ~~Community District CD~~ 10 in the Bronx as illustrated in **Figure 2**; however, no changes are proposed within the LDGMA in the Bronx. The affected

LDGMA area comprises approximately 121,190 lots. In Staten Island, these areas may overlap with the special districts.

The Proposed Actions would affect the cross-access regulations ~~that would be affected by the Proposed Actions~~ are applicable within in the Borough of Staten Island in zoning districts M1, M2, M3, C4-1, and C8 ~~districts~~ as illustrated in **Figure 3**. The applicable geographic areas extend beyond the boundaries of the special districts and the LDGMA in Staten Island; the area affected by the cross-access regulations comprises approximately 3,544 lots.

~~These numbers of affected lots described above reflect some double counting because the special district rules, LDGMA rules and cross-access rules can sometimes apply to the same lot due to the fact that the areas that they effect overlap.~~

#### *The Bronx*

~~The Special Natural Area District (SNAD) within the Bronx is mapped as Special Natural Area~~ NA-2 along the Riverdale Ridge ~~that and~~ is composed of parts of Riverdale, Spuyten Duyvil and Fieldston ~~within Community District~~ CD 8. The ridge contains steep slopes, rock outcrops, ~~ponds, brooks, marshes~~ and mature trees. In addition, the southwestern foot of the ridge includes marshes, and the shore-line of the Hudson River contains aquatic habitat that supports marine life.

#### *Staten Island*

The three existing special districts in Staten Island are the ~~Special Natural Area District (SNAD), Special Hillside Preservation District (SHPD), and the Special South Richmond Development District (SSRDD).~~ The SNAD is mapped in two areas within Staten Island: ~~Special Natural Area~~ NA-1 (Emerson Hill, Dongan Hills, Todt Hill, and Lighthouse Hill) in ~~Community District~~ CD 2 and ~~Special Natural Area~~ NA-3 (Shore Acres) in ~~Community District~~ CD 1. The SHPD is located in the area of the Serpentine Ridge in ~~Community District~~ CD 1, including the neighborhoods of Ward Hill, Grymes Hill, Stapleton Heights, Fort Hill Circle, Sunset Hill, Pavilion Hill, West Brighton, and Silver Lake. ~~Approximately~~ The Proposed Actions would affect 8,823 lots ~~will be affected by the proposed action in~~ the SNAD and SHPD. The SSRDD includes nearly all of ~~Community District~~ CD 3, from Tottenville to Arden Heights. There are six subdistricts ~~within the special district: Large Lot (LL) area, Senior Housing (SH) area, Area D, Area F, Area K, and Area M.~~ There are ~~approximately~~ The Proposed Actions would affect 44,611 lots in the SSRDD.

#### *Review Structure*

The current CPC review structure ~~by the CPC~~ for the special districts includes certifications, authorizations, and special permits. When no CPC approvals ~~by the CPC~~ are required for a proposed development, it is considered to be “as-of-right”—the proposed development can apply directly to the DOB for a building permit, which will be granted if the proposal complies with all zoning requirements ~~as well as all~~ and other applicable codes and regulations. The certifications granted by either the CPC Chair ~~of the CPC~~ or ~~the CPC~~ as a whole are considered to be ministerial in nature, meaning that, ~~as with similar to~~ as-of-right development, the proposal must be approved or denied based on whether ~~or not~~ it meets the conditions of the certification, based on facts. In contrast to these, ~~the CPC-granted~~ authorizations and special permits granted by the CPC are discretionary in nature, as the Commission must weigh and balance various factors ~~in order to~~ arrive at a decision on each of the findings of an authorization or special permit. These discretionary actions may permit encroachment into an area containing natural features, or may modify specified zoning rules relating to use, bulk, or parking regulations. These discretionary

actions include a public review process that ~~allows the public to be informed about a proposed project and~~ provides opportunities for public comment on the proposed project, which the CPC considers when making its decision.

In general, based on data from 2012 to 2017, most development in the Staten Island SNAD (79 percent) and a third of development in the SHPD (34 percent) required a discretionary action and review by the CPC; most development in the SSRDD (90 percent) occurred as-of-right (including certifications), ~~based on data from 2012 to 2017~~. All developments in Bronx NA-2 were discretionary between 2012 and 2017. The three special districts protect certain natural features but provide a route mechanism to waive or modify those protections to ~~permit disturbance of~~ disturb those natural features by CPC-granted authorization ~~granted by the CPC~~. Additional authorizations and special permits are available if an applicant seeks ~~a modification of~~ to modify certain zoning regulations, such as yard regulations.

The three special districts do not require CPC review of all larger sites, or exempt smaller sites from CPC review, ~~though there are with~~ two exceptions:

- (1) In the SNAD, a smaller site may be exempted if it comprises the construction, enlargement, or alteration with proposed lot coverage of less than 2,500 square feet; is located on a lot of no more than 10,000 square feet and with less than 10 percent average slope; is not impacting any significant natural features; and has no legal documents recorded against it. ~~the construction of a building with a footprint of no more than 2,500 square feet on a lot with no more than 10,000 square feet is exempt from a certification requirement, provided additional standards are met, thereby exempting some smaller sites.~~
- (2) In the SHPD and in SSRDD, a larger site may require review in relation to parking and traffic because an authorization is required for the development of ever more than 30 parking spaces, ~~thereby capturing larger sites, though only in relation to parking and traffic.~~

All three special districts require a certification from ~~the CPC~~ that any proposed for any future subdivision of a zoning lot to ensure it complies with the special district rules and preserves natural features to the greatest extent possible. ~~All The~~ three special districts ~~also allow for~~ permit residential development to be clustered ~~in order to~~ preserve natural features by allowing the a CPC special permit that allows rules for large-scale residential developments to be applied to smaller ~~lots sites~~ sites than ~~normally permitted by zoning elsewhere.~~

SNAD. The SNAD is the most restrictive of the three special districts, generally requiring at least a certification from ~~the CPC~~ that the proposed development meets the standards of the special district and that it does not require an authorization or special permit from ~~the CPC~~. CPC authorizations ~~from the CPC~~ are required for disturbance of a variety of protected natural features on a lot or to modify bulk regulations. A special permit may be sought to modify permitted residential building types, ~~for instance (e.g., to allow an attached residence in an R2 District, where normally only detached homes are permitted, in order to facilitate clustering development to preserve natural features elsewhere on the site).~~

SHPD. The SHPD divides lots into Tier I and Tier II sites, with Tier I ~~lots sites~~ (with average slope less than 10 percent) subject to an authorization for construction on steep slopes and for removing protected trees. Tier II sites are more steeply sloped (average slope greater than 10 percent) and are subject to additional requirements and ~~therefore may~~ apply for an authorization to modify planting requirements for ground cover vegetation, ~~as well as modifications of lot coverage,~~

height, yards, driveways, private roads, and grading regulations. Similar to the SNAD, a special permit may be sought for Tier II sites to modify permitted residential building types (for instance e.g., to allow an attached residence in an R2 District, where normally only detached homes are permitted ~~in order~~ to facilitate clustering development to preserve natural features elsewhere on the site). In addition, any parking facility with 30 or more parking spaces and any community facility in a Residence District are required to seek an CPC authorization.

SSRDD. Similar to Tier I sites in the SHPD and to sites in the SNAD, removal of protected trees requires an authorization in the SSRDD. Topography is also protected, requiring an CPC authorization ~~from the CPC for the modification of~~ to modify topography by more than 2 feet, with ~~the~~ certain exceptions. Generally, topography changes within 8 feet of a building are permitted without ~~requiring a~~ CPC authorization.

The SSRDD has regulations pertaining to infrastructure and open space planning. ~~requires a~~ Certification is required when residential units are proposed on blocks that are not predominantly built up to ensure that there are enough school seats available for the new students expected as a result of proposed residential development. ~~There are three certifications—~~ Certifications are required for any development located on a lot that has Designated Open Space (DOS) in the SSRDD. Development within a lot containing DOS triggers the need for a certification that ~~the~~ DOS will be preserved in its natural state or developed for active recreational uses. ~~Another~~ A second certification establishes ~~whether or not~~ if a public pedestrian way would be required on the site. ~~A, and a~~ and a third certification relates to establishing a waterfront esplanade, where applicable, on the property.

An authorization is required for more than 30 non-residential parking spaces or additional curb cuts on designated arterial streets. Authorizations may also be sought ~~for modification of~~ to modify ~~the~~ distance between buildings, yard, courts, and parking; ~~to~~ permit affordable independent residences for seniors in Subarea SH; ~~to~~ permit residential uses in Subarea M; ~~and to permit~~ allow bulk calculations to include DOS; ~~or~~ and allow lands containing significant natural features to be donated to the City.

Special permits that may be sought from ~~the CPC~~ include ~~allowing lots with more than half their area in~~ allow certain lots with DOS to ~~calculate~~ include this area for bulk regulations and allow for clustering of development using the entire lot area, permitting buildings or other structures higher than the four story/50-foot height limit, permitting community facility buildings or treatment plants in DOS, and permitting building encroachment ~~into~~ DOS. Based on ~~five years~~ data from 2012 to 2017, approximately ~~nine~~ 9 percent of all new building applications and major alteration permits (Alt-1 permits) required an authorization or special permit in the SSRDD.

Further detailed information on zoning regulations associated with certification and discretionary actions is described toward the end of ~~the existing zoning~~ this section.

### **PROTECTION OF NATURAL FEATURES**

Natural features that are protected by all three special districts include trees and natural topography, including steep slopes. Other natural features that are protected by regulation in some of the special districts include vegetation other than trees, aquatic features, erratic boulders, and rock outcrops. In each of these special districts, natural features are protected as separate individual items, without regard to whether or not they are part of a larger ecological area on adjacent lots, and without requiring a higher level of protection for lots adjacent to regionally



important ecological areas. The current special district rules allow modification of natural features while providing little guidance regarding the relative value of one type of natural feature versus another, how to prioritize protection, and how much encroachment to ~~permit~~ authorize.

~~SNAD. In this district, the features that are protected as natural features by zoning regulations include:~~ Zoning regulations in the SNAD protect natural features, including geological features such as rock outcrops and geological deposits, topographical features such as steep slope, existing natural topography and topsoil, aquatic resources, and botanic environments. With just a few exceptions, all of these features cannot be removed or disturbed except through an CPC authorization.

~~SHPD. In this district, the n~~ Natural features that are protected by zoning regulations in the SHPD include steep slopes, topsoil, trees, and other natural vegetation. In general, trees and steep slopes cannot be removed or disturbed except through an CPC authorization, and, On Tier II sites, an authorization is also required to remove or disturb topography or vegetation other than trees.

~~SSRDD. In this district, the natural features that are protected by zoning regulations include~~ protect existing natural topography, trees, and open space. Open space is protected through pre-mapped Designated Open Space (DOS). With certain exceptions, natural topography and trees are protected, and disturbance or removal requires an CPC authorization by the CPC.

## *Tree Regulations*

### *Tree Removal*

~~While t~~ The three special districts often protect natural features such as trees by prohibiting the removal or disturbance of the natural feature within a certain distance of the proposed development; however, property owners can apply for an authorization from the CPC to remove or disturb these natural features in any way, and, The standards for approving or denying these authorizations are not well defined.

All three special districts have very similar tree protection regulations. In all three special districts, trees are protected when they reach ~~six 6~~ six 6-inch caliper (defined as the diameter of a tree trunk measured ~~four 4~~ four 4 feet, ~~six 6~~ six 6 inches from the ground). Trees cannot be removed as-of-right except within the proposed building footprint, or within 15 feet of the proposed building footprint for properties within the SNAD and SHPD, or within 8 feet of the proposed building footprint in the SSRDD, and except for when they are located in the path of proposed driveways, private roads, and required accessory parking spaces. Trees can ~~also~~ be removed as-of-right if the continued presence of a tree would create dangers to persons or property; or would interfere with the growth or health of another tree of ~~six 6~~ six 6-inch caliper or more.

~~SNAD and SHPD. The~~ CPC may grant an authorization for tree removal or modifications to planting requirements, pursuant to Zoning Resolution (ZR) Section 105-425 in the SNAD or pursuant to ZR 119-313 in the SHPD. The findings require the proposed development, enlargement, or site alteration to demonstrate that it is designed to make the least modification necessary, allows for the survival of newly planted trees or other plant material, and that it is ~~aligned~~ aligns with the purposes of the special district.

~~SSRDD. The~~ CPC may grant an authorization for tree removal, pursuant to ZR 107-64 (Removal of Trees). The findings require the proposed development to demonstrate that the preservation

of the tree is infeasible ~~due to~~ because of potential impairment of open areas on site, or ~~due to~~ proposed topographic modifications, or ~~due to~~ the provision of a waterfront esplanade.

#### *Tree Planting Requirements*

The current tree planting requirements in all three special districts come into effect when there is new construction or site work on a property, and requirements are based on a tree credit calculation. Tree credit is the value given to every tree based on the tree caliper inches. The current zoning assigns one credit for the first ~~six~~ 6 inches of caliper and one credit for every additional ~~four~~ 4 inches of caliper.

*SNAD and SHPD.* The requirement is one tree credit per 1,000 square feet of lot area or ~~a total of~~ 51 percent of tree credits originally on site, whichever is greater. Newly planted trees must be a minimum of 3 inches of caliper.

*SSRDD.* The requirement is one tree credit per 1,000 square feet of lot area. Newly planted trees must be a minimum of 3 inches of caliper.

#### *Tree Planting Requirements in Open Parking Areas*

*SNAD and SHPD.* Special tree planting rules for parking lots do not exist within ~~this~~ these districts. Underlying rules per ZR 37-90 requiring trees and landscaping in parking lots for non-residential land uses apply.

*SSRDD.* One tree credit, pre-existing or newly planted, ~~shall be~~ is provided for ~~each~~ every four parking spaces in the perimeter landscaped area of the open parking area or in planting islands within the parking area. Where 30 or more parking spaces are provided, at least 50 percent of the required trees ~~shall~~ must be located within planting islands within the parking area. In addition, underlying rules per ZR 37-90 requiring trees and landscaping in parking lots for non-residential land uses also apply.

#### *Critical Root Zone*

The critical root zone is defined as an area around the tree containing the roots that should be maintained and protected in the SNAD and SHPD. In the existing rules, it is measured as ~~one~~ 1 radial ~~feet~~ foot for every caliper inch and ranges from a minimum of ~~four~~ 4 feet to a maximum of 22 feet.

The critical root zones of all preserved trees are protected within an “area of no disturbance” in the SNAD and SHPD and must remain undisturbed except as provided for in a tree protection plan and letter from a certified arborist.

#### *Biodiversity Regulations*

*SNAD and SHPD.* In the SNAD and on Tier II sites in the SHPD, no vegetation may be removed except within the proposed building footprint, or within 15 feet of the proposed building footprint, except for driveways, private roads, and required accessory parking spaces, and except when granted an CPC authorization by the GPG, pursuant to ZR 105-425 in the SNAD and ZR 119-313 in the SHPD. Ground cover, shrubs, small trees and large trees are required to be planted to replace any vegetation that is removed or any topsoil disturbed, each on a basis proportionate to the size of the area disturbed.

*SSRDD.* Biodiversity planting rules do not apply within this district.

*South Richmond Landscaping Rules Plan*

Existing special landscaping rules pursuant to ZR 107-48 require a buffer of evergreen shrubs between a new commercial or manufacturing building and an adjacent lot in a Residence District, or an adjacent residence, even if located outside of a Residence District. The rules also require a lower screening hedge of shrubs around the sides and rear of parking areas, and a ~~seven~~ 7-foot-wide landscaped area between the parking area and the street.

*Topographic and Geologic Resources*

Slopes and topography are regulated in the three special districts by prohibiting the disturbance of the natural feature within a certain distance of the proposed development in the SNAD and SHPD, or beyond a threshold defined in the regulations for the SSRDD. However, property owners can apply for an authorization from ~~the~~ CPC to disturb these natural features, and the standards for approving or denying these authorizations are not well defined.

*SNAD & SHPD.* For Tier II sites, no grading is permitted beyond 15 feet of the building footprint, except for grading to construct private roads and driveways. The grading requirements for Tier II sites limit how steep the final slope can be after cut and fill to a ratio no steeper than 2 horizontal to 1 vertical, along with other technical specifications.

~~The~~ CPC may grant an authorization for modifications to topographic features in the SNAD pursuant to ZRs 105-421 (Modification of topographic features on Tier I sites) and 105-422 (Authorization of a development, enlargement or site alteration on a Tier II site or portion of a zoning lot having a steep slope or steep slope buffer). ~~The~~ CPC may grant an authorization for modifications to topographic features in the SHPD pursuant to ZRs 119-311 (Authorization of a development, enlargement or site alteration on a steep slope or steep slope buffer) and 119-316 (Modification of grading controls). The findings require the proposed development, enlargement, or site alteration to demonstrate the least modification to existing topography, so that the modified topography will not impair character and topography of surrounding area, and will result in minimal ~~impact~~ effects on ~~to~~ drainage patterns and soil conditions.

Erosion control is regulated by zoning in the SNAD and for Tier II sites in the SHPD that require an authorization, requiring one of a variety of of sediment control measures to be used.

*SSRDD.* On sites in this district, topography cannot be modified more than ~~two~~ 2 feet without CPC authorization ~~from the CPC~~, with the exception of work done to construct building foundations, driveways or utilities, or ~~in order~~ to bring the portion of a lot abutting a street to meet the grade of the street.

~~The~~ CPC may grant an authorization for modifications to topographic features if the proposal results in minimal disturbance of the existing drainage pattern and soil conditions, and the modified topography will not impair the character and topography of the surrounding area, pursuant to ZR 107-65 (Modifications of existing topography).

In the SNAD, rock outcrops cannot be altered without an authorization from ~~the~~ CPC. ~~The~~ CPC may grant an authorization for modifications to rock outcrops if it is the minimum modification necessary, pursuant to ZR 105-424 (Alteration of rock outcrops).

In the SNAD, no erratic boulder with a diameter of ~~six~~ 6 feet or more may be removed from its location without CPC authorization ~~from the CPC~~. The ~~CPC~~ may grant an authorization for relocation of erratic boulders if the boulder is located in an area to be occupied by buildings, driveways, parking areas, or recreation areas, or its current location would create hazards or dangers, pursuant to ZR 105-423 (Relocation of erratic boulders).

### *Aquatic Resources*

Aquatic resources are regulated inconsistently among the three special districts as described ~~further~~ below. Property owners can apply for an CPC authorization ~~from the CPC~~ to modify these natural features, and the standards for approving or denying these authorizations are not well defined.

*SNAD.* On sites in this district, aquatic features cannot be altered without an CPC authorization. ~~The CPC may grant an authorization for modification to~~ modify aquatic features if the proposal results in minimal disturbance of the aquatic feature and will not disturb the existing drainage pattern of the area, pursuant to ZR 105-426 (Alteration of aquatic features).

*SHPD.* Aquatic resources are not directly regulated in the special district, however, applications for authorizations to modify topography must meet findings that include that the topographical change will not disturb the soil conditions or drainage patterns in the area.

*SSRDD.* The district's goals clearly specify the protection of aquatic resources that are irreplaceable and maintain the ecological balance. However, aquatic resources are not directly regulated in the special district, although applications for authorizations to modify topography must meet findings that include that the topographical change will not cause unnecessary disturbance of the drainage patterns in the area, including the soil conditions.

### *Controls during Construction*

*SNAD and SHPD Tier II sites.* On these sites, no construction equipment can be operated beyond 15 feet of the building footprint, except for the construction of driveways and private roads; construction fences must be erected around all areas of no disturbance and around vegetation proposed to be preserved; excavating for fill is prohibited unless approved under a specified grading plan; a staging area must be located where it would minimize destruction of natural features; topsoil is to be used to revegetate the area upon completion of construction; and exposed earth ~~shall~~ will be seeded during construction.

*SHPD Tier I sites.* Construction fences must be erected around all areas of no disturbance; a staging area must be located where it would minimize destruction of natural features; topsoil is to be used to revegetate the area upon completion of construction; and exposed earth ~~shall~~ will be seeded during construction.

### *Habitat Preservation*

~~There are n~~ No specific regulations in any of the special districts currently ~~to require the preservation of~~ preserve habitat. As noted earlier, ~~there are~~ designated areas of no disturbance exist in the SNAD and the SHPD that are protected from all types of construction activity. Areas of no disturbance include steep slopes, steep slope buffers, and the critical root zone of each tree proposed for preservation. Existing zoning rules establishing areas of no disturbance are not based ~~not~~ on the relative value, size or location of existing habitat, but they protect habitat as a secondary outcome of protecting steep slopes and individual trees. The amount of area actually

preserved as natural habitat through this mechanism is impossible to predict because the amount of permitted development on a given site is not defined by standards in the zoning regulations. Another zoning mechanism ~~which that~~ has contributed towards ~~some~~ habitat preservation is ~~Designated Open Space~~ DOS, described below.

*Designated Open Space*

~~Designated Open Space (DOS)~~ is a regulatory tool that only exists within the SSRDD. On sites in this district, any development or site alteration on a zoning lot ~~which that~~ contains DOS requires certifications. ~~The~~ CPC may grant a certification for development if ~~the~~ DOS is preserved in its natural state; and where required by the Commission, if public pedestrian ways or a waterfront esplanade are provided pursuant to ZR 107-22 and ZR 107-23. If the development includes proposed recreational facilities in ~~the~~ DOS, ~~the~~ CPC also must review and certify that the recreational facilities are compatible with the purposes of the network of open space envisioned for the entire DOS system and that the proposed construction would have minimal disturbance of trees, topographic features, and natural drainage systems.

**USE REGULATIONS**

Existing regulations in ~~Special South Richmond Development District~~ the SSRDD modify underlying zoning to prohibit “zero lot line buildings” without side yards. SSRDD rules limit the bulk of a ~~particular type of land use~~, affordable independent residences for seniors, in Subarea SH and require a CPC Chair certification for the development of such residences. The SSRDD also has special regulations for residential uses in Subarea M, which is mapped in a Manufacturing District where residential uses are normally not permitted.

**BULK REGULATIONS**

*Floor Area*

~~SNAD. Floor area is governed by u~~ Underlying regulations govern floor area.

~~SHPD. Floor area is governed by u~~ Underlying regulations govern floor area, except that, for Tier II sites where a private road is located on a portion of a lot, the area of the private road is excluded for the purposes of calculating the maximum permitted floor area on the lot.

~~SSRDD. Underlying regulations~~ govern floor area. However, floor area bonuses in the underlying zoning for community facilities with large front or side yards are not permitted in the SSRDD. Special floor area regulations apply to residential uses in Subarea M, which is mapped in a Manufacturing District.

*Lot Coverage*

~~SNAD and SHPD. On Tier I sites with no impact on steep slopes,~~ underlying zoning regulates lot coverage ~~is regulated by the underlying zoning~~. On Tier II sites with no proposed disturbance of steep slopes, maximum lot coverage is regulated by the average percent of slope on the lot and the applicable zoning district (see **Table 1**).

**Table 1: SNAD Tier II Sites Lot Coverage Governed by Average Percent Slope of the Site**

<b>Avg % of Slope</b>	<b>R1</b>	<b>R2</b>	<b>R3</b>	<b>R4</b>	<b>R5</b>	<b>R6 (1-2 Family)</b>	<b>R6 (Other)</b>
<b>10-14.9</b>	22.5	22.5	22.5	36.0	45.0	48.6	32.4

<b>15-19.9</b>	20.0	20.0	20.0	32.0	40.0	43.2	28.8
<b>20-24.5</b>	17.5	17.5	17.5	28.0	35.0	37.8	25.2

On Tier II sites or ~~on~~ Tier I sites where steep slope or steep slope buffer areas are being modified through development, enlargement, or site alteration, the maximum lot coverage is regulated by the applicable zoning district as noted in ~~the table below (see~~ **Table 2**.

**Table 2: SNAD Tier II Lot Coverage if Steep Slope Is Disturbed**

<b>R1</b>	<b>R2</b>	<b>R3</b>	<b>R4</b>	<b>R5</b>	<b>R6 (1-2 Family)</b>	<b>R6 (Other)</b>
12.5	12.5	12.5	20.0	25.0	27.0	18.0

~~The~~ CPC may authorize the modification of limits to lot coverage on a Tier II site or applicable Tier I sites pursuant to ZRs 105-431 (Modification of lot coverage controls) in the SNAD and 119-314 (Modification of lot coverage controls) in the SHPD. ~~The CPC will grant authorization will be granted by the CPC~~ if the development or enlargement is not feasible without modification, if the shape of the building preserves the aesthetic value of the area, if such modification is the least modification necessary, has minimal impact on existing natural topography, will not disturb the drainage pattern and soil conditions, and does not impair the essential character of the area.

In the SSRDD, underlying regulations govern lot coverage ~~is governed by the underlying regulations~~.

~~Impervious Hard Surface Area~~

~~Impervious Hard surface~~ area is any area on a lot covered by paved or other solid/hard surfaces, such as roads, driveways and sidewalks, patios, decks or porches, and the roofs of buildings. ~~Impervious Hard surface areas~~ generally ~~doesn't~~ do not allow water to penetrate into the ground, and; therefore, swimming pools are also considered ~~impervious hard surface~~ area, because rainwater ~~can't~~ cannot penetrate into the ground through the bottom of the pool. The opposite of ~~impervious hard surface~~ area is area that includes planted areas at ground level, including lawn, gardens, and other areas with natural soil.

~~Impervious Hard surface~~ area is not regulated ~~within~~ any of the three special districts. However, during review of proposed development seeking an authorization within the SNAD and SHPD, ~~the~~ DCP has established a guideline that lots should generally have no more than 50 percent coverage by ~~impervious hard surface areas~~ surfaces.

Lot Area and Lot Width

~~SNAD. In this district,~~ The minimum lot area for a proposed subdivision is increased to 12,500 square feet if a lot contains steep slopes covering more than half of the lot.

~~SHPD.~~ This district requires the standard underlying minimum lot sizes.

~~SSRDD. There are s~~ Special minimum lot area and lot width regulations in this district which require an area and lot width greater than the underlying minimum requirements, based on the proposed building type and the number of stories. In Special Area LL all residences ~~shall~~ must

have a minimum lot area of 5,700 square feet and a minimum lot width of 50 feet. In all other areas, the following **Table 3** describes the lot area and lot width rules that apply throughout the special district:

**Table 3: SSRDD Minimum Lot Area, Lot Width and Building Typologies for Residential Zoning Districts**

District	Type of Residence	Height (In Stories)	Minimum Lot Area (sq. ft.)	Minimum Lot Width (feet)
R1-1	Detached	1-4	9,500	100
R1-2	Detached	1-2	5,700	40
		3	5,700	50
		4	5,700	60
R2	Detached	1-4	3,800	40
R3-1	Detached	1-2	3,800	40
		3-4	3,800	45
	Semi-Detached	1-2	2,375	24
		3-4	3,800	40
R3-2	Detached	1-2	3,800	40
		3-4	3,800	45
	Semi-Detached	1-2	2,375	24
		3-4	3,800	40
	Attached	1-2	1,700	18
		1-2	2,375	24
		3-4	2,280	24
		3-4	3,800	40
R3A	Detached	1-3	3,325	35
R3X	Detached	1-2	3,800	40
		3	4,750	50
		4	5,700	60
R4A	Detached	1-3	3,325	35
R4-1	Semi-Detached	1-3	2,375	24
	Detached	1-3	3,325	35

**Yard Regulations**

SNAD. In this district, yards are Underlying zoning regulations regulate yards ~~d~~ by underlying zoning regulations. However, the CPC may grant an authorization to modify yard regulations if the proposed placement of buildings and arrangement of open space will preserve significant natural features and will not have negative effects on the light, air, and privacy of existing adjacent buildings, pursuant to ZR 105-432 (Modification of yard, height, and setback regulations, and parking location regulations).

~~SHPD. In this district, yards are regulated by u-~~Underlying zoning regulations regulate yards. However, ~~the~~CPC may grant an authorization for modification of yard regulations for any development or enlargement on a Tier II site if the modification will preserve natural features, is the least modification necessary, and the proposed development will not have negative effects on the light, air, and privacy of properties in adjacent areas, pursuant to ZR 119-318 (Authorization for modification of certain bulk regulations).

~~SSRDD. In this district, t-~~The front yard requirements of the underlying districts apply, except in the following districts, where front yards must be 18 feet deep: R2, R3, R4 and R5 districts (excluding contextual districts such as R3A districts). Required side yards increase as the height of the building increases, as shown in ~~the following table~~ (Table 4).

**Table 4: SSRDD Side Yard Requirements**

District	Type of Residence	Height (in stories)	Number of Side Yards Required	Required Total Width	Required Minimum Width of any Side Yard
R2 R3-1	detached	1-2	2	15	5
R3-2	semi-detached	3-4	2	20	5
		1-2	1	9	9
		3-4	1	15	15
R3A R4A	detached	1-4	2	15	5
R3X	detached	1-2	2	15	5
		3	2	20	8
		4	2	25	10
R4-1	detached	1-4	2	15	5
	semi-detached	1-4	1	9	9

~~The~~CPC may grant a certification for the modification of yard regulations for single- or two-family residences if certain conditions are met pursuant to ZR 107-465 (Modifications of special yard regulations for certain zoning lots). ~~The~~CPC may also grant an authorization for the modification of yard and court regulations if certain findings are met pursuant to ZR 107-62 (Yard, court and parking regulations). The authorization must be for ~~the purpose of~~ allowing proposed development to avoid steep areas and significant trees. ~~The CPC will grant authorization will be granted by the CPC~~ if the proposed buildings will not have adverse effects upon light, air, and privacy of adjacent lots.

Building setback requirements also apply along the Staten Island Railroad and to lots fronting on designated arterials and park streets as described further below.

*Height and Setback*

~~SNAD. In this district, h-~~Height and setback requirements are regulated by underlying residential zoning regulations. ~~The~~CPC may authorize modification of height and setback regulations pursuant to ZR 105-432 (Modification of yard, height, and setback regulations, and parking location regulations) if the modification will preserve significant natural features, and if the



proposed buildings will not have adverse effects upon the light, air, and privacy of adjacent buildings.

~~SHPD. In this district,~~ Tier II Sites have special height and setback regulations. In R1, R2, R3, and R4 districts, the maximum height is 36 feet; in R5 districts, the maximum height is 60 feet; and in R6 districts, the maximum height is 70 feet. ~~The CPC may authorize the modification of height and setback regulations pursuant to ZR 119-315 (Modification of height and setback regulations) if the development is not feasible without such modification, it is the least modification required, the modification allows the preservation of steep slopes and vegetation, and the proposed buildings will not have adverse effects upon the light, air, and privacy of adjacent lots.~~

~~SSRDD. In this district,~~ Height and setback requirements of the underlying regulations are modified so that buildings are limited to a height of four stories, and all other structures are limited to a height of 50 feet, unless modified by a special permit from ~~the~~ CPC pursuant to ZR 107-73 (Exceptions to height regulations). ~~In order to~~ grant the special permit, ~~the~~ CPC must find that the proposed building or structure ~~doesn't~~ does not detract from the character of the area, and that the modification permits the preservation of steep slopes, ~~designated open space~~ DOS, or outstanding views.

### *Arterial and Park Streets*

In the SSRDD, certain streets are designated as either arterial or park streets, and special regulations apply to vehicular access to each lot, setback of buildings, and landscaping. Access limitations are designed to limit traffic and pedestrian conflicts. For lots with frontage only on an arterial or park street, only one curb cut is permitted, except when additional curb cuts are granted pursuant to CPC certification 107-251 (Special provisions for arterials). For lots with frontage on an arterial or park street ~~another street,~~ the CPC may grant an authorization for additional curb cuts on the arterial or park street pursuant to ZR 107-68 (Modification of group parking facility and access regulations) if the proposed development results in a minimum of local traffic, and if traffic flow is better controlled as a result of the proposed access.

Building setbacks of 20 feet are required along arterial streets. If buildings are set back at least 35 feet, then the area in front of the building may be used for parking or loading. For park streets, special street tree rules apply, and the owner of each development abutting a park street is responsible for landscaping and maintenance of that portion of the park street located between the front lot line and the curb. These rules were among the city's first zoning rules to require street trees for new developments; today street tree planting requirements apply citywide.

### *Court and Open Space Regulations*

Court and open space regulations control the amount of space on the lot not used by buildings, and how that space is shaped by buildings and lot lines.

~~SNAD and SHPD. In these districts,~~ Courts and open spaces are regulated by underlying zoning regulations except that, for Tier II sites in the SHPD, where a private road is located on a portion of a lot, the area of the private road is excluded for the purposes of calculating open space requirements on the lot.

~~SSRDD. In this district,~~ Single- and two-family detached residences are exempt from court regulations. For one-story residential buildings that are not exempt, the area of an inner court must be at least 225 square feet and at least 15 feet wide. For taller residences, the area of an

inner court must be at least 400 square feet and at least 20 feet wide. ~~The CPC~~ may authorize the modification of yard and court regulations pursuant to ZR 107-62 (yard, court and parking regulations). The authorization must be for the purpose of allowing proposed development to avoid steep areas and significant trees. ~~The CPC will grant the authorization will be granted by the CPC~~ if the proposed buildings will not have adverse effects upon light, air, and privacy of adjacent lots.

### **PARKING AND CURB CUT REGULATIONS**

Although rules regarding the location of parking spaces can directly affect how much design flexibility exists to preserve natural features, there is no consistency among the three special districts.

*SNAD.* ~~In this district,~~ a Accessory parking spaces may be provided as curbside parking on a private road. ~~The CPC~~ may authorize modifications in parking location regulations pursuant to ZR 105-432 (Modification of yard, height, and setback regulations, and parking location regulations) if the modification will preserve significant natural features.

*SHPD.* ~~In this district,~~ locating required parking spaces ~~with~~ in a front yard is permitted in the special district SHPD, which is an exception to LDGMA rules that normally prohibit parking anywhere between the front of a residence and the street. Any parking facility with 30 or more parking spaces is not permitted without an CPC authorization. ~~The CPC~~ may authorize a parking facility with 30 or more parking spaces pursuant to ZR 119-312 (Authorization of certain uses within the Special Hillside Preservation District) if the proposed construction will not adversely affect natural topography, vegetation, and drainage patterns; if it will not impair the character of the area; and if the proposed parking facility results in a minimum of local traffic.

*SSRDD.* ~~In this district,~~ parking lots and parking garages for commercial, community facility, and manufacturing uses are limited to 30 parking spaces without CPC authorization ~~from the CPC~~. Parking areas ~~are required to~~ must be screened from adjacent lots by a landscaped strip at least ~~four~~ 4 feet wide, and from adjacent streets by a landscaped strip at least ~~seven~~ 7 feet wide, each densely planted with evergreen shrubs.

~~The CPC~~ may authorize a parking facility with more than 30 parking spaces pursuant to ZR 107-68 (Modification of group parking facility and access regulations) if the proposed parking facility results in a minimum level of local traffic. ~~The Commission CPC~~ may also permit modifications to parking lot landscaping and maneuverability requirements to preserve vegetation and natural topography.

### **APPROVALS**

#### *Certifications*

As discussed above, the following certifications by either the CPC Chair ~~of the CPC~~ or the CPC as a whole are required in certain circumstances in the existing special district regulations. Certifications are considered ~~to be~~ ministerial in nature, meaning that, ~~as with~~ like with as-of-right development, the proposal must be approved or denied based on whether or not it meets the conditions of the certification, based on facts.

*SNAD.* When it is not necessary for the applicant to apply for an authorization or special permit, ~~the CPC~~ certifies to ~~the DOB~~ pursuant to ZR 105-41 that the proposed development complies with the regulations of the special district. A certification of Restoration Plans pursuant to ZR 105-

45 is required for unauthorized removal of trees or other disturbance of the site. A certification for Future Subdivision pursuant to ZR 105-90 is required for the subdivision of a lot in the SNAD.

*SHPD.* A certification for Future Subdivision pursuant to ZR 119-04 is required for the subdivision of a lot in the SHPD. A certification for compliance pursuant to ZR 119-40 is required for trees removed or site alteration without prior CPC approval.

*SSRDD.* Certifications are required for the subdivision of a lot pursuant to ZR 107-08 (Future subdivision); for school seats pursuant to ZR 107-121 to certify there is sufficient school seat capacity for proposed residential development; for ~~Designated Open Space~~ DOS pursuant to ZR 107-22 for developments on zoning lots that contain DOS; to modify underlying rear yard regulations pursuant to ZR 107-467 (Modification of special yard regulations); in Areas D, F, or K pursuant to ZR 107-02 for developments within these special areas in the SSRDD; pursuant to ZR 107-23 (Waterfront esplanade) to develop a waterfront esplanade in areas designated per the zoning text maps in the SSRDD; for additional curb cuts on an arterial pursuant to ZR 107-251 for zoning lots with access only to an arterial streets; and to allow for substitution of plants for required tree planting pursuant to ZR 107-323 (Substitution of other plant materials).

### *Authorizations*

As discussed above, the following discretionary approvals are available to modify or waive regulations set forth in each existing special district.

*SNAD.* Authorizations are available for modification of topographic features on Tier I sites pursuant to ZR 105-421; Authorization of a development, enlargement, or site alteration on a Tier II site or portion of a zoning lot having a steep slope or steep slope buffer pursuant to ZR 105-422; Relocation of erratic boulders pursuant to ZR 105-423; Alteration of rock outcrops pursuant to ZR 105-424; Modification of botanic environment and tree preservation and planting requirements pursuant to ZR 105-425; Alteration of aquatic features pursuant to ZR 105-426; Modification of lot coverage controls pursuant to ZR 105-431; Modification of yard, height, and setback regulations, and parking location regulations pursuant to ZR 105-432; Modification of grading controls pursuant to ZR 105-433; ~~and~~ Modification of requirements for private roads and driveways pursuant to ZR 105-434; and Special district designation on Public Parks pursuant to ZR 105-91.

*SHPD.* Authorizations are available for development, enlargement or site alteration on a steep slope or steep slope buffer pursuant to ZR 119-311; Authorization of community facility uses and group parking facilities of 30 spaces or more pursuant to ZR 119-312; Modification of landscaping, tree preservation and tree planting requirements pursuant to ZR 119-313; Modification of lot coverage controls pursuant to ZR 119-314; Modification of height and setback regulations pursuant to ZR 119-315; Modification of grading controls pursuant to ZR 119-316; Modification of requirements for private roads and driveways pursuant to ZR 119-317; Modifications of certain bulk regulations pursuant to ZR 119-318 for Tier II sites or where Tier II regulations apply to modify required yards, distance between buildings and height and setback; and to allow site alterations, the construction of new park-related facilities and improvements to existing park-related facilities within public parks pursuant to ZR 119-319.

*SSRDD.* Authorizations are available for modifications to yard, court and parking regulations pursuant to ZR 107-62; Minimum distance between buildings pursuant to ZR 107-63; removal of trees pursuant to ZR 107-64; Modification of topography pursuant to ZR 107-65; Developments

Partly within ~~Designated Open Space-DOS~~ pursuant to ZR 107-661; to modify permitted obstructions, required yards and building setbacks, Use and bulk permitted in certain areas pursuant to ZR 107-67 for areas F, K, SH; Modification of group parking facility and access regulations pursuant to ZR 107-68; and Residential use in Area M pursuant to ZR 107-69.

### *Special Permits*

As discussed above, the following discretionary approvals are available to modify or waive regulations set forth in each existing special district.

*SNAD.* Special ~~P~~ermits are available for Modification of use regulations pursuant to ZR 105-441 and Natural area dedicated for public use pursuant to ZR 105-442.

*SHPD.* Special ~~P~~ermits are available for Modification of use regulations pursuant to ZR 119-321 and Special erosion and sedimentation prevention requirements for certain authorizations and special permits pursuant to ZR 119-33.

*SSRDD.* Special permits are available for Qualifications of ~~Designated Open Space-DOS~~ as lot area pursuant to ZR 107-72; Exceptions to height regulations pursuant to ZR 107-73; Modification of permitted use regulations pursuant to ZR 107-74; Modification of underlying R1-1 district regulations pursuant to ZR 107-69; Boundary adjustments in ~~Designated Open Space-DOS~~ pursuant to ZR 107-76; Community facility buildings or treatment plants permitted in ~~Designated Open Space-DOS~~ pursuant to ZR 107-77; and Other buildings permitted in ~~Designated Open Space-DOS~~ pursuant to ZR 107-78.

### **LOWER DENSITY GROWTH MANAGEMENT AREA**

Within Staten Island, the LDGMA encompasses R1, R2, R3, R4A, R4-1, C3A, C1, C2, and C4 zoning districts. Zoning lots within R4 and R5 districts containing buildings accessed by private roads are also within the LDGMA (see **Figure 2**). The paragraphs below summarize the existing regulations that the Proposed Actions would affect, including will be affected by the proposed changes and include requirements for non-residential uses within commercial districts, minimum lot area and lot width requirements, rear yard equivalents on through lots, location of required parking, and landscaping requirements between residential and non-residential uses.

### *Non-residential Land Uses in Commercial Districts in Staten Island*

In 2005, LDGMA rules were updated to address concerns about the type of development occurring in commercial districts within Staten Island. Many areas zoned for commercial use were being developed with residential-only projects, resulting in the diminishing viability of existing commercial areas and more and longer auto trips to meet everyday shopping needs for the residents of Staten Island. The 2005 rule required commercial or community facility uses with a minimum depth of 30 feet from the street on the ground floor of new buildings in commercial districts (ZR 32-433). Another rule accompanied and reinforced this rule, requiring new residential uses in ~~C~~ommercial districts to always be accompanied by a non-residential use in the same building (ZR 32-11). However, the side streets that intersect a commercial street often ~~don't do not~~ not have enough visibility to sustain commercial uses, and commercial uses ~~don't do not~~ complement complement the character of the residential side streets. In 2016, the rules in ZR 32-433 were updated to ~~only~~ require the ground floor commercial or community use along the primary retail street, and not to require it along side streets that intersect the primary street. ~~But However,~~ the 2016 update overlooked the need to amend ZR 32-11, ~~and so even on side streets in~~

Commercial districts, non-residential uses are still required to some extent in each new building even on side streets in commercial districts.

### *Lot Area*

Citywide, including in the LDGMA, lot area within the bed of a private road may be included ~~for the purpose of calculating~~ in the calculation of minimum lot area pursuant to underlying zoning rules. These underlying rules are applicable within the SHPD, SNAD, and SSRDD. This may allow more housing density than would be permitted along mapped streets.

### *Minimum Lot Width*

LDGMA rules in Staten Island require that a lot must meet a minimum width, measured on the part of the lot where the residence is located (ZR 23-32, 107-42). This rule prevents triangular-shaped lots that meet the minimum lot width at the street frontage but are too narrow ~~farther~~ farther back on the lot. However, the rules are not explicit in how this rule applies to corner lots and other lots fronting two intersecting streets.

### *Location of Rear Yard Equivalent on Through Lots*

In the LDGMA, the minimum rear yard equivalent for through lots (pursuant to ZR 23-532) may only be provided in the center of the block, ~~whereas in other Districts citywide, such requirement may also be achieved with deeper front or side yards. This requires two or more homes facing opposite streets on a single zoning lot to be separated by the equivalent of two rear yards. However, deep through-lots that were developed prior to LDGMA rules often have one home located halfway between the streets, with deep setbacks from both street lines. In other districts citywide, such requirement may also be achieved with deeper front or side yards.~~ Existing homes were constructed within these rear yard equivalents prior to LDGMA rules, and this regulation may unintentionally encourage the demolition of such existing buildings because enlargements of such homes are prohibited.

### *Regulations on Location of Required Parking*

In the LDGMA, except within the SHPD and SNAD, regulations mandate that required parking must not be located between the front of a residence and the front lot line pursuant to ZR 25-622. This rule provides additional driveway space for guest parking. However, these requirements require extensive paving for homes that are set back farther ~~farther~~ from the street than required by zoning. ~~Within~~ In the SHPD and SNAD, LDGMA rules are modified to allow required parking in the front yard (ZR 105-702, ZR 119-05) ~~in order to~~ prevent disturbance to natural features.

### *Landscaping Requirements between Residential and Non-Residential Uses*

~~With~~ In C1, C2, and C4-1 districts in Staten Island, a ~~five~~ 5-foot-wide landscaped buffer is required along "side lot lines" abutting residential uses pursuant to ZR 37-21. ~~However, n~~ No landscaping is required along rear lot lines. However, rear lot lines of commercial uses often face residential uses. ~~Also~~ In addition, no landscaping is required within C8 Districts, even though more intense land uses are permitted in C8 than in the C1, C2, and C4-1 districts currently specified in this section.

### **CROSS-ACCESS CONNECTIONS**

Cross-access connections are required for all commercial or community facility uses in C4-1, C8, M1, M2, and M3 districts in Staten Island for developments with greater than 70 percent or more

of the floor area ~~comprised~~ composed of these land uses, or enlargements in floor area or parking if the accessory parking lot has more than 36 spaces or 12,000 square feet of lot area (see **Figure 3**).

### *Site Planning of Cross-Access Connections, and Related Land Use Actions*

Developments or enlargements must provide cross-access connections to adjacent properties along any lot line ~~greater~~ longer than 60 feet where the following rules can be met:

- The cross-access drive is located a minimum of 23 feet from the nearest street line;
- The cross-access drive is an extension of a travel lane on subject site (and aligns with a travel lane on adjacent site as practicable);
- The grade of the cross-access drive is less than 15 percent;
- ~~There is a~~ No existing building blocking access is within 50 feet of the lot line;
- Constructing the cross access would not result in removal of significant natural features (such as wetlands or trees greater than 6" inches in caliper).

The CPC Chair ~~of the CPC~~ must certify that any proposed connection meets these conditions pursuant to ZR 36-592.

In the event that an access along a lot line longer ~~greater~~ than 60 feet ~~in length~~ would not meet these rules, the ~~Commission~~ CPC Chair may certify that no cross access is required (36-596), in which case, the applicant indicates that no cross access is required on the cross-access plan.

~~In the event that a~~ If a cross-access connection along a lot line ~~greater~~ longer than 60 feet could meet these rules but is otherwise impossible or feasible, ~~the Commission~~ CPC may still authorize waiving cross access or modifying rules if it finds that it would be blocked by the only feasible location for a new or enlarged building within the development site, or it is not possible to design a parking lot to use the connection ~~due to~~ because of the irregularity of the subject property.

### *Cross-Access Easement Recordation and Construction Timing*

Each potential or complete cross-access connection requires recordation of an easement pursuant to ZR 36-594.

- *Potential connection.* Where easements for cross access have not been previously recorded ~~in~~ on adjacent properties, an easement for at least one potential location meeting the rules for cross-access connections must be recorded, but it is not required to be constructed until the adjacent property triggers cross-access connection rules.
- *Complete connection.* Where an easement has been previously recorded against an adjacent property, one of the prior easements must be selected for an easement, and the connection must be constructed by both property owners.

### *Number of Cross-Access Connections within a Zoning Lot*

Each segment of a lot line ~~over~~ longer than 60 feet ~~in length~~ requires at least one potential connection or one complete connection pursuant to ZR 36-594. Such rules are logical for rectangular lots, but technically could require a multitude of potential connections on irregular lots if the boundary has a "zig-zag" shape, which may be impractical in some cases.

### *CPC Chair Certifications for Cross-Access Regulations*

The CPC Chair of the ~~CPC~~ may certify compliance with the conditions of cross-access connections regulations pursuant to ZR 36-592, or that no connection is required, and/or relocation of previously certified connections and voluntary connections pursuant to ZR 36-592 and 36-596.

### *CPC Authorization for Cross-Access Regulations*

The ~~CPC~~ CPC may grant an authorization for waivers or modifications of cross-access connections pursuant to ZR 36-597 (Authorization for waivers or modifications to cross-access connections).

## **DESCRIPTION OF THE PROPOSED ACTION**

### **F. PROPOSED LAND USE ACTIONS**

This section describes the proposed regulations and ~~provides a comparison,~~ compares them with existing regulations, and identifies any anticipated change in outcomes from the current scenario. The section is organized similar to the ~~previous~~ “Existing Zoning” section and ~~includes a description of~~ describes the location of the combined special district and its relation to ~~the~~ existing three special districts, provides an overview of the proposed review structure, ~~a description of~~ describes the regulations pertaining to protection of natural features and bulk, and describes the details of discretionary review required. Proposed changes to LDGMA and cross-access regulations are described ~~toward at~~ at the end of this section.

## **GEOGRAPHY**

The proposed special district would combine the boundaries of the three existing special districts (~~the SNAD, SHPD, and SSRDD~~ Special Natural Area District, Special South Richmond Development District, and Special Hillside Preservation District) into one combined special district, to be referred to as the ~~Special Natural Resources District~~ SNRD. Areas which ~~that~~ currently have unique regulations not shared by other special districts ~~will~~ would become sub-districts within the ~~Special Natural Resources District~~ SNRD, such as (*i.e.*, the ~~Special South Richmond Development District~~ SSRDD would become the South Richmond Subdistrict within the SNRD Special Natural Resources District (see **Figure 7**). Within the ~~Special South Richmond Development District~~ SSRDD, Areas D, F, and K would be eliminated, ~~as~~ because the regulations for these areas are outdated and no longer necessary. Special Areas LL, M, and SH would be retained and would become subareas within the proposed subdistrict. The currently mapped ~~Special Natural Area District~~ SNAD NA-1 would be combined with the ~~Special Hillside Preservation District~~ SHPD to create a new Hillside Subdistrict. The existing ~~Special Natural Area District~~ SNAD NA-2 in the Bronx would become a new Riverdale-Fieldston Subdistrict. The existing ~~Special Natural Area District~~ SNAD NA-3 would become a new Shore Acres Subdistrict. ~~The existing Special Natural Area District NA-4 would become a new Fort Totten Subdistrict.~~ Existing rules for the Fort Totten area are unique and generally unrelated to the rest of the special district, ~~and,~~ therefore, these rules ~~will~~ would be preserved within the proposed regulations. See Figure 7.

Separate from the subdistricts described above, the proposal would establish three new ecological area designations that would be applicable in all subdistricts: Escarpment Area, Resource Adjacent Area, and Base Protection Area (see **Figure 8**). Modified bulk, parking, and planting rules would apply and vary within the three ecological area designations. The

Escarpment Area would include the steep slopes of the Serpentine Ridge of Staten Island, from Historic Richmond Town to Tompkinsville; the proposed regulations for this area are aimed to balance development on private property and protect geologic and topographic features of the Serpentine Ridge. Resource Adjacent Areas would be ~~the first located within~~ 100 feet ~~of from the~~ lot line that abuts the designated natural resourced which are publicly protected lands with natural habitat, such as parklands designated by the City as “Forever Wild”. The proposed regulations for this area are aimed to balance development on private property and protect and provide a buffer from designated natural resources on protected lands. Areas neither designated Escarpment nor Resource Adjacent would be designated as ‘Base Protection; the proposed regulations for this area ~~aim to would~~ provide consistent regulations for development and preservation to contribute to the overall ecological importance of the combined special district. See Figure 8.

The ~~Lower Density Growth Management Area~~ LDGMA would continue to apply within the same geography in Staten Island (see **Figure 2**).

~~Cross-A~~ access connections updates would ~~will~~ continue to apply within the same geography in Staten Island (see **Figure 3**).

### **REVIEW STRUCTURE**

While the existing special districts require CPC approval ~~by the City Planning Commission (CPC)~~ based on a variety of factors, including proposed removal of individual trees or modification of slopes even for small properties, the proposed ~~Special Natural Resources District~~ SNRD would require CPC review ~~by the CPC~~ only for properties that are:

- ~~One~~ an acre or larger in size where a new building, enlargement, subdivision or site alteration is proposed, or,
- if smaller than ~~one~~ 1 acre:
  - where a private road is proposed to be extended or created;
  - if located in a Resource Adjacent or Escarpment Area, where four or more buildings, lots, or eight or more dwelling units are proposed; or
  - if located in a Historic District and a new building or subdivision is proposed.



Community Boards | Neighborhoods

**Riverdale-Fieldston Subdistrict**

- CB 8** ■ Riverdale  
■ Fieldston

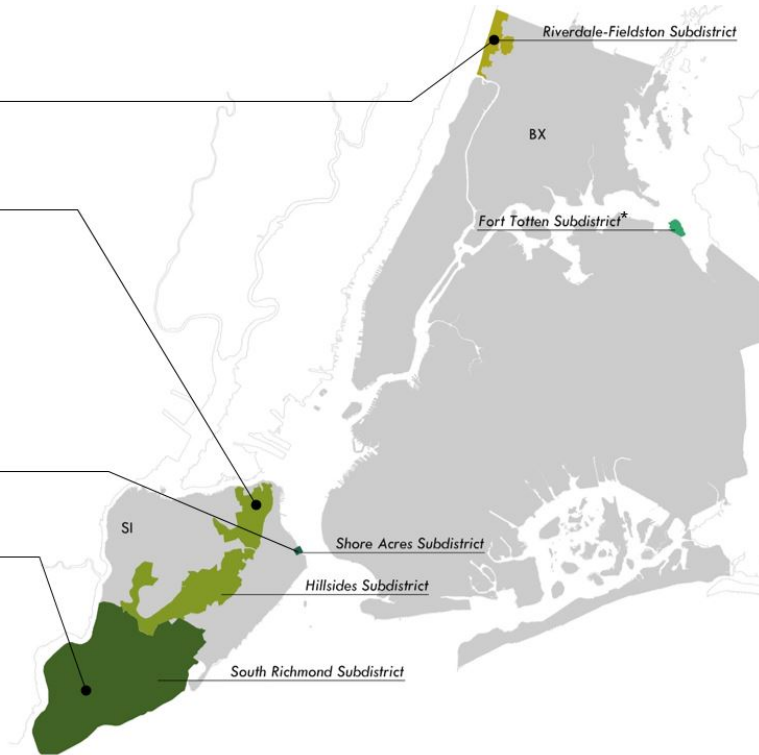
**Hillsides Subdistrict**

- CB 1** ■ Silver Lake ■ West Brighton  
■ Grymes Hill ■ Ward Hill  
■ Tompkinsville ■ Randall Manor  
■ New Brighton ■ St. George
- CB 2** ■ Todt Hill  
■ Emerson Hill  
■ Lighthouse Hill

**Shore Acres Subdistrict (CB 1)**

**South Richmond Subdistrict**

- CB 3** ■ Tottenville ■ Annadale  
■ Charleston ■ Eltingville  
■ Rossville ■ Arden Heights  
■ Sandy Ground ■ Great Kills  
■ Woodrow ■ Prince's Bay  
■ Bay Terrace ■ Richmond Valley  
■ Pleasant Plains



\*The regulations currently applicable to Fort Totten, Queens are independent from the rest of the Special Natural Area District and would remain unchanged in the proposal.

**Figure 74: Proposed Special District Boundaries and Subdistricts**



**Figure 85: Proposed Ecological Areas Based on Proximity to Natural Resources**

These p Properties that would be required to be reviewed by the undergo CPC review are referred to as “Plan Review Sites.” However, minor enlargements and minor site alterations on Plan Review Sites that meet certain proposed thresholds would not require CPC review and would be able to proceed directly to DOB. All other properties, new buildings, enlargements, subdivisions

and site alterations within the SNRD Special Natural Resources District would be able to proceed directly through the DOB. This ability to apply directly to the DOB is known as “as-of-right” development, meaning that if underlying zoning regulations and proposed special district rules are met, the plans will be approved by the DOB would approve the plans.

The proposal would remove CPC review for Bluebelt properties managed by NYC Department of Environmental Protection DEP and NYC Parks properties that is required in the existing SNAD and SHPD because these properties/projects already go through a separate public review process with the Public Design Commission.

Note that the area of Plan Review Sites would include all contiguous tracts of land under single ownership or control, including abutting zoning lots under the same ownership or control. Accordingly, the development of multiple adjacent parcels would likely entail development of a Plan Review Site.

### **PROTECTION OF NATURAL FEATURES**

The proposed zoning regulations have similar goals for preservation of natural features that would be similar to those as described within the existing three special districts today; however, the proposed rules would approach the preservation of natural features in a holistic manner to enhance the relationship between the natural features on a property and the larger ecological landscape and prioritize protection of large anchor habitats or designated natural resources. Existing properties in the special districts would apply the proposed rules ~~W~~ when new construction or significant changes are proposed within these areas, such as (e.g., an enlargement with a 20 percent increase in floor area or an increase of impervious hard surface area [areas of the site covered by a building or hard surfaces] of 400 square feet or greater), ~~they~~ These properties would be subject to all proposed planting requirements (see Table 6) to better protect and enhance these natural areas of regional importance, as well as more strictly controlled lot coverage (see Tables 7 and 8) and limits on hard surface impervious areas (Table 9) such as driveways, walkways, decks, and patios. Properties within Escarpment Areas would be subject to similar requirements and limitations. Development within the Base Protection Area ~~will~~ would be subject to ~~less stringent regulations but will have similar requirements for planting, lot coverage and impervious area thus contributing to the overall ecological importance of the special district.~~

The narrative below meeting the special district regulations by requiring similar requirements for planting, lot coverage, and hard surface area, thus contributing to the overall ecological importance of the special district. The proposed regulations for planting, lot coverage, and hard surface areas can be found in the narrative below, which describes proposed regulations under each type of natural feature and spell out highlights the differences between the current regulations wherever necessary. Unless otherwise specified, the regulations as described apply to all three ecological areas.

#### *Tree Regulations*

The goal of the proposed tree planting and preservation regulations is to encourage preservation of old growth trees and provide flexibility for development by creating as-of-right requirements for the number of trees and tree credits based on the lot area and type of development. The proposed rules for trees would apply whenever trees with trunks more than ~~six~~ 6 inches thick (6 caliper inches) are proposed to be removed, when topography is proposed to be modified, or when new impervious hard surface areas, such as a driveway, are proposed, as well as when new buildings

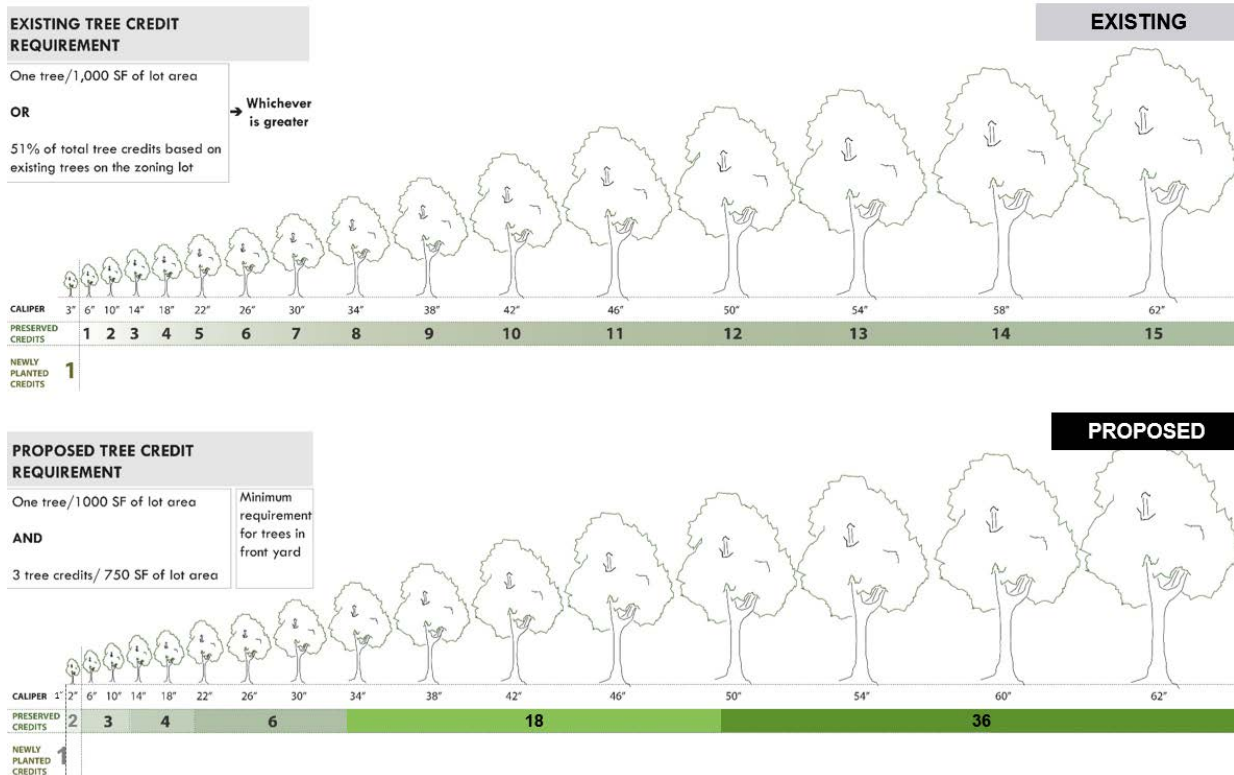
or significant enlargements are proposed. Tree requirements would continue to be determined through a system of tree credits, but the proposed rules ~~will~~ would assign a higher value to larger trees, as opposed to current credit system that increases linearly with the tree caliper inches (see Figure 9 for comparative difference in credit system between existing and proposed).

As specified in Table 5 the table, the proposed rules would encourage tree preservation by offering more credit for preserved trees than for newly planted trees, and values for the largest old growth trees would be significantly higher than under the current systems. The proposed rules would also offer more credit for trees that are native to the ecosystem (target species) to incentivize the planting of these trees, and no credit for trees that are designated as invasive species, ~~such as (e.g., Norway Maple)~~. In addition, based on ecological science that shows that stands groupings of trees have greater ecological value and resilience than individual trees, existing trees that are in groups would get 50 percent more credit than a single existing tree, and new trees planted in a group would receive 25 percent more credit than a single new tree.

**Table 5: Proposed Tree Credit System**

Individual Tree Designation	Description	Tree Credits	
		Target species	Non-target species
<b>Old Tree</b>	A preserved tree 50-inch caliper or greater, or at least 144 years of age*	36	18
<b>Mature Tree</b>	A preserved tree 34-inch caliper or greater, or at least 98 years of age*	18	12
<b>Large Tree</b>	A preserved tree 22-inch caliper or greater, or at least 62 years of age*	6	4
<b>Medium Tree</b>	A preserved tree 14-inch caliper or greater, or at least 38 years of age*	4	3
<b>Standard Tree</b>	A preserved tree 6-inch caliper or greater, or at least 24 years of age*	3	2
<b>Young Tree</b>	A newly planted tree, 2-inch caliper or greater	2	1
<b>Sapling</b>	A newly planted tree between 1 and 2-inch caliper	1	n/a

\* In cases where tree credits are determined by the age of a tree, such determination shall be made by a professional arborist.



**Figure 98: Comparison between Existing and Proposed Tree Credit System**

Properties in lower density residential districts would have to achieve higher tree credit scores than in higher density residential districts, commercial districts or manufacturing districts as specified below:

- For residential uses, one tree would be required for every 1,000 square feet of lot area. In addition, for R1, R2, and R3 zoning districts, three tree credits would be required for every 750 square feet of lot area; for R4, R5, and R6 zoning districts, two tree credits required for every 750 square feet of lot area.
- For community facility, commercial, and manufacturing uses, one tree would be required for every 2,000 square feet of lot area and 1.5 tree credits would be required for every 750 square feet of lot area.

In addition to the above requirements, for lots with at least 40 feet of frontage, ~~the location of~~ some of these trees would some of these trees would be required to be located ~~have to be within~~ the front of the home. These rules would ensure that trees are more evenly distributed around a property to support the character of tree-lined streets found throughout much of the special district. Trees in the rear portion of the lot (within 15 feet of the rear lot line) would ~~also need to~~ be preserved, except when they are within 8 feet of an existing or proposed building, ~~or,~~ would conflict with a proposed driveway, private road, or required parking space; or where too much of the tree's critical root zone (more than 30 percent) would be disturbed by structures permitted near the protected zone.

### *Critical Root Zone*

The critical root zone is an area around the tree that is critical to the tree's survival. ~~It is calculated similarly as in existing rules~~ While the proposed calculations would be similar to existing regulations (one-foot radial from the center of the tree trunk for every inch of thickness of the tree trunk), ~~except there would be no the upper limit of 22 feet as in the existing rules would be removed.~~ For instance, a 50"-inch caliper tree ~~will~~ would require 50 feet of critical root zone in the proposed regulations. ~~The proposed regulations introduce the concept of a structural root zone, which is a smaller portion of the critical root zone that should not be disturbed at all to ensure survival of the tree. In comparison, existing rules don't do not allow any impact to critical root zones of trees. These rules protect trees, but they may discourage their preservation because since no credit accrues if development needs to occur within the area of the tree's critical root zone. Ecological science indicates that trees are able to tolerate a small amount of disturbance within their critical root zones. The proposed rules would allow a portion of the critical root zone of the tree to be disturbed by proposed construction, thus encouraging the preservation of existing trees. Under the proposed rules, up to 30 percent of the critical root zone (outside the structural root zone) could be disturbed, provided that but if more than 10 percent is were disturbed, a tree protection plan would be required.~~

Parking lot landscaping rules per ZR 37-90 ~~will~~ would continue to apply and ~~will~~ would count toward the proposed regulations.

### *Biodiversity Regulations ~~Planting Rules~~*

The purpose of the biodiversity planting regulations is to protect, support, and enhance the core habitat of the large natural areas and maintain ecological connectivity between designated natural resources and habitat protected on private properties.

The proposed rules for ~~the planting of ground-level plants and shrubs would apply for when significant new construction, enlargements, or site alterations that meet certain criteria or significant changes, such as when an enlargement with a 20 percent increase in floor area or an increase of hard surface impervious area (areas of the site covered by a building or hard surfaces) of 400 square feet or greater are proposed on a lot. The proposed regulations would also limit the square footage of natural vegetation that could be removed on an existing property if the area of remaining vegetation is between 5 to 15 percent of the lot area depending on the ecological area in which that the property is located.~~

Resource Adjacent Areas would have the highest planting requirement, including a buffer planting area (with shrubs, ground cover, and canopy trees) along the lot line that abuts the designated natural resource to create a transition area between the designated natural resource and the development, ~~which helps to help~~ to help protect and enhance the core habitat and its ability to support higher levels of biodiversity across the network of natural areas. This leads to more species diversity, ~~more~~ population diversity, and ~~more~~ genetic diversity across the natural areas of New York City. The buffer is required to be 10 feet wide at the rear or 8 feet wide on the side, as applicable. For properties with existing development in Resource Adjacent Areas, the biodiversity points may be satisfied by providing planting anywhere on the property.

Escarpment Areas and lower density residential districts in the Base Protection Area would have a moderate planting requirement, resulting in approximately 10 percent of the lot being planted (not including lawn). All other areas would have a planting requirement generally resulting in about

5 percent of the lot being planted. **Table 6** details the biodiversity planting requirement and various ways to achieve the requirements:

**Table 6: Proposed Biodiversity Requirements**

Ecological Area	Land Use / Zoning District	Biodiversity Points Required
Resource Adjacent Area	All uses / all districts	6 points
Escarpment Area	All uses / all districts	4 points
Base Protection Area	Residential in R1, R2, R3	4 points
	Non-residential in R1, R2, R3	2 points
	All uses in R4, R5, R6, Commercial and Manufacturing districts	2 points
<b>Landscape Options</b>		
<b>Landscape Options</b>	<b>Biodiversity Points</b>	<b>Area Required</b>
Landscape buffer (required for Resource Adjacent Area)	5 points	10' wide or 10% of depth on the rear or 8' wide on the side lot line
Wildlife <u>Basic</u> <del>g</del> Garden	1 point	2.5% lot area
<u>Wildlife Garden</u>	<u>1 point</u>	<u>2% lot area</u>
Green <del>r</del> Roof <del>i</del> ntensive	1 point	12.5% roof coverage
Green <del>r</del> Roof <del>e</del> xtensive	1 point	15% roof coverage

For instance, to achieve six points in a Resource Adjacent lot of 100 feet x 100 feet with designated natural resource at the rear of the lot, five points are required to be achieved by planting a 10-foot-wide buffer with shrubs, ground cover, and some required trees. The remaining one point ~~can~~ could be achieved by planting a ~~250-200-square-foot~~ 250-200 square feet area wildlife garden with at least four species of shrubs and ground cover each (or 250 square feet of basic garden with shrubs and groundcover) anywhere on the property. For a 100 feet x 100 feet lot in Base Protection or Escarpment area, four points could be met in various ways—all four points ~~can~~ could be achieved by planting a wildlife garden of ~~4000-800~~ 4,000-800 square feet (or basic garden of 1,000 square feet) that ~~can~~ could be located anywhere on the lot either as a single garden or as multiple gardens as long as they meet minimum dimensional requirements. ~~Such p~~ Points can ~~could~~ also be achieved by a combination of wildlife garden, basic garden, and green roofs. Intensive green roofs have deeper soil and can sustain variety of plants, including shrubs and grasses. Extensive green roofs have shallower soil depth and can sustain various kinds of grasses, such as sedums.

Parking lot landscaping rules per ZR 37-90 ~~will~~ would continue to apply and ~~will~~ would count toward the proposed tree and biodiversity requirements.

### South Richmond Landscaping Rules

Existing special landscaping rules applicable in the ~~Special South Richmond Development District SSRDD~~, as described in the “Existing Zoning” section, would continue to apply under the proposed regulations ~~within the South Richmond Subdistrict as~~ because they are unique regulations specific to this area. ~~Special Tree planting rules that currently exist in the SSRDD that require of requiring one tree credit for every four parking spaces will~~ would be eliminated as because the proposed tree rules would result in similar requirements.

### Topographic and Geologic Resources

The proposed rules for topographic and geologic resources aim to:

- limit disturbance of steep slopes;
- reduce hillside erosion, landslides, and excessive stormwater runoff associated with development;
- incentivize placing new development and other additions to the site on the flatter portion or areas with the least significant geologic resources;
- preserve neighborhood character; and
- enhance and protect these natural features by more stringent requirements for planting, lot coverage, and limits to hard surface impervious areas on the site.

Proposed rules for sites within the Escarpment Area and Resource Adjacent Area would be allowed less lot coverage and impervious hard surface area compared to the Base Protection Areas. The lot coverage, described in Table 7 later in this section, will would be based on the steepness of the type of slope category that is being affected by any kind of encroachment that cumulatively adds to 150 square feet with more than 2 feet of cut or fill. For example, if a building is were sited on a steeper portion of the site with a slope of 85 percent or greater, the lot coverage would be limited to 12.5 percent. In addition, the maximum impervious hard surface area allowed would be linked to the amount of permitted lot coverage; for a site limited to 12.5 percent lot coverage, the proposed rules would limit lot coverage to 40 percent. The lot coverage and impervious hard surface regulations would allow for more flexibility when siting the building and making other site alterations on the flatter portion of the site.

Proposed rules would permit topographical changes as-of-right, ~~provided that as long as~~ slopes meet certain grading standards in all areas of the special district. Cut slopes would be limited to a ratio no steeper than ~~one~~ one horizontal to ~~one~~ one vertical (versus ~~two~~ two horizontal to ~~one~~ one vertical under current rules in the SNAD and for SHPD Tier II sites ~~in SHPD~~). Fill slopes would be limited to no steeper than ~~three~~ three horizontal to ~~one~~ one vertical (versus ~~two~~ two horizontal to ~~one~~ one vertical under current rules in the SNAD and for SHPD Tier II sites ~~in SHPD~~).

~~In the Under~~ existing rules, ~~there are no limits to the height of retaining walls~~ have no height limits. Under the proposed rules, any retaining walls needed to manage slopes would be limited to an average height of ~~six~~ six feet, with no point exceeding ~~eight~~ eight feet above adjacent final grade. Within 10 feet of a street, retaining walls need to be lower, with an average height of ~~four~~ four feet, with no point above ~~six~~ six feet to preserve neighborhood character.

Where slopes exceed 25 percent, topographical change would be permitted only within 20 feet of a building or ~~in order to~~ permit a driveway or a private road. Erosion and sediment controls would apply, as appropriate, in accordance with New York State Standards and Specifications for

Erosion and Sediment Control currently applicable in SNAD and Tier II sites in SHPD would be applicable to all sites in the proposed special district.

Rock outcrops and erratic boulders would be protected through a set of by rules that would function on an as-of-right basis. In the Under existing rules, any disturbance to such geologic features is only permitted through a CPC authorization, and there are no limits to how much disturbance can be allowed by the CPC. In Under the proposed rules, rock outcrops within the front yard may not be disturbed, except to permit access to the property via a driveway, private road, or walkway. Beyond the required front yard, no more than 50 percent of rock outcrops within the front portion of the lot and in the rear yard would be permitted to could be disturbed. If such a disturbance were greater than 400 square feet, a CPC authorization would be required. Such disturbance would be measured as area in plan and elevation views. Erratic boulders may be relocated, if necessary, to the front portion of the lot. These rules would provide robust and predictable protections for these dramatic natural features that are an important aspect of the character of these communities.

### *Aquatic Resources*

In general, the proposed regulations will would strengthen the preservation of significant aquatic resources with as-of-right rules for the proposed special district as compared to existing regulations where aquatic resources are not directly or consistently protected in the existing SHPD and SSRDD. The proposed zoning rules do not address tidal wetlands as they have robust oversight by the Because the New York State Department of Environmental Conservation (NYSDEC) has robust rules that govern tidal wetlands, the proposed zoning rules do not address them. However, the rules do address freshwater wetlands because NYSDEC does not have similar adjacent-area rules for this type of wetlands. An analysis of existing freshwater aquatic resources in the special districts found that there are 92 percent of wetlands regulated by the them are NYSDEC-regulated wetlands located on lots that are both less than and larger than 1one acre; these wetlands have a 100-foot adjacent area regulated by NYSDEC where development would require a NYSDEC permit. In addition, there are seven (7) percent of are non-NYSDEC wetlands located mostly on lots that are greater than 1one acre; these wetlands may be under U.S. Army Corps of Engineers (USACE) jurisdiction or not currently protected except through the special district rules.

Under the proposed regulations, small properties that are less than an acre not “Plan Review Sites” would proceed as-of-right but would be subject to special zoning rules that aim to preserve freshwater wetlands regulated by NYSDEC. All construction within NYSDEC-regulated areas regulated by NYSDEC would continue to be subject to NYSDEC approval, and the proposed regulations would not affect NYSDEC’s ability to review and approve or deny construction within regulated wetland and adjacent areas would not be affected by the proposed regulations.

NYSDEC’s 100-foot adjacent area lacks any specific development or planting regulations and are is generally guided by NYSDEC best practices on a site-by-site basis. Based on NYSDEC’s best practices, the proposed regulations for all properties, including small properties that are less than an acre not “Plan Review Sites, would aim to preserve the quality of NYSDEC-regulated freshwater wetlands by requiring a planted buffer area of natural vegetation within 60 feet of a wetland boundary to be planted with natural vegetation. Outside the planted buffer area and w Within 100 feet from the wetland boundary, the amount of lot coverage (15 percent) and impervious hard surface area (45 percent) would be limited. The lot area within wetlands and



planted buffer areas would be excluded from minimum lot area calculations, except that such minimum lot area requirements could be reduced by 10 percent. A minimum 20-foot separation at the rear, and a minimum ~~five~~5-foot separation at the side would need to be provided between planted buffer areas and residences to provide usable areas for access, maintenance, and recreation, and to avoid encroachment into buffer areas.

For ~~“Plan Review Sites—sites larger than 1 acre,~~ all aquatic features, including streams, non-NYSDEC wetlands, and ~~NYSDEC~~ freshwater and ~~DEC~~ tidal wetlands would need to be described and assessed as part of the general authorization process by ~~the~~ CPC. Properties that consist of non-NYSDEC-regulated wetlands would be subject to special zoning rules that aim to preserve these wetlands. A 30-foot planted buffer would be required for non-NYSDEC wetlands and other aquatic features. Any disturbances to these aquatic features and the associated buffer should be avoided, but if avoidance ~~isn't~~ is not feasible, as determined by ~~the~~ CPC through the authorization, then disturbance should be minimized, and protection of the aquatic resource should be provided. Similar lot coverage and ~~impervious-hard surface area~~ limitations that are described above for NYSDEC-regulated wetlands would apply to all aquatic features on Plan Review Sites.

Based on the comments received during the scoping meeting and to create consistency, as-of-right clustering regulations are proposed that apply to sites where natural features are required to be preserved. For all sites with aquatic features and DOS, as-of-right clustering rules, such as reduction of yards and minimum distance between buildings, and minimum open area are proposed to maintain substantial development potential of the site while reducing the effect of development on the aquatic resources and other natural features.

For all ~~sites—existing zoning lots~~ with aquatic features, a minimum building footprint with a permitted disturbance area for buffers and/or aquatic features would be specified to ~~ensure that all existing zoning lots subject to the proposed regulations can be developed—allow development,~~ subject to NYSDEC approval where applicable.

Potential aquatic resources are mapped. The mapping is not based on field delineations but will act as a flag for properties, similar to NYSDEC’s freshwater wetland “checkzone” maps. Aquatic resources would need to be delineated in the field for the flagged properties.

### *Controls during Construction*

In addition to proposed rules regarding erosion and sedimentation controls, an overall set of rules similar to those that currently existing in the SNAD and Tier II sites ~~in SHPD~~ would apply throughout the entire special district to preserve natural features during the construction process. These rules would require that ~~the way a site is used—use~~ during the construction process is carefully planned ~~thought-out~~ and contained so that the ecologically sensitive portions of a site are preserved. Construction fencing would be required around the critical root zones of trees and vegetation being ~~to be~~ preserved, as well as around any vegetation to be preserved, and in Escarpment Areas, slopes over 25 percent that are beyond 20 feet of a building. A construction plan, which is currently a required submission material for a CPC authorization in the special districts, including details such as locating equipment access roads, staging areas, construction fences, and preserved areas ~~will~~ would be required per the proposed zoning rules to be submitted to DOB as part of the application requirements.

### *Habitat Preservation*

The special districts contain ~~many~~ some of the largest natural areas in New York City, and ~~there are~~ many undeveloped natural areas with significant habitat remaining on private property.

The proposed rules aim to prioritize the preservation of significant natural features that are part of larger anchor habitats or have ecological connectivity with these habitats because they consist of a higher level of biodiversity with more species of plants and animals. Habitat preservation on private properties provides opportunities for ecological connectivity to the larger habitats ~~as well as bringing and brings~~ people closer to ~~the~~ nature, ~~thereby thus~~ improving human health.

Proposed rules would require that properties of ~~one~~ 1 acre or more ~~in size~~ preserve existing habitat area on site if the habitat is 10,000 square feet or larger ~~one-quarter of an acre or greater~~ in size. A habitat of at least 10,000 square feet ~~comprised of at least one quarter acre of land~~ is more likely to ~~be able to~~ survive self-sufficiently and maintain its higher level of ecological quality when development is proposed adjacent to it. Smaller pockets of habitat would not be required to be preserved. These sites, which ~~will~~ would be pre-identified, ~~will~~ would require ecological assessment of habitat before a development is designed so that the requirement ~~can~~ could be met by ~~preservation of~~ preserving the most valuable ecological areas that may also provide connectivity to the larger protected natural areas. These valuable features may include a large grouping of old-growth and native trees, wetlands, and other aquatic features.

~~Since~~ Because the area of the special districts is characterized in part by large community facility campuses, such as schools, medical facilities, or houses of worship, and because these campuses often contain large areas of natural habitat, these properties with existing habitat would be required to preserve 35 percent of the site as natural habitat. ~~These~~ habitat areas on community facility campuses serve a ~~complimentary~~ complementary function of providing passive recreation on-site for the users of the facility. For all other properties, the maximum required amount of habitat preservation area would be 25 percent.

To allow for enjoyment of these preserved natural habitats, properties that do not have a community facility would be permitted to substitute up to 5 percent of the required habitat preservation area with various amenities, depending on the use of the property. Residential properties would be permitted to offer a recreational area to help connect residents to the natural features of the preserved area. Commercial properties would be permitted to offer a publicly accessible open area, and industrial properties would be permitted to incorporate landscaping and visual buffers along the perimeter of the property.

~~In order to~~ To balance the preservation of habitat and provide public waterfront access, properties of one 1 acre or more with existing habitat that are required to provide waterfront public access per ZR Section 62-00 would be permitted to include these areas to substitute up to 5 percent of the required 25 percent habitat preservation area. Certain Guidelines would be provided to allow the modification of ~~modify~~ waterfront public access area requirements, such as the amount of supplemental public access area, width of upland connections, and other features by CPC authorization under the proposed rules.

### *Designated Open Space*

As part of the Proposed Actions, DCP proposes a zoning text map amendment that would modify the boundaries of DOS. The boundaries of ~~Designated Open Space~~ DOS in the SSRDD are ~~proposed to~~ would be clarified to indicate dimensions of DOS for predictability and adjusted or

removed through a zoning text map to align with existing context and overlap with existing areas of natural habitat. The amendment ~~to~~ would address areas of DOS that no longer serve the goals of the SSRDD Open Space Network, which include providing connections to larger DOS sites and parkland and preserving the DOS in its natural state to preserve natural areas. In some cases, DOS was mapped in small, isolated fragments over improved and unimproved mapped street sections and on existing buildings on private property ~~which~~ that do not meet the goals of the Open Space Network. In other cases, DOS is located too close to existing residential buildings, which consequently has resulted in DOS covering the entire rear yard of a small property. On these properties, where sensitive ecological features are not present, DOS boundaries ~~will~~ would be adjusted to provide a 20-foot separation between the building and the DOS, ~~in order~~ to provide a usable outdoor space that is less constrained by DOS regulations. In other cases, DOS boundaries ~~are proposed to~~ would be adjusted to take into account proposed rules for the preservation of habitat on large sites generally ~~in order~~ to better align DOS boundaries to include existing habitat areas.

Rules regarding DOS would be maintained and modified slightly to clarify procedures. Existing Chair certification that allows DOS to be used for active recreational facilities ~~will~~ would be clarified to allow such use only when it is serving five or more dwelling units and not a single residence. Existing rules allowing for delayed construction of certain improvement if a performance bond is posted would be eliminated, requiring instead that construction of public improvements be completed prior to issuance of a certificate of occupancy for new buildings affected by these rules. The proposal ~~will~~ would eliminate ~~three~~ four existing special permits applicable for sites with DOS that currently permit (1) adjustment of a DOS boundary, (2) permit community facility buildings or treatment plants in DOS and permit, (3) building encroachment into DOS, and (4) bulk modification for lots with more than 50 percent DOS. Any proposed modifications to DOS would be permitted through a zoning text amendment.

### **USE REGULATIONS**

Existing special use regulations applicable in the SSRDD would continue to apply under the proposed regulations ~~within the~~ in the proposed South Richmond Subdistrict. These rules include not permitting “zero lot line buildings,” limiting the bulk of affordable independent residences for seniors in Subarea SH and requiring the development of such residences to apply for a certification, and special regulations for residential uses in Subarea M.

### **BULK REGULATIONS**

#### *Floor Area*

The floor area regulations of the currently existing SSRDD, which limit the ~~floor area ratio~~ FAR for community facilities and provide special rules for residential uses in Subarea M, ~~would~~ continue to apply under the proposed new regulations ~~within the~~ in the proposed South Richmond Subdistrict. ~~Floor area~~ FAR for all other parts of the special districts is governed by underlying regulations and ~~is not~~ would not be affected by the proposed regulations.

#### *Lot Coverage*

The proposed lot coverage rules would ~~aim to~~ provide predictable and clear outcomes for future development and ~~would~~ apply more stringent controls based on a lot’s adjacency to important ecological features ~~(see Table 6)~~. The proposed regulations introduce the concept of lot coverage for all R1, R2, and R3 districts, including the districts that are currently governed by yard and open

space regulations. Based on the study of existing buildings in various districts, proposed rules would limit lot coverage for residential buildings in R1, R2, and R3 districts based on ~~which the~~ ecological area in which the proposed development is ~~within~~ located. As specified in ~~the table~~ **Table 7** below, sites ~~within~~ Resource Adjacent Areas or ~~within~~ Escarpment Areas would be allowed less lot coverage compared to sites ~~within~~ Base Protection Areas. In addition, buildings or any encroachment, with more than 2 feet of cut or fill, greater than 150 square feet cumulatively (when viewed in plan), affecting the ~~located on~~ steep slopes (except in the South Richmond Subdistrict, which has mostly flat topography) would be subject to tighter lot coverage restrictions in relation to the steepness of the slope. Buildings located within 100 feet of NYSDEC-regulated freshwater wetlands and all wetlands on ~~Plan Review Sites~~ sites larger than 1 acre would also be subject to lot coverage limits similar to those for Resource Adjacent Areas ~~and~~ these rules may vary by zoning district. Additionally, unlike underlying zoning regulations, which exclude buildings that are permitted obstructions in yards and open space from lot coverage calculations, the proposed rules would include all buildings in lot coverage calculations for R1, R2, and R3 districts. However, in instances, where the property is subject to limited lot coverage of 20 percent or smaller, such as in Escarpment Areas on steeply upward sloping sites (slope 25 percent or greater), garages located close to the front of the lot would be exempt from lot coverage calculations in order to encourage less encroachment within the slope.

**Table 7: Proposed Maximum Lot Coverage for R1, R2, and R3**

Resource Adjacent Area	Escarpment Area (based on slope)	Base Area
15%	85 or greater 12.5%	R1: 25% R2, R3: 30%
	65 – 84.9 15%	
	45 – 64.9 17.5%	
	35 – 44.9 20%	
	25 – 34.9 22.5%	
	10.0 – 24.9 25%	

When the proposed lot coverage results in a very small house, feasible development footprints are proposed as an exception (see ~~Table 7,~~ table below), based on the analysis of feasible developments across the low-density districts in the special district area. See Table 8.

**Table 8: Minimum Residential Footprint**

Zoning District	Min lot coverage (SF)
R1-1	1200
R1-2	800
R2, R3-1 or R3-2 (1-2 family)	700
All other zoning lots	600

For Plan Review Sites containing community facilities (such as schools, medical facilities, or houses of worship), sites that are located in Resource Adjacent or Escarpment Areas are required to have a habitat preservation area, and lot coverage would be limited to 25 percent and include buildings that are permitted obstructions in yards and open space. ~~lot coverage would be limited to 25 percent, and would include buildings that are permitted obstructions in yards and open space.~~ However, such ~~properties that are not~~ uses that are located in the Base Protection Area an Escarpment Area or Resource Adjacent Area, and do not contain a ~~preserved~~ habitat preservation area would be permitted to have a lot coverage of 35 percent.

For all other zoning districts, underlying regulations would continue to apply.

**Impervious Hard Surface Area**

Proposed regulations aim to limit the amount of ~~impervious~~ hard surface area to facilitate permeability in the special district to maintain natural ground water levels for the health of the forests and wetlands. ~~Impervious Hard surface~~ area calculations would include buildings, other structures, driveways, pathways, pools, and other paved surfaces including pervious pavers. Proposed rules would limit the amount of ~~impervious~~ hard surface area as a percentage of the lot (see **Table 8**). For residences in R1, R2, and R3 districts, the amount of ~~impervious~~ hard surface area would be linked to the amount of permitted lot coverage—the sites with the most restricted lot coverage would also have the most restricted amount of ~~impervious~~ hard surface area. The proposed rules would eliminate the existing regulations for sites with DOS pertaining to ~~impervious~~ hard surface limitations for driveways, private streets, parking spaces, and loading berths per ZR 107-45; ~~impervious~~ hard surface limitations vary by zoning district. The proposed rules would allow for sufficient flexibility with hard surface area and apply them equally to all applicable DOS sites. All other uses of property in the special district would be subject to limits on the amount of ~~impervious~~ hard surface area as well to maintain consistent requirements for development and permeability that ~~will~~ would contribute to the overall ecological health of the natural areas in the district.

Commercial districts designed for local service and sale would be permitted to have the highest amount of ~~impervious~~ hard surface coverage of the lot (**Table 9**). The proposed rule would not recognize or seek to encourage various types of pervious pavement—all forms of paving or other built structure would be combined into the same category representing “built” or “constructed” portions of the site, versus portions of the site that are natural or planted, including lawn.

**Table 9: Maximum Impervious Hard Surface Area**

Resource Area	Adjacent	Escarpment Area		Base Area
		Max Lot Coverage	Max Impervious Area	
R1, R2, R3: 45% C & M: 85%		12.5%	40%	R1: 50%
		15%	45%	R2, R3: 65%
		17.5%	45%	R4, R5, R6: 75%
		20%	50%	C4, C8 & M: 85%
		22.5%	50%	C1 & C2: 90%-95%
		25%	50%	

### *Lot Area and Lot Width*

To provide clear and predictable outcomes for sites with steep slopes and hillsides, in addition to lot coverage and ~~impervious~~ hard surface area rules, the proposed rules would require larger minimum lot areas to ensure the preservation of these areas and reduce encroachment from proposed development within sensitive natural areas.

~~Within~~ In Escarpment Areas the proposed rules would require larger minimum lot sizes. The proposed regulations would expand existing steep slope minimum lot area rules that currently apply only in the SNAD to the Escarpment Area (which also includes parts of the existing SHPD). Currently, if a lot contains steep slopes (with grades of 25 percent or more) covering more than half of the lot, the minimum lot area is 12,500 square feet. The proposal would retain a minimum lot area of 12,500 square feet in R1 districts in the Escarpment Area. This minimum lot area rule ~~will~~ would no longer be applicable in the proposed Riverdale-Fieldston Subdistrict as it is not covered by the Escarpment Area. This proposed rule ~~will~~ would be applicable more widely as ~~compared to~~ than current regulations by creating a new minimum lot area requirement of 6,250 square feet in R2 and R3 ~~D~~ districts and for single-family or two-family detached residences in R3 districts and 4,000 square feet for all other residences in R3 districts. Lots that have less than half of their area categorized as steep (more than 25 percent slope) would be able to instead use the standard underlying minimum lot sizes.

As described in the “Aquatic Resources” section, on properties with these resources and applicable planted buffer areas, these portions of the site would be excluded from minimum lot area calculations, except minimum lot area required may be reduced by 10 percent.

Special minimum lot area and lot width regulations currently applicable in the existing SSRDD would continue to apply in the proposed South Richmond Subdistrict.

### *Yard Regulations*

Special minimum yard regulations currently applicable in the existing SSRDD would continue to apply in the proposed South Richmond Subdistrict, including 18-foot front yards in non-contextual R2, R3, R4, and R5 districts, and special side yards depending on the height of the residential building. ZR Sections 107-461, 107-462, 107-463, and 107-464 would continue to apply without any substantive change.

New proposed rules would modify underlying and existing SSRDD yard regulations for the preservation of natural features. If a lot ~~is~~ were highly constrained ~~due to either being~~ because it is in a Resource Adjacent Area, ~~an~~ or Escarpment Area or contains steep slopes or nearby NYSDEC-regulated wetlands and adjacent areas, front yards could be reduced in R1 districts to 15 feet, and in R2 and R3 districts to 10 feet. In R2 through R5 districts, front yards could be reduced to 10 feet to protect a significant rock outcrop or one or more large trees of significant value ~~{of~~ at least 12 tree credits} in the back portion of the lot.

Similarly, rear yards could be reduced from 30 feet to 20 feet in R2 and R3 districts if a lot were highly constrained due to either being in a Resource Adjacent Area, ~~an~~ or Escarpment Area or contains steep slopes or nearby NYSDEC-regulated wetlands and adjacent areas. In R1 through R6 districts, rear yards could be reduced to 20 feet if a significant rock outcrop or one or more large trees of significant value ~~{of~~ at least 12 tree credits} is protected ~~in~~ of the front half of the lot.

Front and rear yard as-of-right reductions would not be permitted to be used together on the same lot. If a site has a restricted lot coverage of 20 percent or less, a garage that is located close to the front of the lot, on steeply upward sloping sites (slope greater than 25 percent), would be a permitted obstruction in the front yard ~~in order~~ to minimize disturbance of steep slope. Such garages ~~will~~ would not be counted toward lot coverage. In addition, for lots in R2 and R3 districts with steep slopes or nearby NYSDEC-regulated wetlands and adjacent areas, or for lots in all Districts in Resource Adjacent Areas and Escarpment Areas, the front yard may be measured from the tax lot line in the unimproved portion of a mapped street if the New York City Department of Transportation (DOT) has issued a waiver of curb alignment and has no plans to widen such street to its mapped width. These standards are consistent with ~~the~~ DOB practice, as documented in ~~their~~ its Bulletin on Privately Owned Mapped Streets.

To allow flexibility for existing homes on deep through-lots that were developed prior to the LDGMA and allow for additional permeability and open space in the special district, the proposed rules would allow these homes to be enlarged by using any of the three rear yard equivalents permitted elsewhere in the City to bring such existing homes into compliance and allow for their enlargement as-of-right. ~~Currently, only one option for a “Rear Yard Equivalent” is available in LDGMA per ZR 23-532, which is midway between the fronting streets. This requires two or more homes facing opposite streets on a single zoning lot to be separated by the equivalent of two rear yards. However, deep through-lots that were developed prior to LDGMA rules often have one home located half-way between the streets, with deep setbacks from both street lines. Such homes cannot be enlarged because it would be in the required rear yard equivalent thus increasing the degree of non-compliance. Under the proposed rules in the special district, any of the three rear yard equivalents permitted elsewhere in the city, could be used to bring such existing homes into compliance and allow for their enlargement as-of-right.~~

The ~~above~~ proposed modifications are aimed at providing flexibility of design in an as-of-right scenario to achieve preservation of natural features to the greatest extent possible. The Proposed Actions ~~proposal~~ will ~~would~~ not affect the amount or type of development.

### *Height and Setback*

The ~~currently~~ existing four story/50-foot height limit in the existing SSRDD would continue to apply in the proposed South Richmond Subdistrict. The proposed zoning would also include a rule that would apply to Resource Adjacent Areas and to lots with steep slopes or nearby NYSDEC-regulated wetlands to allow for an additional ~~five~~ 5 feet in the height of buildings in R1, R2, and R3 districts, to help offset for the reduced lot coverage permitted and allow the floor area to be accommodated more vertically. Under existing zoning rules, steep slopes can sometimes result in a building that complies with basic height limits appearing to be extremely tall from the rear or the side. Therefore, the proposed zoning would require that buildings in proposed Escarpment ~~Areas~~ and Resource Adjacent Areas (where additional height is permitted under the proposal) calculate the height of all sides of the building, and any side that rises more than 31 feet from ground level to roof must break up that façade by building projections, such as bay windows or recesses into the outer wall.

### *Arterial, Staten Island Rapid Transit, and Park Streets – Setbacks*

Rules regarding arterials and park streets in the existing SSRDD would be modified, ~~as follows:~~ within commercial and manufacturing districts, The required 20-foot setbacks along arterial streets in commercial and manufacturing districts would become optional (except for heavy

manufacturing uses, Use Group 16, 17, and 18), provided at least half of the front building wall is located within 15 feet of the street, is at least 50 percent transparent at the ground floor (pursuant to ZR 37-34), and the areas between the building wall and the street are planted except for local retail uses, entrances, and exits. The sidewalk at the front of the lot is required to be at least 10 feet wide.

Rules requiring buildings to be set back from the Staten Island Rapid Transit right-of-way would continue to apply. The Proposed Actions would clarify that permitted obstructions similar to yards, such as accessory parking and loading, would be allowed within such setbacks.

Park street designations would be eliminated. Regulations for park streets became outdated when the City required street trees to be installed along the frontage of all new developments. Unlike arterials, existing rules for park streets do not include building setback requirements.

### *Court and Open Area Rules*

Currently existing special court regulations in the existing SSRDD would continue to apply in the new South Richmond Subdistrict. In addition, the proposed regulations would require an open area of at least 20 feet at the rear of any residence and adjacent to ~~Designated Open Space~~ DOS or a wetland buffer surrounding a NYSDEC wetland or any other wetland in Plan Review Sites. A ~~five~~ 5-foot open area would be required between the sides of the building and either of these features.

For “Plan Review Sites” properties containing community facilities, such as schools, colleges, or universities, a special type of open area consisting of 15 percent of the lot would be required ~~in order~~ to provide active or passive recreational amenities on site, and to maintain and enhance community character in the special district. This open area would not be permitted to overlap with any required habitat preservation area, ~~nor with~~ or any required biodiversity planting area. These open areas would also not be permitted to include buildings, parking areas, driveways, private roads, walkways, or other paved areas. Paved recreational al areas would not be counted towards satisfying this open area requirement, except that active recreational al areas surfaced with artificial turf may be included, as up to 10 percent of the required 15 percent. This requirement would not apply to hospitals, medical offices, or houses of worship, which do not typically have large active or passive recreational amenities on site.

### **PARKING AND CURB CUT REGULATIONS**

The proposed regulations would modify the LDGMA requirement in the special district to allow parking (two spaces for a single-family home or three spaces for a two-family home) between the street wall and the street line, as long as parking is not located within the required front yard or at least 18 feet beyond the street line, whichever is greater, ~~in order to reduce impervious~~ hard surface coverage in the special district. In cases where homes on large lots have considerably more setback from the street than the minimum front yard depth, the existing rule requires driveways to be longer than they are elsewhere in the city, ~~and~~ L Longer driveways result in more hard surface ~~areas~~ surfaces, which may increase the volume of stormwater runoff. For example, in R1 districts, the required front yard is 20 feet, measured perpendicular to the front lot line. The two required parking spaces for a single-family home could be located anywhere on the lot beyond this front yard area—including in front of the home beyond the first 20 feet from the street.

The proposed regulations would also modify curb cut and parking location rules for lots within Resource Adjacent Areas and lots with steep slopes or nearby NYSDEC wetlands to allow more



flexible site design to avoid disturbance to slopes or other sensitive natural features. These modifications would allow parking to be located in the front yard, and located parallel to the street, either of which could minimize disturbance to steep slopes and other natural features. In addition, the proposed rules would allow parking spaces to be located on the property in the unimproved portion of a mapped street if the DOT has issued a waiver of curb alignment and has no plans to widen such street to its mapped width.

The proposed rules would restrict curb cuts along designated arterial streets in the South Richmond Subdistrict with rules similar to existing SSRDD regulations. In general, curb cuts would not be permitted for lots with access to a non-arterial street; ~~For lots with access only to an arterial street, only one curb cut would be permitted. However, additional curb cuts may be allowed for lots with access only to an arterial street with more than 100 feet of frontage, additional curb cuts could be approved with the support from if certain conditions are met and approved with support by another City agency such as DOT. For lots with more than 100 feet of frontage and having access only to a non-arterial street only one curb cut would be permitted, unless the lot has more than 100 feet of frontage and certain conditions are met and approved with support by another City agency such as DOT, additional curb cuts could be approved with the support from another city agency such as DOT, and if the Chair of the CPC certifies that there are no practical alternatives providing access to the non-arterial street.~~

In the existing SSRDD, a commercial, community facility, or manufacturing development that provides more than 30 parking spaces requires a CPC authorization. Under the proposed rules, ~~the~~ CPC would review parking circulation and vehicular access and egress in relation to sites over an acre in size, and the existing CPC authorization for parking over 30 spaces ~~will~~ would be eliminated.

The proposal would continue to maintain the inapplicability of the parking waiver (ZR 25-231) in the South Richmond Subdistrict.

### **SPECIAL RULES FOR PLAN REVIEW SITES**

Properties that are considered Plan Review Sites, such as lots ~~greater~~ larger than ~~one~~ 1 acre, and properties less than an acre where a private road is proposed to be extended or created, where four or more buildings, or lots, or eight or more dwelling units are proposed within the Escarpment Area or Resource Adjacent Area, or where a new building or subdivision is proposed within a Historic District, would be required to seek an CPC authorization ~~by the CPC~~ for any proposed development, enlargement, site alteration, or subdivision. Proposed as-of-right regulations with certain modifications would apply to such Plan Review Sites, but ~~the~~ CPC authorization would include the opportunity to apply for modifications that are discussed in the following sections with clear standards for Plan Review Sites. Plan Review Sites ~~are also~~ would also be eligible to apply for additional CPC authorizations, including approval of a long-term development site plan ~~which~~ that approaches development in phases. For phased development, there would be an associated certification or authorization confirming that later development is consistent with previously approved long-term development plans. Plan Review Sites with DOS or areas required to be preserved as natural habitat may apply for modification of the boundaries of habitat preservation area, modification of permitted residential building types, or modification of bulk regulations.

Properties with new or extended private roads would be subject to private road standards that are based on existing regulations for private roads in the SNAD and SHPD. For certain commercial uses, new buildings or enlargements on Plan Review Sites would be required to have at least half of their frontages within 20 feet of a street, and loading areas would not be permitted in front of a building. Plan Review Sites would also be exempt from triggering the need for CPC review by the CPC if the proposed enlargement is no more than 5,000 square feet and located within 15 feet of the existing building, and if any proposed site alteration consists of no more than 10,000 square feet.

## **APPROVALS**

### *Certifications*

Within the proposed South Richmond Subdistrict, the ~~proposal~~ Proposed Actions would maintain the existing ~~school seat certification, SSRDD certifications for school seats,~~ developments in DOS and for lots with a required waterfront esplanade, and ~~certification for affordable independent residences for seniors, which are currently applicable in the existing SSRDD.~~ The certifications for developments in DOS and for lots with a required waterfront esplanade that currently require a full CPC review would be changed so that the review would be certified by the CPC Chair ~~would be shifted from the full CPC to the Chair in conformance with the Department's policy for new certifications.~~ ~~A~~ The certification regarding fences in DOS is proposed to ~~would~~ be eliminated, ~~as the certification process can be avoided because similar outcomes could be achieved through~~ clear as-of-right regulations. Certifications for future subdivisions for any non-“Plan Review Sites” would be eliminated, whereas future subdivision for “Plan Review Sites,” would require an CPC authorization by the CPC.

Two new certifications would be created as part of the Proposed Actions ~~proposal~~. One would certify that a development on a Plan Review Site complies with a previously approved plan for the long-term development of a large site campus. The other would certify that, on a lot ~~ever~~ greater than an acre in size containing habitat of ~~one quarter of an~~ 0.25 acre or more, trees proposed for removal are not in an area that would be considered natural habitat.

See Appendix 1 for a complete list of certifications being eliminated or modified under the proposal.

### *Authorizations*

All Plan Review Sites would be required to apply for an CPC authorization by the CPC for any proposed development, enlargement, site alteration, or subdivision.

Permission to proceed, if granted, would be based on ~~to what the~~ extent that the project meets ~~standards the findings~~ established under the proposed regulations, including that the most significant natural features of the site have been preserved, when feasible; that any required habitat preservation area is located so as to preserve significant natural features and link connects the preserved habitat to other off-site habitats; and that vehicular and pedestrian circulation on the site is well designed and integrated with the surrounding road network. The authorization would allow the modification of regulations for private roads, parking areas, and site-planning requirements for Plan Review Sites to preserve natural features and result in a site plan that best meets the goals of the special district. ~~Optional modifications applicable in the course of this review and as a part of the authorization itself include the ability to modify standards for private roads and parking areas, site planning requirements for Plan Review Sites.~~

Plan Review Sites would have the option to ~~apply to the~~ seek authorization from CPC for approval ~~of an authorization for~~ a long-term development plan, which would establish areas of the site within which future development is proposed. If ~~the plan is approved by the Commission~~ CPC approves the plan, development within the parameters of the plan could be constructed subject to a certification or authorization, depending on how specifically the future development parameters are detailed. ~~Schematic development~~ Preliminary plan sites would be more thoroughly described in the plan, and would be able to proceed in the future by certification. ~~Long-term development plans~~ Conceptual plan sites that more loosely describe future development in the plan would need to apply for an authorization with findings that are more specifically focused than the general authorization applicable to all Plan Review Sites.

Plan Review Sites with DOS or areas required to be preserved as natural habitat would be able to apply for various authorizations that permit ~~the~~ CPC to modify various zoning rules. ~~The~~ CPC would be ~~empowered~~ permitted to modify the habitat preservation area standards to resolve site design conflicts, such as where habitat area that would normally be required to be preserved is located at the only access point to the property. To facilitate site design that better protects natural features, ~~the~~ CPC would be able to allow clustering of development by modifying the permitted residential building types, such as allowing semi-detached residences where normally only detached residences would be allowed, provided that the project is well integrated into the existing character of the surrounding area. ~~The~~ CPC would also be able to modify bulk regulations to achieve the same purpose of clustering of development to preserve natural features on the site. For residential projects, the authorization to modify bulk rules establishes limits on the extent of bulk modifications, and which types of bulk modifications can be combined. For non-residential projects, bulk modifications would facilitate the distribution of floor area, ~~impervious hard surface area,~~ and lot coverage throughout a site that may consist of multiple lots. ~~The~~ CPC would also be able to modify the special lot coverage, open area and habitat preservation requirements applicable to large community facility campuses. For all projects, ~~the~~ CPC would review parking circulation and vehicular access and egress.

Some authorizations currently applicable in the existing SSRDD would continue to apply in the proposed South Richmond Subdistrict, including ~~the~~ authorizations for affordable independent residences for seniors in Subarea SH, for residential uses in Subarea M, and to permit bulk calculations to include lands containing significant natural features donated to the City.

See Appendix 1 for a complete list of authorizations being eliminated or modified under the proposal.

### *Special Permits*

A special permit would be required for modifying the boundaries of a previously approved and established habitat preservation area. This would be permitted only where unforeseen circumstances require the modification of the boundaries, and the boundary modification has been accommodated by establishment of a new area to be preserved, or enhancing ~~ement~~ of existing habitat.

Several special permits currently applicable in the existing SSRDD would continue to apply the South Richmond Subdistrict. These include ~~allowing lots with more than half their area in DOS to calculate bulk regulations using the entire lot area and permitting buildings or other structures higher than the four-story/50-foot height limit.~~ The proposal ~~will~~ would eliminate ~~three~~ four special permits applicable for sites with DOS that currently permit adjustment of a DOS boundary, ~~permit~~

community facility buildings or treatment plants in ~~Designated Open Space (DOS)~~, bulk special permit for lots with more than 50 percent DOS, and ~~permit-building encroachment into DOS~~.

See Appendix 1 for a complete list of special permits being eliminated or modified under the proposal.

### **LOWER-DENSITY GROWTH MANAGEMENT AREA**

The Proposed Actions would modify certain sections of the LDGMA ~~which that~~ are applicable only in Staten Island to clarify and align the existing rules with the original intent of the LDGMA, which is to maintain and enhance the neighborhood character.

#### *Minimum Lot Area Proposed to Exclude Private Roads*

Throughout the LDGMA, the proposal would update ZR 23-32 to exclude private roads and associated planting strips and sidewalks from the calculation of minimum lot area to preserve neighborhood character, similar to existing regulations ~~as is currently regulated in the existing SHPD~~. Currently, portions of lots that include private roads are permitted to be included when calculating minimum lot area in the existing SNAD and SSRDD. The proposed change could result in fewer lots, thus slightly reducing the density of development. However, maximum floor area would remain the same.

#### *Minimum Lot Width on Lots Fronting Two Streets*

A proposed clarification to the zoning reflects the intent of the original LDGMA rules regarding development on irregular corner lots or other lots fronting two non-parallel streets, and is not meant to change reasonable implementation of the zoning resolution. LDGMA regulations currently require that any new building be located only on a portion of the zoning lot where the minimum lot width requirement is met, specifically between opposing side lot lines, which is a defined term in zoning. Proposed zoning would clarify that lot width measurements be measured between any side lot line and its opposing lot line in an LDGMA.

#### *Permitted Uses on Ground Floor Fronting Side Streets along Commercial Corridors*

To discourage inappropriate residential development, the 2006 Lower Density Commercial Text Amendment (060066 ZRR) requires development within commercial districts or overlays to be in mixed-use buildings if any residential use is proposed (ZR 32-11), and similarly, to have commercial or community facility uses on ground floors (ZR 32-433).

However, side streets intersecting with commercial corridors historically have detached residences within the commercial overlay. The original rule required new buildings to include commercial on the ground floor ~~GF~~ within the entire width of the overlay, which is out of character for developments located on residential side streets. In 2016, the rules in ZR 32-433 were updated to only require the ground floor commercial or community use along the primary retail street, and not to require it along the side streets that intersect the primary street. ~~But t~~ The 2016 update overlooked the need to amend ZR 32-11, and so even on side streets in Commercial districts, non-residential uses are still required to some extent in each new building on side streets in commercial districts.

This proposal removes the requirement for mixed buildings (ZR 32-11) in all commercial overlays, so that ZR Section 32-433 will solely govern commercial uses along primary commercial corridors and residential side streets, ~~in order~~ to preserve the neighborhood characters of both.

### *Landscaped Buffer between Commercial and Residential Uses*

Within C1, C2, and C4-1 districts within Staten Island, ~~five~~ 5-foot-wide landscaped buffers are required along the side lot lines of a lot containing non-residential uses bordering a zoning lot with residential uses. However, the CPC report (N 060066 ZRR) indicated an intent to apply the same landscaped buffer along both side and rear lot lines. The text ~~will~~ would be modified to include rear lot lines, according to the original intent described for the LDGMA, and apply to C8 commercial districts as well.

In similar regard for residential neighborhood character, the same landscaped buffer would be required along a street line without a street wall building with at least 50 percent window area, typical of a storefront that is across the street from a zoning with a residential use.

These landscaping requirements would only establish new minimum planting or landscaping standards, ~~not~~ and would not be in addition to other landscaping rules. For example, citywide zoning already requires commercial lots along district boundaries between commercial and residential districts to have an 8- or 15-foot-wide open area in which storage is prohibited (ZR 33-29). In these open areas, no planting or landscaping is currently required. This rule would simply require landscaping within such open area.

### **CROSS-ACCESS CONNECTIONS**

The proposed rules ~~do~~ would not change the land uses or zoning districts for which cross-access connections are required. Currently, a Chair Certification is required to demonstrate that cross-access connections are meeting the rules. The proposed requirements and conditions ~~will~~ would be clarified ~~and allow~~ so that cross access ~~to~~ could be provided as-of-right. ~~For sites requiring CPC review for other land use actions, the location of proposed cross-access connections would also be subject to review.~~ The existing land use action to certify that no connection is required would be modified to be as-of-right for certain situations under the proposal as described below under the proposal as described below.

The current rules require a vehicular cross-access connection along every lot line for a commercial or community facility use. ~~In order to~~ To reduce redundancy of connections and ~~to~~ avoid creating unforeseen travel routes, the proposed rules would require only one connection to each adjacent lot ~~fronting the same street or an intersecting street~~.

The proposed rules would promote more potential cross-access connections where, under current rules, they may be waived by the Chair. The current rules allow cross-access connections to be waived if there is a building within 50 feet of the proposed development or if there is a grade change of 15 percent. Considering that impediments to potential cross-access connections may not be a concern for adjacent properties if ~~these~~ they are redeveloped in the future, the proposed rules would allow for potential cross access even with the existence of a building on the adjacent property within 50 feet, or if there is an excess of 15 percent grade change. Under existing rules, cross access may be waived due to the existence of a tree; the proposed rules would not waive cross-access connections for trees to prevent impeding connections from the trees that are usually replanted when parking lots are constructed ~~clarify a threshold for existing trees that must be on the property in order to waive a potential cross-access connection, so that a single tree would no longer necessarily impede the creation of a connection.~~

Since pedestrian cross-access connections are more feasible than vehicular connections in some development scenarios, the proposed rules would allow for pedestrian-only connections in certain

instances where vehicular connections are not feasible. The proposed rules would also facilitate a wider cross-access connection for both pedestrians and vehicles, similar to how a sidewalk flanks a street.

~~In order to prevent requiring connections that were not originally intended when cross-access rules were adopted, the rules will be clarified for certain uses or for sites that have greater security requirements. Further clarifications would be made to rules for notice requirements, when a waiver is allowed because of site layout that does not have a parking lot along a lot boundary, and in addressing situations involving a habitat identified for Plan Review Sites in the SNRD.~~

### *Commission Chair Certifications*

A Commission Chair Certification would no longer be needed to certify that a proposed potential or completed cross access connection meets rules. Current Commission Chair certifications to voluntarily create a connection or relocate a previously connection would be eliminated, ~~as~~ because any connection that meets rules could be created as-of-right.

~~If no cross access could be created due to because of the existence of wetlands, significant number and caliper of trees or other habitat identified for Plan Review Sites, or would be too steeply sloped, the applicant would need DOB commissioner certification that no cross access is required, instead of requiring Commission Chair Certification in under current rules. If the cross-access connection is were blocked by a building within the subject zoning lot or property or had a geometry and elevation that would render it difficult to build a feasible connection, such connection could be waived for smaller open parking lots as-of-right, the Commission Chair would still be needed to certify that a cross access connection is not required.~~

Currently, there is no option to record a feasible connection which does not comply with all cross-access rules. To specifically allow an alternative cross-access connection that does not meet rules (if other connections are not feasible), a new Chair certification would be created that allows such an alternative cross access (if determined to be possible) as long as the Commission finds that turning diagrams and ground clearance diagrams indicate that vehicles can maneuver safely between the parking lots, and such cross-access connections are adequately located so as not to impair adequate ingress, egress, and circulation with respect to abutting streets or uses.

### *Authorizations*

The existing authorization to waive or modify rules ~~due to because of~~ an irregular lot or infeasible site plan would will remain. ~~It will be further amended to specifically also allow an alternative cross access connection that does not meet rules, as long as the Commission finds that it that turning diagrams and ground clearance diagrams indicate that vehicles can maneuver safely between the parking lots, and such cross access connections are adequately located so as not to impair adequate ingress, egress and circulation with respect to abutting #streets# or #uses#.~~

## **G. ANALYTIC FRAMEWORK**

### **EFFECTS OF THE PROPOSED ACTIONS**

The Proposed Actions are not expected to change the rate of growth, which is controlled primarily by the supply of developable land and the local supply of skilled professionals in the construction industry. In addition, the Proposed Actions are not anticipated to change the overall amount, type, and location of development in the affected area. As such, the type and distribution of

development across the affected area as a result of the Proposed Actions are expected to track historic trends.

Development affected by the Proposed Actions is projected based on trends between 2006 and 2015. In the 10 years from 2006 to 2015, 2,737 new housing units were constructed within the three special districts, which is about 5 percent of the total number of lots in the special districts. This rate of housing development is similar to the rate outside the special districts in Staten Island, which is 4 percent. In the Bronx, between 2012 and 2017, DOB issued 59 permits for new residential buildings and enlargements in NA-2, representing an average of approximately 10 permits per year or approximately 1 percent of NA-2 properties annually.

Development in the future with and without the Proposed Actions is assumed to mirror these recent historical development patterns. As such, approximately 3,000 new housing units would be constructed in the SNRD from 2020 through 2029.

However, because the current regulations require many small properties to go through CPC review, the Proposed Actions would result in a reduction of more than 66 percent in the number of applications requiring CPC review, based on data analysis of applications to CPC in the three special districts from 2012 to 2017. Applications not requiring CPC review would proceed directly to DOB for building permits and confirmation of zoning regulation compliance. This would ease the process for homeowners by eliminating CPC review, where appropriate.

## **ENVIRONMENTAL REVIEW**

The basis for environmental review is the comparison between a future in which the Proposed Actions are not implemented (the No Action scenario) and the future with the Proposed Actions (the With Action scenario). This framework, the RWCDs, is used as the basis for analysis for assessing the potential environmental impacts of a proposed action. The RWCDs takes existing conditions and adds known or projected changes to arrive at a reasonable estimate of future conditions in both the No Action and With Action scenarios.

Consistent with 2014 CEQR Technical Manual guidelines, a RWCDs was developed for the Proposed Actions. ~~The Proposal Actions are is are being analyzed in this Draft Scope of Work as a “generic action” because there are no known developments that are projected at this time. According to the CEQR Technical Manual, generic actions are programs and plans that have wide application or affect a range of future alternative policies; and for such actions, a site-specific description or analysis is not appropriate. As described in the CEQR Technical Manual, generic analyses are conducted using the following methodology:~~

- **Identify Typical Cases:** Provide several descriptions similar to those in a localized action for cases that can reasonably typify the conditions and impacts of the entire proposal.
- **Identify a Range of Conditions:** ~~A discussion of~~ Discuss the range of conditions or situations under which the action(s) may take place, so that the full range of impacts can be identified.

~~Due to~~ Because of the broad applicability of the Proposed Actions, it is difficult to predict the sites where development would occur ~~be facilitated by the Proposed Actions.~~ In addition, the proposal is not in-and-of-itself expected to induce development where it would not have occurred absent the Proposed Actions. While the proposal may change the proportion of sites proceeding as-of-

right, the overall amount, type, and location of development within the affected area is not anticipated to change. ~~Owing to~~ Because of the generic nature of this action, there are no known or projected ~~as-of-right~~ development sites identified as part of a the RWCDs.

To produce the RWCDs framework ~~a reasonable analysis of the likely effect of the Proposed Actions~~, 16 representative ~~prototypical developments have been~~ sites were identified. These prototypical analysis sites serve as an analysis tool to demonstrate the wide range of how the proposed regulations for sites that will be able would apply to sites that would be able to develop as-of-right in the With Action scenario future. Prototypical analysis sites are shown in Appendix 2. These sites ~~will~~ are used to assess the effect of changes to proposed regulations (including elimination of existing discretionary actions), in which the development would proceed as-of-right ~~in the future under the~~ With-Action scenario condition. ~~(Seven of these 16 representative prototypical developments have been analyzed for this Draft Scope of Work, as shown in the appendix).~~ In addition, ~~Conceptual Analysis sites were identified for those sites where development would require discretionary action in the future~~ With-Action condition. This ~~Conceptual Analysis will serve as a means of disclosing the potential impacts of the proposed discretionary actions for Plan Review Sites, which shall be subject to new or different future environmental review under the Proposed Action.~~

~~Development affected by the proposal is projected based on trends between 2006 and 2015. The development assumptions in the future with and without the proposed action mirror recent historical development patterns. In the 10 years from 2006 to 2015, there were a total of 2,737 new housing units constructed within the three special districts, which is about 5% of the total number of lots in the special districts. This rate of housing development is similar to the rate outside the special districts in Staten Island, which is 4%. The Proposed Action is not expected to change the rate of growth, which is controlled primarily by the supply of developable land and by the local supply of skilled professionals in the construction industry.~~

Under CEQR, a conceptual analysis is warranted when a proposed action introduces new discretionary actions that could be sought at a later time. Because the Proposed Actions would modify or introduce discretionary authorizations and special permits, a conceptual analysis has been provided. Conceptual analysis sites were identified for certain sites with certain characteristics where future development would require a separate, future, discretionary approval that is newly created by the Proposed Actions. This conceptual analysis serves as a means of disclosing the potential impacts of the proposed discretionary actions for Plan Review Sites, which would be subject to new or different future environmental review under the Proposed Actions.

### *Prototypical Analysis Sites*

To assess the possible effects of the Proposed Actions, an RWCDs was developed for the future without the Proposed Actions (No Action scenario), and the future with the Proposed Actions (With Action scenario) for a 10-year period. The incremental difference between the No Action and With Action scenarios will serve as the basis for assessing the potential environmental impacts of the Proposed Actions.

To determine the No Action and With Action scenarios, standard methodologies were used pursuant to the CEQR Technical Manual to identify the amount and location of future development, as discussed below.



The Proposed Actions ~~will~~would affect 18 zoning districts located within three existing special districts (~~HS~~the SHPD, SNAD, and SSRDD), which, under the Proposed Actions, ~~will~~would be mapped within three future ecological areas (Escarpment, Resource Adjacent, and Base Protection) of the proposed special district. ~~Approximately, Changes in the special district rules could affect 1,003 properties in the Bronx and 53,434 properties in Staten Island could be potentially affected through changes in the special districts rules. Approximately, LDGMA changes could affect 136,156 properties, which would also be~~ may be affected by LDGMA changes. These properties would also include the properties affected by the special district rules in Staten Island. The changes in cross-access regulations will ~~would~~ affect approximately 3,544 properties, some of which overlap with both LDGMA and special district changes in Staten Island. As illustrated shown in Table 10, the following a range of sites were selected as prototypes for environmental analysis for No Action and With Action scenarios that are intended to represent the range of conditions affected by the Proposed Actions.

Using the methodology described below, site location, lot characteristics, and development typology were assigned to each prototype to identify typical cases and the range of conditions. The characteristics listed below were analyzed to determine the combination of zoning district, current special district, and proposed ecological subarea designations to create hypothetical site locations where the effects of the proposed regulations could be assessed (prototypical analysis sites). After site location characteristics were established, recent development trends were used to illustrate the range of how the Proposed Actions would affect different building types. Lot characteristics were established using the methods described below. These sites are not intended to illustrate a specific lot, but they reflect prevalent conditions as a basis for analysis. Current and proposed regulations were then applied to each prototypical analysis site to establish the No Action and With Action scenarios to be assessed.

~~The characteristics listed below were analyzed to determine the combination of zoning district, current special district, and proposed ecological subarea designations to create hypothetical sites where the effects of the proposed regulations could be assessed (Prototypical Sites). As described below, these sites are not necessarily representative of a specific lot, but rather reflect prevalent conditions as a basis for analysis. These prototypical sites were then analyzed for representative recent development trends to determine the development scenario to be assessed:~~

To determine site location and development typology for the prototypical analysis sites, DCP:

- determined the number and prevalence of each Zoning District within existing special districts and proposed ecological areas;
- used the percentage of unbuilt lots within a given zoning district and corresponding special district to approximate the areas where future development is most likely to occur;
- considered zoning districts that permit a reasonable range of building typologies and development scenarios; and
- analyzed building permits issued by DOB between 2006 and 2017 to estimate development typology (e.g., single-family, multifamily, mixed use) most likely to occur in each zoning district.

To determine lot characteristics for the prototypical analysis sites, DCP conducted the following analyses.

- Based on the median lot area, width, and depth of all unbuilt lots within a selected prototype's zoning district and ecological area, DCP considered whether those lots would be included in the prototypical analysis. All lots larger than 1 acre were excluded from this analysis because they would be subject to discretionary review in the With Action scenario and analyzed through conceptual analysis.
- Based on the site location characteristics, characteristics of natural features such as trees and habitat were selected based on a range of criteria, including visual assessment of vacant sites within a given geography, site surveys of recent applications before DCP, and aerial and street view imagery.
- As defined by the proposed zoning framework, lots within the Escarpment and Resource Adjacent areas are characterized by a greater presence of sensitive natural features. Therefore, the base conditions for prototypical analysis sites in these areas contain a greater number of trees and greater topographic variation.

Consideration of the development typology, including size and location of buildings, layout of required parking, and front and rear yard amenity, was determined by:

- reviewing recent applications before the DCP within the existing special districts;
- determining the median lot coverage, floor area, and building height throughout various neighborhoods in the existing special districts; and
- using aerial and street view photography.

Once prototypical analysis sites and characteristics were selected, the No Action and With Action scenarios were developed for each prototype.

For the purpose of the No Action scenario, it is assumed that each prototype would maximize allowable development permitted under the existing zoning. Because the existing special districts include various discretionary actions that are required for certain types of development, those actions are not assumed to be granted in the No Action scenario. For example, because the alteration or modification of natural features outside the construction zone require discretionary approval, amenities located outside the construction zone are not assumed to be granted in the as-of-right No Action scenario. Additionally, sites within the existing SNAD and SHPD may demonstrate a No Action scenario in which there is no feasible as-of-right development because any development on a lot containing only steep slopes requires CPC authorization. The No Action scenario may include Chair or CPC certifications because these actions are considered ministerial in nature. If the site meets the criteria for the certification, the analysis assumes that the certification would be granted under the No Action scenario.

For this analysis, it is assumed that, in the With Action scenario, prototypical analysis sites would develop to the greatest extent possible by maximizing floor area, lot coverage, and hard surface

area pursuant to the proposed regulations. Unless otherwise noted, development maximizes accessory parking and front and rear yard amenities (e.g., patios, decks, swimming pools) on each site that could occur on an as-of-right basis under the Proposed Actions.

Because the proposed special district would change the methods and regulations for planting, trees, and development within areas of steep slope on a site to better encourage the preservation of existing trees and minimize impacts in areas of steep slope, the location of large caliper trees and other natural features is also considered in determining the location and size of the proposed buildings and yard amenities. Within the RWCDS, this may result in buildings that do not fully maximize the development potential in some cases because the alteration of additional natural features may lead to a development scenario that is not aligned with development trends in the area.

Prototypical analysis sites are listed in **Table 10** and shown in Appendix 2.

~~Determining the Range of Zoning Districts and range of representative developmental typologies~~

- ~~• The total number of lots included within each of the zoning districts and their corresponding prevalence within the existing Special Districts and proposed ecological areas in which they will occur;~~
- ~~• The percentage of unbuilt lots within a given zoning district and corresponding special district was used to approximate the areas where future development is most likely to occur;~~
- ~~• Zoning Districts which permit a reasonable range of building typologies and development scenarios; and~~
- ~~• Building permits issued by the Department of Buildings between 2006 and 2017 were analyzed to estimate development prevalence by zoning district.~~

~~Determining Lot Characteristics~~

- ~~• The median lot area, width and depth of all unbuilt lots within a selected prototype zoning district and ecological area. All lots over one  $\frac{1}{2}$  acre were excluded from this analysis as they will be considered "Plan Review Sites" in the With Action scenario and will be analyzed through Conceptual Analysis;~~
- ~~• Based on the existing special district and proposed ecological area of the site, characteristics of natural features were established based on a range of criteria, including: visual assessment of characteristics of vacant sites within a given geography, site surveys of recent applications before the Dept. of City Planning, aerial and street view imagery;~~
- ~~• As defined by the proposed zoning framework, lots within the Escarpment and Resource Adjacent subareas are characterized by a greater presence of sensitive natural features. Therefore, the base conditions for prototypical analysis sites within these areas contain a greater number of trees and greater topographic variation.~~

~~Development Typologies and Characteristics~~

~~Consideration of the development typology, including size and location of buildings, layout of required parking, and front and rear yard amenity, was determined through:~~

- ~~The review of recent applications before the Dept. of City Planning within the existing Special Districts;~~
- ~~Analysis indicating the median lot coverage, floor area, and building height throughout various neighborhoods within the existing Special Districts; and~~
- ~~The use of aerial and street view photography.~~

~~For the purpose of this analysis, it is assumed that in the With Action condition, prototypes would develop to the greatest extent possible by maximizing floor area, lot coverage, and impervious area on each site. Unless otherwise noted, this includes the greatest degree of accessory parking, front and rear yard amenity (patios, decks, swimming pools) will be developed on each site that could occur on an as-of-right basis under the Proposed Action.~~

~~As the Proposed Special District substantially changes the methods and regulations for planting, trees, and development within areas of steep slope on a site to better encourage the preservation of existing trees and minimize impacts in areas of steep slope, the location of large caliper trees and other natural features is also considered in determining the location and size of the proposed buildings and yard amenities. Within the RWCDS this may result in buildings that do not fully maximize the development potential in some cases, as the alteration of additional natural features may lead to a development scenario which is not aligned with development trends in the area.~~

~~For the purpose of the No Action scenario, it is assumed that each prototype would develop the largest as-of-right building permitted under the existing zoning. This provides a baseline for analysis of the effect of the Proposed Action. However, the existing Special Districts includes various discretionary actions which are required for the alteration or modification of natural features outside of the construction zone (15 feet in HS & SNAD; 8 feet in SSRDD) for each building. Therefore, amenities located outside of the construction which often require authorization by the City Planning Commission are not assumed to be granted in the as-of-right No Action scenario. Additionally, sites within the existing Special Natural Area and Hillside Preservation Districts may demonstrate a No Action scenario in which there is no feasible as-of-right development due to the fact that any development on a lot containing only steep slope requires the authorization of the City Planning Commission. The No Action scenario may include Chair or CPC certifications, as these actions are considered ministerial in nature. If the site meets the criteria for the certification, the analysis assumes that the certification would be granted under the No Action scenario.~~

<i>ID</i>	<i>Zoning District</i>	<i>Current Special District</i>	<i>Proposed Ecological Area</i>	<i>Typology (1F = one-family; 2F = two-family)</i>	<i>Lot Area (sf)</i>	<i>Width (feet)</i>	<i>Depth (feet)</i>
<b><i>Residential Sites</i></b>							
1	R3A	HS	Base Protection	2-F Detached	4000	40	100
2	R5	HS	Base Protection	1-F Attached	2500	25	100
3	R1-2	SNAD (BX)	Base Protection	1-F Detached (enlarge)	6000	60	100
4	R3-1	SRD	Base Protection	1-F Semi Detached	2500	25	100
5	R3X	SRD	Resource Adjacent	1-F Detached	6500	65	100
6	R1-1	SNAD	Escarpment	1-F Detached Subdivision	39000	300	130
<b><i>Non-Residential Sites</i></b>							
1	C1-1	SRD	Base	General Retail	42000	210	200

**Table 10: Prototypical Site Selection**

<u>ID</u>	<u>Zoning District</u>	<u>Current District</u> <u>Special District</u>	<u>Proposed Ecological Area</u>	<u>Typology (1F = one-family; 2F = two-family)</u>	<u>Lot Area (Square Feet)</u>	<u>Width (feet)</u>	<u>Depth (feet)</u>
<u>1</u>	<u>R3A</u>	<u>SHPD</u>	<u>Base Protection</u>	<u>2-F Detached</u>	<u>4,000</u>	<u>40</u>	<u>100</u>
<u>2</u>	<u>R5</u>	<u>SHPD</u>	<u>Base Protection</u>	<u>1-F Attached</u>	<u>2,500</u>	<u>25</u>	<u>100</u>
<u>3</u>	<u>R1-2</u>	<u>SNAD (BX)</u>	<u>Base Protection</u>	<u>1-F Detached (enlarge)</u>	<u>6,000</u>	<u>60</u>	<u>100</u>
<u>4</u>	<u>R3-1</u>	<u>SSRDD</u>	<u>Base Protection</u>	<u>1-F Semi Detached</u>	<u>2,500</u>	<u>25</u>	<u>100</u>
<u>5</u>	<u>R3X</u>	<u>SSRDD</u>	<u>Resource Adjacent</u>	<u>1-F Detached</u>	<u>6,500</u>	<u>65</u>	<u>100</u>
<u>6</u>	<u>R1-1</u>	<u>SNAD</u>	<u>Escarpment</u>	<u>1-F Detached Subdivision</u>	<u>39,000</u>	<u>300</u>	<u>130</u>
<u>7</u>	<u>R2</u>	<u>SHPD</u>	<u>Base Protection</u>	<u>1-F Detached</u>	<u>4,500</u>	<u>45</u>	<u>100</u>
<u>8</u>	<u>R1-1</u>	<u>SNAD</u>	<u>Base Protection</u>	<u>1-F Detached</u>	<u>12,000</u>	<u>120</u>	<u>100</u>
<u>9</u>	<u>R3X</u>	<u>SSRDD</u>	<u>Base Protection</u>	<u>1-F Detached</u>	<u>5,000</u>	<u>50</u>	<u>100</u>
<u>10</u>	<u>R1-2</u>	<u>SNAD</u>	<u>Resource Adjacent</u>	<u>1-F Detached</u>	<u>8,000</u>	<u>80</u>	<u>100</u>
<u>11</u>	<u>R2</u>	<u>SHPD</u>	<u>Escarpment</u>	<u>1-F Detached</u>	<u>6,325</u>	<u>55</u>	<u>115</u>
<u>12</u>	<u>R3X</u>	<u>SSRDD</u>	<u>Resource Adjacent</u>	<u>2-F Detached</u>	<u>15,000</u>	<u>150</u>	<u>100</u>
<u>13</u>	<u>R3X/C1-1</u>	<u>SSRDD</u>	<u>Base Protection</u>	<u>General Retail</u>	<u>42,000</u>	<u>210</u>	<u>200</u>
<u>14</u>	<u>R3-2/C1-1</u>	<u>SSRDD</u>	<u>Base Protection</u>	<u>Mixed Use (Commercial/ residential use)</u>	<u>10,000</u>	<u>100</u>	<u>100</u>
<u>15</u>	<u>R3X</u>	<u>SHPD</u>	<u>Base Protection</u>	<u>Mixed Use (Community Facility and residential use)</u>	<u>6,000</u>	<u>60</u>	<u>100</u>
<u>16</u>	<u>M1-1</u>	<u>SSRDD</u>	<u>Base Protection</u>	<u>General Retail</u>	<u>30,000</u>	<u>150</u>	<u>200</u>

**Conceptual Analysis**

As ~~Because~~ the Proposed Actions would create new discretionary actions to be considered by the City Planning Commission ~~CPC~~, an assessment of the potential environmental impacts that could result from these actions within the proposed special district is warranted. However, because it is not possible to predict whether a discretionary action would be pursued on any one site in the future, the RWCDs for the Proposed Actions does not include consideration of specific development that would seek these actions. Instead, a conceptual analysis ~~will be~~ is provided to understand how the new discretionary actions could be ~~utilized~~ used and to generically assess the potential generic environmental impacts that could result. However, all potential significant, adverse impacts related to these future discretionary actions would be disclosed through environmental review at the time of application should these actions be sought in the future. These scenarios ~~shall~~ would include, but are not limited to:

- development on zoning lots greater than ~~one~~ 1 acre in lot area (residential and commercial development) ~~that would be subject to preservation area requirements of the proposed special district if there is an existing habitat on site;~~
- ~~The development of a Campus Plan~~ establishment of a development plan for large institutional community facility campuses;
- development on waterfront lots with NYSDEC freshwater wetlands;
- ~~The~~ subdivision of an existing zoning lot that would result in the creation of ~~more than four~~ or more new buildings, zoning lots, or eight or more new dwelling units in Resource Adjacent or Escarpment Areas; ~~and~~
- when a new building or subdivision is proposed in a historic district; and
- ~~The~~ development or extension of a residential private road.

To provide a qualitative assessment of these new or modified discretionary actions, five hypothetical sites were identified to provide a conceptual analysis (conceptual analysis sites). Methodology similar to the prototypical analysis sites described above was used to determine site and lot characteristics, and development assumptions for the No Action and With Action scenarios. These conceptual analysis sites are summarized in Table 11. Detailed descriptions of each conceptual site, including illustrative site plans, will be provided in Appendix 3 of the EIS.

**Analysis Year**

The 2014 CEQR Technical Manual notes that for some actions where the build-out depends on market conditions and other variables, the build year cannot be determined with precision. In these cases, a 10-year build year is generally considered reasonable, ~~as~~ because it captures a typical cycle of market conditions and generally represents the outer timeframe within which predictions of future development may usually be made without speculation. Therefore, an analysis year of 2029 has been identified for this environmental review.

**Table 11: Conceptual Site Selection**

<u>ID</u>	<u>Zoning District</u>	<u>Current Special District</u>	<u>Proposed Ecological Area</u>	<u>Typology (1F = one-family; 2F = two-family)</u>	<u>Lot Area (Square Feet)</u>
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<u>1</u>	<u>R3X</u>	<u>SSRDD</u>	<u>Resource Adjacent</u>	<u>4-Lot Subdivision</u>	<u>30,000</u>
<u>2</u>	<u>R3X</u>	<u>SSRDD</u>	<u>Base Protection Area</u>	<u>10-1F Attached, 12-2F Attached/Detached</u>	<u>92,000</u>
<u>3</u>	<u>R4</u>	<u>NA-2</u>	<u>Base Protection Area</u>	<u>Community Facility</u>	<u>2,000,000</u>
<u>4</u>	<u>M1-1</u>	<u>SSRDD</u>	<u>Base Protection Area</u>	<u>Commercial Use (General Retail and Food Store)</u>	<u>234,800</u>
<u>5</u>	<u>M3-1</u>	<u>SSRDD</u>	<u>Resource Adjacent</u>	<u>Mixed Use (Commercial and Public Access)</u>	<u>473,800</u>

**H. DRAFT-EIS SCOPE OF WORK**

As described in greater detail below, the EIS will contain:

- A description of the Proposed Actionsu and the RWCDs, as well as the environmental setting;
- An analysis of the potential for significant adverse environmental impacts to result from the Proposed Actionsu;
- A description of practicable mitigation measures that could eliminate or minimize any significant adverse environmental impacts disclosed in the EIS;
- An identification of any significant adverse environmental effects that cannot be avoided if the Proposed Actionsu are implemented;
- A discussion of alternatives to the Proposed Actionsu; and
- A discussion of any irreversible and irretrievable commitments of resources that could result from the Proposed Actionsu.

**TASK 1: DESCRIPTION OF THE PROPOSED ACTIONS AND ANALYTICAL FRAMEWORK**

This chapter will introduce the reader to the Proposed Actionsu and provide the project data that are used to assess impacts. The chapter will contain a brief description of the uses in the Affected Area; the RWCDs; and a discussion of the approvals required, procedures to be followed, and a description of the No Action Condition.

The chapter will include appropriate data from the ULURP application and drawings. The role of the lead agency for CEQR and the environmental review process to aid in decision making also will be described. The section on approval procedure will explain the ULURP and zoning text amendment processes, their timing, and hearings before the Community Board, the Borough President’s Office, the CPC, and the New York City Council.

The analysis framework will be discussed in the first chapter of the EIS and set the regulatory context for the EIS (i.e., ULURP and CEQR—their timing, public review, hearings, etc.), and then explain the basic approach to the technical chapters—that each chapter will address existing conditions, a future analysis year without the Proposed Actionsu, and that future analysis year with the Proposed Actionsu; that any significant adverse environmental impacts will be identified comparing the With Action Condition to the No Action Condition; that mitigation will be proposed



for identified significant adverse environmental impacts; and that practicable alternatives that meet the goals of the Proposed Actions but reduce or eliminate identified impacts will be considered. As part of this discussion, the rationale for the future analysis year will be presented. In addition, this chapter will present an analysis year and qualitative construction scenario for the RWCDs.

The chapter will contain numerous figures that illustrate various aspects of the Proposed Actions, including maps of the proposed ecological areas based on proximity to natural resources (i.e., Escarpment and Resource Adjacent areas), as well as maps that identify potential aquatic resources.<sup>2</sup>

### **TASK 2: LAND USE, ZONING, AND PUBLIC POLICY**

A land use analysis characterizes the uses and development trends in the area that may be affected by a proposed action and determines whether a proposed action is either compatible with those conditions or whether it may affect them. Similarly, the analysis considers the action's compliance with, and effect on, the area's zoning and other applicable public policies. This chapter will analyze the potential impacts of the Proposed Actions on land use, zoning, and public policy, pursuant to the methodologies presented in the *CEQR Technical Manual*. The EIS will include analysis of the City's Waterfront Revitalization Program (WRP) and completion of the 2016 WRP Consistency Assessment Form (CAF). Consistent with the analytical framework described above, the EIS will consider the Proposed Actions' potential to adversely affect land use, zoning, and public policy by assessing prototypical analysis sites, employing a qualitative non-site-specific approach.

### **TASK 3 SOCIOECONOMIC CONDITIONS**

The socioeconomic character of an area includes its population, housing, and economic activity. Socioeconomic changes may occur when a project directly or indirectly changes any of these elements. Although socioeconomic changes may not result in impacts under CEQR, they are disclosed if they would affect land use patterns, low-income populations, the availability of goods and services, or economic investment in a way that changes the socioeconomic character of the area. This chapter will assess the Proposed Actions' potential effects on socioeconomic conditions. The five principal issues of concern with respect to socioeconomic conditions, pursuant to the *CEQR Technical Manual*, are whether a proposed action would result in significant adverse impacts due to: (1) direct residential displacement; (2) direct business and institutional displacement; (3) indirect residential displacement; (4) indirect business and institutional displacement; and (5) adverse effects on specific industries. The Proposed Actions are ~~is~~ not anticipated to result in adverse impacts with respect to direct residential displacement, direct business and institutional displacement, indirect residential displacement, indirect business and institutional displacement, or a specific industry. Nonetheless, to be conservative, the EIS will include analysis of these areas per *CEQR Technical Manual* guidelines. Consistent with the analytical framework described above, the EIS will consider the Proposed Actions' potential to adversely affect socioeconomic conditions by assessing prototypical sites.

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<sup>2</sup> The potential aquatic resources maps will not be based on field delineations but will act as a flag for properties that will need to confirm aquatic resources, similar to NYSDEC's freshwater wetland "checkzone" maps.

**TASK 4: COMMUNITY FACILITIES**

Community facilities, as defined under CEQR, include public or publicly funded schools, hospitals, libraries, daycare centers, and fire and police protection. Direct effects occur when a proposed action physically alters or displaces a community facility. Indirect effects result when increases in population create additional demand on service delivery. The demand for community facilities and services is directly related to the type and size of the new population generated by a proposed action. New residential developments tend to affect facilities, such as public schools, daycare centers, libraries, and hospitals. According to the *CEQR Technical Manual*, a detailed community facility analysis is conducted when a proposed action would have a direct or indirect effect on a community facility.

The Proposed Actions are is not anticipated to result in increased densities affecting community facilities. Nonetheless, for conservative purposes, the EIS will include a preliminary screening assessment of any potential impacts on community facilities and services using prototypical analysis sites.

**TASK 5: OPEN SPACE**

Pursuant to *CEQR Technical Manual* guidance, an open space analysis, which includes both direct and indirect effects on public open space, will be provided. The Proposed Actions would adjust Designated Open Space (DOS) boundaries to provide usable outdoor spaces accessory to residences, as well as generally to better align the boundaries to include existing habitat areas. Rules regarding DOS would be modified to clarify or modernize procedures. Therefore, the EIS will include a qualitative assessment of direct effects on open space, and the assessment will include the following tasks:

- Describe and illustrate existing open spaces in the Affected Area.
- Describe any planned changes to open spaces in the No Action Condition.
- Describe alterations to DOS in the With Action Condition.
- Assess the Proposed Actions' 's effects on the user experience within open space resources, including effects from adjusted DOS boundaries and clarified and modernized DOS procedures.

For indirect effects, an open space assessment is typically warranted if an action would directly affect an open space or if it would increase the population by more than:

- 350 residents or 750 workers in areas classified as “well-served areas;”
- 25 residents or 125 workers in areas classified as “underserved areas;”
- 200 residents or 500 workers in areas that are not within “well-served” or “underserved areas.”

The Proposed Actions could result in development that may have direct or indirect effects on open space. Consistent with the analytical framework described above, the EIS will consider the Proposed Actions' 's potential to adversely affect open space by assessing prototypical analysis sites.

**TASK 6: SHADOWS**

The *CEQR Technical Manual* requires a preliminary shadows screening assessment for proposed actions that would result in new structures or additions to existing structures greater than 50 feet

in incremental height or adjacent to sunlight-sensitive resources. Such resources include publicly accessible open spaces, important sunlight-sensitive natural features, or historic resources with sun-sensitive features. It is not possible to evaluate the impacts of any specific development because the specific location of future development projects is unknown. Therefore, the EIS will include a shadow assessment of prototypical development sites to determine how project-generated shadows would affect sunlight-sensitive resources. The shadow assessment would be coordinated with the open space, historic and cultural resources, and natural resources analyses and would be conducted in accordance with *CEQR Technical Manual* methodologies.

### **TASK 7: HISTORIC AND CULTURAL RESOURCES**

Historic and cultural resources include archaeological (buried) resources and architectural (historic standing structure) resources. The *CEQR Technical Manual* identifies historic and cultural resources as districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, and archaeological importance. Historic and cultural resources include designated New York City Landmarks (NYCLs) and Historic Districts; properties calendared for consideration as NYCLs by the New York City Landmarks Preservation Commission (LPC) or determined eligible for NYCL designation (NYCL-eligible); properties listed on the State and National Register of Historic Places (S/NR) or formally determined eligible for S/NR listing (S/NR-eligible), or properties contained within a S/NR listed or eligible district; properties recommended by the New York State Board for listing on the S/NR; National Historic Landmarks (NHLs); and potential historic resources (i.e., properties not identified by one of the programs listed above, but that appear to meet their eligibility requirements). According to the *CEQR Technical Manual*, a historic and cultural resources assessment is warranted if there is the potential to affect either archaeological or architectural resources.

The Proposed Actions could result in new in-ground disturbance, and they would affect height and bulk controls in areas where historic architectural resources are present. Although it is not possible to evaluate the impacts of any specific development because the specific location of future development projects is unknown, the EIS will include a historic and cultural resources assessment to analyze the potential for significant adverse impacts based on prototypical analysis sites.

### **TASK 8: URBAN DESIGN AND VISUAL RESOURCES**

An area's urban components and visual resources together define the look and character of the neighborhood. The urban design characteristics of a neighborhood encompass the various components of buildings and streets in the area, which include building bulk, use, and type; building arrangement; block form and street pattern; streetscape elements; street hierarchy; and natural features. An area's visual resources are its unique or important public view corridors, vistas, or natural or built features. For CEQR analysis purposes, this includes only views from public and publicly accessible locations and does not include private residences or places of business.

It is not possible to evaluate the impacts of any specific development, because the specific location of future development projects is unknown. Therefore, consistent with the analytical framework described above, the EIS will consider the Proposed Actions' potential to adversely affect urban design and visual resources by assessing prototypical analysis sites using a qualitative, non-site-specific approach.

**TASK 9: NATURAL RESOURCES**

The *CEQR Technical Manual* defines natural resources as water resources, including surface water bodies and groundwater; wetlands, including freshwater and tidal wetlands; terrestrial resources, such as grasslands and thickets; shoreline resources, such as beaches, dunes, and bluffs; gardens and other ornamental landscaping; and natural resources that may be associated with built resources, such as old piers and other waterfront structures. The Proposed Actions would result in zoning text and map amendments specifically intended to address sites containing, or located in proximity, to natural resources. The EIS will provide a natural resources assessment. Because the specific location of future development projects is unknown, the natural resources assessment will be based on prototypical analysis sites.

**TASK 10: HAZARDOUS MATERIALS**

A hazardous materials assessment determines whether a proposed action may increase the exposure of people or the environment to hazardous materials, and, if so, whether this increased exposure would result in potential significant public health or environmental impacts. The potential for significant impacts related to hazardous materials can occur when: (a) elevated levels of hazardous materials exist on a site, and the project would increase pathways to human or environmental exposures; (b) a project would introduce new activities or processes using hazardous materials, and the risk of human or environmental exposure is increased; or (c) the project would introduce a population to potential human or environmental exposure from offsite sources.

The Proposed Actions could result in ground disturbance in areas where hazardous materials may be present. Consistent with the analytical framework described above, the EIS will consider the Proposed Actions' potential to result in adverse impacts related to hazardous materials by assessing prototypical analysis sites.

**TASK 11: WATER AND SEWER INFRASTRUCTURE**

The *CEQR Technical Manual* requires an assessment of the potential effects of a proposed action on the City's water supply, wastewater treatment, and stormwater management infrastructure to ensure that these systems have adequate capacity to accommodate land use or density changes. According to the *CEQR Technical Manual*, only projects that increase density or change drainage conditions on a large site require such an analysis. Consistent with the analytical framework described above, the EIS will consider the Proposed Actions' potential to adversely affect the City's water and sewer infrastructure by assessing prototypical analysis sites.

**TASK 12: SOLID WASTE AND SANITATION SERVICES**

A solid waste assessment determines whether an action has the potential to cause a substantial increase in solid waste production that may overburden available waste management capacity or otherwise be inconsistent with the City's Solid Waste Management Plan or with state policy related to the City's integrated solid waste management system. The EIS will include a preliminary screening assessment of the Proposed Actions' potential to affect solid waste and sanitation services. If warranted, a more detailed analysis will be provided. The assessment will be based on prototypical analysis sites because the specific locations of future development projects are unknown.

**TASK 13: ENERGY**

According to the *CEQR Technical Manual*, an EIS must include a discussion of the effects of a proposed action on the use and conservation of energy, if applicable and significant. In most cases, an action does not need a detailed energy assessment, but its operational energy is projected. A detailed energy assessment is limited to actions that may significantly affect the transmission or generation of energy. For other actions, in lieu of a detailed assessment, the estimated amount of energy that would be consumed annually because of the day-to-day operation of the buildings and uses resulting from an action is disclosed, as recommended in the *CEQR Technical Manual*. Although significant adverse energy impacts are not anticipated to result from the Proposed Actions, the EIS will include a preliminary screening analysis based on prototypical analysis sites to consider projected operational energy consumption.

**TASK 14: TRANSPORTATION**

The objective of a transportation analysis is to determine whether a proposed action may have a potential significant impact on traffic operations and mobility, public transportation facilities and services, pedestrian elements and flow, safety of all roadway users (pedestrians, bicyclists, and vehicles), on- and off-street parking, or goods movement. The *CEQR Technical Manual* states that a quantified transportation analysis may be warranted if a proposed action results in 50 or more vehicle-trips and/or 200 or more transit/pedestrian trips during a given peak hour.

*Traffic and Parking*

The objective of traffic and parking analyses is to determine whether a proposed action is expected to have significant impacts on street and roadway conditions or on parking resources. This includes the sufficiency of street and highway elements to adequately process a proposed action's expected traffic flow and operating condition changes, and the effect of the proposed action on parking resources in the area. According to the *CEQR Technical Manual*, a preliminary trip generation analysis for a project will generally be appropriate to determine the volume of vehicular trips expected during the peak hours. In most areas of the City, if a proposed action is projected to result in 50 or more peak hour vehicular trip ends, a detailed traffic analysis may be warranted. Consistent with the analytical framework described above, the EIS will consider the Proposed Actions' potential to adversely affect traffic and parking conditions by assessing prototypical analysis sites.

*Transit and Pedestrians*

The objective of transit and pedestrian analyses is to determine whether a proposed action would have a significant impact on public transit facilities and services and on pedestrian flows. According to the general thresholds used by the Metropolitan Transportation Authority and specified in the *CEQR Technical Manual*, if a proposed development would result in pedestrian elements with 200 or more pedestrian trips, 50 or more bus trips in a single direction on a single route, or 200 or more passengers at a subway station or on a subway line during any analysis peak hour, further detailed analysis may be needed for a particular technical area. Consistent with the analytical framework described above, the EIS will consider the Proposed Actions' potential to adversely affect transit and pedestrian conditions by assessing prototypical analysis sites.

**TASK 15: AIR QUALITY**

Ambient air quality, or the quality of the surrounding air, may be affected by air pollutants produced by motor vehicles, referred to as “mobile sources,” by fixed facilities, usually referenced as “stationary sources;” or by a combination of both. Under CEQR, an air quality analysis determines whether a proposed action would result in stationary or mobile sources of pollutant emissions that could have a significant adverse impact on ambient air quality and considers the potential of existing sources of air pollution to impact the proposed uses. Consistent with the analytical framework described above, the EIS will consider the Proposed Actions’ potential to adversely affect air quality by assessing prototypical analysis sites.

**TASK 16: GREENHOUSE GAS EMISSIONS**

As noted in the *CEQR Technical Manual*, increased concentrations of greenhouse gases (GHGs) are changing the global climate, resulting in wide-ranging effects on the environment, including rising sea levels, increases in temperature, and changes in precipitation levels. Although this is occurring on a global scale, the environmental effects of climate change are also likely to be felt at the local level. Through *PlaNYC*, New York City’s long-term sustainability program, the City advances sustainability initiatives and goals to both greatly reduce GHG emissions and increase the City’s resilience to climate change. The New York City Climate Protection Act, enacted as Local Law 22 of 2008, established the goal to reduce citywide GHG emissions to 30 percent below 2005 levels by 2030 (the “GHG reduction goal”). This goal was developed for planning for an increase in population of almost one million residents while achieving significant GHG reductions. The EIS for the Proposed Actions will include a preliminary screening assessment of GHG emissions, and, if warranted, a more detailed analysis will be provided. Prototypical analysis sites will guide this assessment, because specific locations of future development projects are unknown.

**TASK 17: NOISE**

The *CEQR Technical Manual* requires an assessment of the Proposed Actions’ potential effects on sensitive noise receptors (including residences, healthcare facilities, schools, open space, etc.) and the potential noise exposure at any new sensitive receptors introduced by the Proposed Actions. Based on the projected likely effects of the Proposed Actions, the EIS will include a noise assessment in accordance with the *CEQR Technical Manual*. Consistent with the analytical framework described above, the EIS will consider the Proposed Actions’ potential to adversely affect noise by assessing prototypical analysis sites.

**TASK 18: PUBLIC HEALTH**

According to the *CEQR Technical Manual*, public health is the organized effort of society to protect and improve the health and well-being of the population through monitoring; assessment and surveillance; health promotion; prevention of disease, injury, disorder, disability and premature death; and reducing inequalities in health status. A public health assessment may be warranted if an unmitigated significant adverse impact is identified in other CEQR analysis areas, such as air quality, water quality, hazardous materials, or noise.

Consistent with the analytical framework described above, the EIS will consider the Proposed Actions’ potential to adversely affect public health by assessing prototypical analysis sites.

### **TASK 19: NEIGHBORHOOD CHARACTER**

The *CEQR Technical Manual* defines neighborhood character as an amalgam of the various elements that give neighborhoods their distinct personality. These elements can include land use, socioeconomic conditions, open space, historic and cultural resources, urban design and visual resources, shadows, transportation and noise, but not all these elements contribute to neighborhood character in all cases. For neighborhood character, CEQR considers how those elements combine to create the context and feeling of a neighborhood, and how an action would affect that context.

According to the *CEQR Technical Manual*, an assessment of neighborhood character may be appropriate if a proposed action impacts any of those individual elements within a neighborhood. It is also possible that several moderate changes in the elements that contribute to a neighborhood's character could lead to a significant impact on neighborhood character. Generally, neighborhood character impacts are rare, and it would be unusual that, in the absence of a significant adverse impact in any of the relevant technical areas, a combination of moderate effects to the neighborhood would result in an impact to neighborhood character. Moreover, a significant impact identified in one of the technical areas that contribute to a neighborhood's character is not automatically equivalent to a significant impact on neighborhood character, but rather serves as an indication that neighborhood character should be examined.

Methodologies outlined in the *CEQR Technical Manual* will be used to provide an assessment of neighborhood character of the Proposed Actions. Consistent with the analytical framework described above, the EIS will consider the Proposed Actions' potential to adversely affect neighborhood character by assessing prototypical analysis sites using a qualitative non-site-specific approach.

### **TASK 20: CONSTRUCTION**

Construction impacts, although temporary, can have a disruptive and noticeable effect on the adjacent community, as well as people passing through the area. Construction impacts are usually important when construction activity has the potential to affect transportation conditions, archaeological resources and the integrity of historic resources, community noise patterns, air quality conditions, and mitigation of hazardous materials. This chapter of the EIS will provide a preliminary impact assessment following the guidelines in the *CEQR Technical Manual*. Although not anticipated, if additional analysis is required, a detailed assessment will be conducted. The assessment will be guided by a prototypical site analysis.

### **TASK 21: MITIGATION**

Where significant adverse impacts have been identified in the analyses discussed above, measures will be described to mitigate those impacts. Where impacts cannot be mitigated, they will be identified as unavoidable adverse impacts.

### **TASK 22: ALTERNATIVES**

Alternatives to the Proposed Actions may be provided to reduce or eliminate significant, adverse impacts, while meeting the goals and objectives of the proposal. CEQR requires an analysis of a No-Action Alternative (without the Proposed Actions), which in this case assumes that the zoning text and map amendments are not implemented. Additional alternatives and variations of the Proposed Actions will be identified based on any significant adverse impacts identified in the EIS.

Other alternatives to be analyzed ~~would~~ will include an alternative or alternatives to reduce or avoid any significant, adverse impacts of the Proposed Actions project. The analysis of each alternative will be qualitative, except where quantitative impacts of the project have been identified.

### **TASK 23: CONCEPTUAL DEVELOPMENT**

Because the Proposed Actions would create new, discretionary actions to be considered by the CPC, an assessment of the potential environmental impacts that could result from these actions within the Proposed Special District is needed. However, because it is not possible to predict whether a discretionary action would be pursued on any one site in the future, the RWCDs for the Proposed Actions ~~does~~ not consider specific developments. Instead, a conceptual analysis will evaluate the new, discretionary actions that could be used to generically assess the potential environmental impacts. Future applications under the proposed zoning map and text amendments would be subject to SEQRA and would be required to undergo environmental review at the time of application, if warranted. Any significant, adverse impacts associated with these future discretionary actions would be disclosed at the time of application. The Conceptual Analysis provides a qualitative, generic assessment of potential impacts that may occur as a result of the new discretionary actions created through the Proposed Actions.

### **TASK 24: SUMMARY CHAPTERS**

Several summary chapters will be prepared, focusing on various aspects of the EIS, as set forth in the regulations and the *CEQR Technical Manual*. Chapters are as follows:

- Executive Summary. Once the EIS technical sections have been prepared, a concise executive summary will be drafted. The executive summary will incorporate relevant material from the body of the EIS to describe the Proposed Actions, its environmental impacts, measures to mitigate those impacts, and alternatives to the Proposed Actions.
- Unavoidable Adverse Impacts. Those impacts, if any, that could not be avoided and could not be practicably mitigated, will be listed in this chapter.
- Growth-Inducing Aspects of the Proposed Project. This chapter will focus on whether the Proposed Actions have the potential to induce new development within the surrounding area.
- Irreversible and Irretrievable Commitments of Resources. This chapter will focus on those resources, such as energy and construction materials, that would be irretrievably committed through implementation of the Proposed Actions.



Appendix 1:  
Land Use Actions

<b>All Special Districts Land Use Actions - Existing and Proposed</b>				
Current Special District	Existing ZR Section	ZR Section Name	Proposal: Eliminate/ Modify/ Maintain	Proposed Applicability
Special Hillides Preservation District (SHPD)	<b>CERTIFICATIONS</b>			
	119-04	Future Subdivision	Eliminate	As-of-right provisions, except for Plan Review Sites that will be an authorization
	119-40	Compliance	Eliminate	
	<b>AUTHORIZATIONS</b>			
	119-311	Authorization of a development, enlargement or site alteration on a zoning lot or portion of a zoning lot having a steep slope or steep slope buffer	Eliminate	As-of-right provisions, except for Plan Review Sites that will be an authorization
	119-312	Authorization of certain uses within the Special Hillides Preservation District	Eliminate	As-of-right provisions, except for Plan Review Sites that will be an authorization
	119-313	Modification of landscaping, tree preservation and tree planting requirements	Eliminate	As-of-right provisions, except for Plan Review Sites that will be an authorization
	119-314	Modification of lot coverage controls	Eliminate	As-of-right provisions, except for Plan Review Sites that will be an authorization
	119-315	Modification of height and setback regulations	Eliminate	As-of-right provisions, except for Plan Review Sites that will be an authorization
	119-316	Modification of grading controls	Eliminate	As-of-right provisions, except for Plan Review Sites that will be an authorization
	119-317	Modification of requirements for private roads and driveways	Maintain	New private road will be a Plan Review Site requiring authorization
119-318	Modification of certain bulk regulations	Eliminate	As-of-right provisions, except for Plan Review Sites that will be an authorization	

<b>All Special Districts Land Use Actions - Existing and Proposed</b>				
	119-319	Authorization to allow site alterations, the construction of new park-related facilities and improvements to existing park-related facilities within public parks	Eliminate	DPR properties and DEP blue-belt not subject to Special District regulations
	<b>SPECIAL PERMITS</b>			
	119-321	Modification of Use Regulations	Eliminate for small sites, Modify	As-of-right provisions, except for Plan Review Sites that will be an authorization
Special Natural Area District (SNAD)	<b>CERTIFICATIONS</b>			
	105-41	Certification (that no authorization or special permit is required)	Eliminate	
	105-45	Certification of Restoration Plans	Eliminate	As-of-right planting requirements
	105-90	Future Subdivision	Eliminate	As-of-right provisions, except for Plan Review Sites that will be an authorization
	<b>AUTHORIZATIONS</b>			
	105-421	Modification of topographic features on Tier I sites	Eliminate	As-of-right provisions, except for Plan Review Sites that will be an authorization
	105-422	Authorization of a development, enlargement or site Alteration on a Tier II zoning lot or portion of a zoning lot having a steep slope or steep slope buffer	Eliminate	As-of-right provisions, except for Plan Review Sites that will be an authorization
	105-423	Relocation of erratic boulders	Eliminate	As-of-right provisions, except for Plan Review Sites that will be an authorization
	105-424	Alteration of rock outcrops	Eliminate	As-of-right provisions, except for Plan Review Sites that will be an authorization
	105-425	Modification of botanic environment and tree preservation and planting requirements	Eliminate	As-of-right provisions, except for Plan Review Sites that will be an authorization

<b>All Special Districts Land Use Actions - Existing and Proposed</b>					
	105-426	Alteration of aquatic features	Modify	As-of-right provisions complement DEC freshwater wetland regulations; Authorization for all aquatic features on Plan Review Sites	
	105-431	Modification of lot coverage controls	Eliminate	As-of-right provisions, except for Plan Review Sites that will be an authorization	
	105-432	Modification of yard, height and setback regulations, and parking location regulations	Eliminate	As-of-right provisions, except for Plan Review Sites that will be an authorization	
	105-433	Modification of grading controls	Eliminate	As-of-right provisions, except for Plan Review Sites that will be an authorization	
	105-434	Modification of requirements for private roads and driveways	Maintain	New private road will be a Plan Review Site requiring authorization	
	105-91	Special District Designation on Public Parks	Eliminate	DPR and DEP blue-belt not subject to Special District regulations	
	<b>SPECIAL PERMITS</b>				
	105-441	Modification of use regulations	Modify	Available only for Plan Review Sites	
	105-442	Natural area dedicated for public use	Maintain		
<b>Special South Richmond Development District (SSRDD)</b>	<b>CERTIFICATIONS</b>				
	107-02	General Provisions Development within areas D, F, or K' As indicated on the District Plan.	Eliminate		
	107-08	Future Subdivision	Eliminate	As-of-right provisions, except for Plan Review Sites that will be an authorization	
	107-121	Public schools	Maintain		
	107-22	Designated Open Space	Eliminate	Minor mapping updates	
	107-222	Public pedestrian ways	Modify	As-of-right provisions, except for Plan Review Sites that will be a certification	
	107-23	Waterfront Esplanade	Maintain		
107-251	Special provisions for arterials	Modify	Access restrictions being modified		

<b>All Special Districts Land Use Actions - Existing and Proposed</b>				
	107-323	Substitution of other plant materials	Eliminate	
	107-467	Modifications of special yard regulations for certain zoning lots	Eliminate	As-of-right provisions, except for Plan Review Sites that will be an authorization
<b>AUTHORIZATIONS</b>				
	107-62	Modifications of special yard regulations for certain zoning lots	Eliminate	As-of-right provisions, except for Plan Review Sites that will be an authorization
	107-63	Minimum Distance between Buildings	Eliminate	As-of-right provisions, except for Plan Review Sites that will be an authorization
	107-64	Removal of Trees	Eliminate	As-of-right provisions, except for Plan Review Sites that will be an authorization
	107-65	Modifications of Existing Topography	Eliminate	As-of-right provisions, except for Plan Review Sites that will be an authorization
	107-661	Modifications of permitted obstructions	Eliminate	As-of-right provisions
	107-662	Modifications of required yards of building setbacks	Eliminate	As-of-right provisions
	107-671	Uses and Bulk Permitted in Certain Areas - In Areas F and K	Eliminate	
	107-672	Uses and Bulk Permitted in Certain Areas - In Area SH	Maintain	
	107-68	Modification of Group Parking Facility and Access Regulations	Eliminate	As-of-right provisions, except for Plan Review Sites that will be an authorization
	107-69	Residential Uses in Area M	Maintain	
<b>SPECIAL PERMITS</b>				
	107-72	Qualification of Designated Open Space as Lot Area	Eliminate	As-of-right provisions, except for Plan Review Sites that will be an authorization
	107-73	Exceptions to Height Regulations	Maintain	
	107-74	Modifications of Permitted Use Regulations	Modify	Authorization for Plan Review Sites

<b>All Special Districts Land Use Actions - Existing and Proposed</b>				
	107-75	Modification of Underlying R1-1 District Regulations	Eliminate	
	107-76	Boundary Adjustments in Designated Open Spaces	Eliminate	Established through text map
	107-77	Community Facility Buildings or Treatment Plants Permitted in Designated Open Space	Eliminate	
	107-78	Other Buildings Permitted in Designated Open Space	Eliminate	

Appendix 2:  
Prototypical Analysis Sites

**Prototypical Analysis Site 1      R3A District, 40 feet x 100 feet interior lot,  
Existing – Special Hillside Preservation District  
Proposed – Hillside Subdistrict, Base Protection  
Area**

Prototypical Analysis Site 1, as shown in the illustrations below, uses a generic 40 feet x 100 feet interior lot in an R3A zoning district. In the No Action scenario, the site is located in the Special Hillside Preservation District (SHPD); in the With Action scenario, the site is located in the Hillside Subdistrict, Base Protection Area. These assumptions were made because they represent typical lot conditions for vacant lots containing limited change in topography and natural features found in R3A districts in the existing Special Hillside District. The prototypical analysis site illustrates the opportunity to understand the effects of the following components of the Proposed Actions on development:

- Proposed tree planting and biodiversity area requirements
- Lot coverage and hard surface area regulations
- As-of-right modification to natural features outside the footprint of the building

**Existing Conditions**

Existing conditions show a 4,000-square-foot vacant lot with six trees. The site illustrates a grade change of 4 feet, sloping upward from the street to the rear of the site.

**No Action Scenario**

The No Action scenario illustrates the development of a two-story, two-family residence. The zoning lot is developed with 2,400 square feet of zoning floor area—the maximum permitted in an R3A district when using the permitted 20 percent floor area increase for sites in lower density growth management areas (LGMAs) (23-142) that allows a floor area ratio (FAR) of 0.6. The building footprint is 1,200 square feet and provides the maximum floor area within two stories of the same area. Additionally, the site accommodates a driveway, walkway, and patio, creating 2,444 square feet of hard surface area (61 percent of lot area) and requiring 2,444 square feet of ground disturbance. This scenario illustrates a residence built to the maximum side yards—providing a zero-lot line on the left side lot line and 8 feet on the right side lot line. Cut and fill are used for constructing both the building structure and non-building amenities, including the walkway and patio.

As required in the underlying zoning (25-62), the scenario provides three off-street parking spaces: one space is provided within a garage and two unenclosed parking pads are in the side yard. Modification of topography of more than 2 feet cut or fill or removal of trees greater than 6-inch caliper is not proposed beyond the 15-foot construction buffer, thus construction is allowed as-of-right.

Prior to development, the site contained 6 trees, worth 18 tree credits under existing regulations. Current regulations require four trees and six tree credits. The development contains five trees—five of which are preserved, with only one tree removed. The building complies with all



other height, yard, and setback regulations pursuant to the underlying district or modifications set forth in the existing special district.

### **With Action Scenario**

The With Action scenario illustrates the development of a two-story, two-family residence. The zoning lot is developed with 2,400 square feet of zoning floor area—the maximum permitted in an R3A district when using the permitted 20 percent floor area increase for sites in LGMAs that allows a FAR of 0.6.

The building footprint is 1,200 square feet and provides the maximum floor area and lot coverage at 30 percent. Additionally, the site accommodates a driveway, walkway, and swimming pool, creating 2,600 square feet of hard surface area (65 percent of lot area) and requiring 2,600 square feet of ground disturbance. Cut and fill are used for constructing both the building structure and non-building amenities, including the walkway and swimming pool.

As required in the underlying zoning, the scenario provides three off-street parking spaces: one spot is provided within a garage and two unenclosed parking pads are located in the side yard.

Prior to development, the site contained 6 trees, worth 18 tree credits under existing regulations. Proposed regulations require 4 trees and 16 tree credits. In this scenario, the site contains five trees—one tree was preserved in the front yard, three trees were preserved at the rear of the site with the addition of one new tree planted proximate to the existing trees to form a tree cluster, making them eligible to receive bonus tree credits.

Additionally, 400 square feet (10 percent of the lot area) of a garden is provided to satisfy the proposed biodiversity planting area regulations that require four biodiversity points. The building complies with all other height, yard, and setback regulations pursuant to the underlying district or modifications set forth in the existing special district.

### **Incremental Change**

Under the With Action scenario, the total floor area does not change, but hard surface area and ground disturbance increase.

The proposed rules allow minor disturbances to the critical root zone of the tree beyond the structural root zone, unlike the existing rules, allowing the developer to build a pool in the With Action scenario. This flexibility in the proposed rules favors preservation of trees, compared to existing rules, where any disturbance to the critical root zone of a tree located outside the 15-foot construction buffer may allow tree removal via authorization from the City Planning Commission (CPC). Simultaneously, the proposed change facilitates the as-of-right construction of site amenities outside the 15-foot construction buffer through the increased flexibility to locate amenities where they minimally disturb tree critical root zones.

In total, the With Action scenario has increased biodiversity planting areas by 400 square feet. No additional number of stories, residential units, or floor area are accommodated on the lot through the Proposed Actions.

**Prototypical Analysis Site 1**

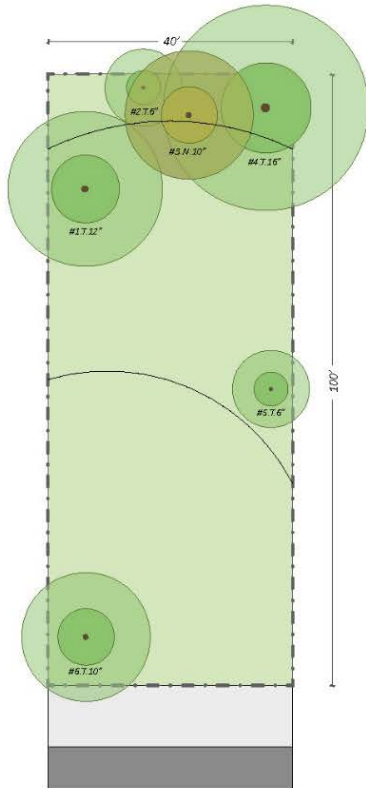
R3A District, 40 ft x 100 ft interior lot, 4,000 sf lot area,  
 Two-story Two-family detached  
 No Action- Existing Special Hillside District  
 With Action- Hillside Subdistrict, Base Protection Area

**Legend**



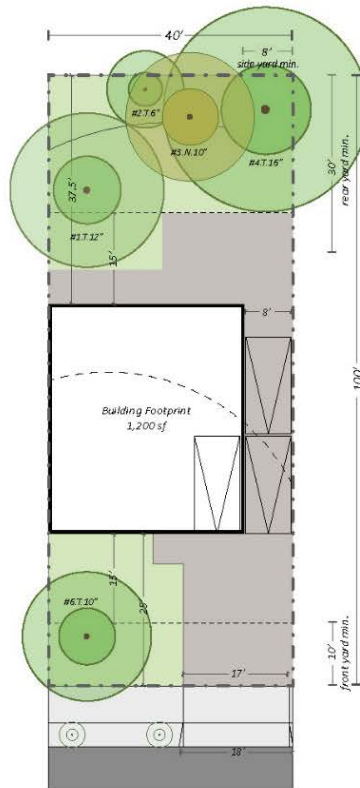
**Existing**

FAR: 0  
 Total Floor area: 0  
 Lot Coverage: 0  
 Impervious Area: 0  
 Ground Disturbance: 0  
 Existing Trees: 6  
 Biodiversity Garden: N/A



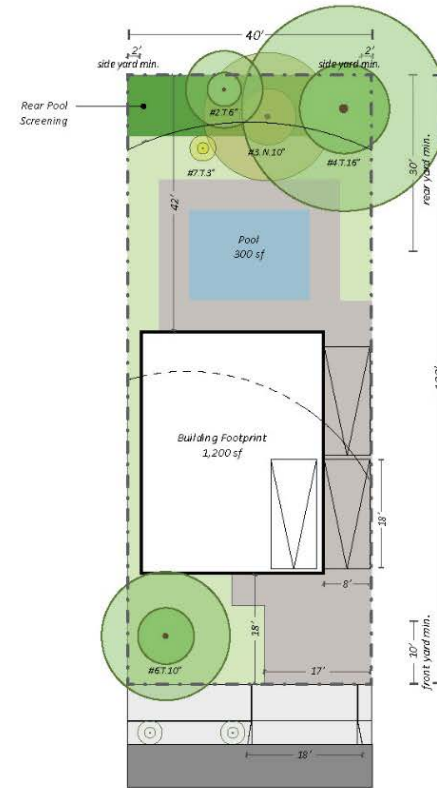
**No Action**

FAR: 0.6  
 Total Floor area: 2,400 sf  
 Lot Coverage: 30%  
 Impervious Area: 61%  
 Ground Disturbance: 61%  
 Removed Trees: 1  
 Preserved Trees: 5  
 New Trees: 0  
 Total Trees: 5  
 Biodiversity Garden: N/A



**With Action**

FAR: 0.6  
 Total Floor area: 2,400 sf  
 Lot Coverage: 30%  
 Impervious Area: 65%  
 Ground Disturbance: 65%  
 Removed Trees: 2  
 Preserved Trees: 4  
 New Trees: 1  
 Total Trees: 5  
 Biodiversity Garden: 400 sf (4 pts)



**Prototypical Analysis Site 1**

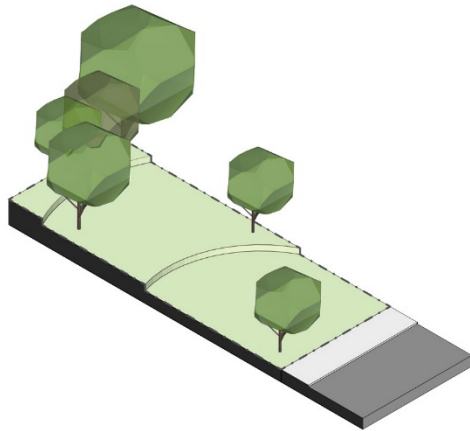
R3A District, 40 ft x 100 ft interior lot, 4,000 sf lot area,  
 Two-story Two-family detached  
 No Action- Existing Special Hillside District  
 With Action- Hillside Subdistrict, Base Protection Area

**Legend**



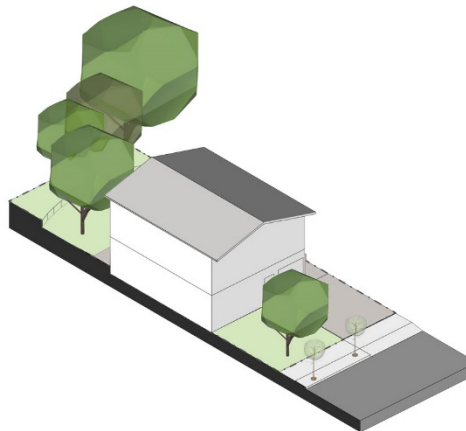
**Existing**

FAR: 0  
 Total Floor area: 0  
 Lot Coverage: 0  
 Impervious Area: 0  
 Ground Disturbance: 0  
 Existing Trees: 6  
 Biodiversity Garden: N/A



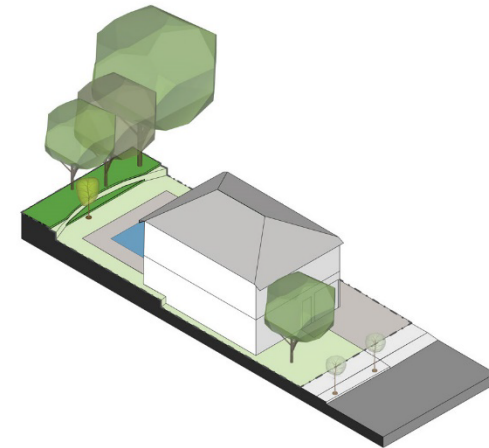
**No Action**

FAR: 0.6  
 Total Floor area: 2,400 sf  
 Lot Coverage: 30%  
 Impervious Area: 61%  
 Ground Disturbance: 61%  
 Removed Trees: 1  
 Preserved Trees: 5  
 New Trees: 0  
 Total Trees: 5  
 Biodiversity Garden: N/A



**With Action**

FAR: 0.6  
 Total Floor area: 2,400 sf  
 Lot Coverage: 30%  
 Impervious Area: 65%  
 Ground Disturbance: 65%  
 Removed Trees: 2  
 Preserved Trees: 4  
 New Trees: 1  
 Total Trees: 5  
 Biodiversity Garden: 400 sf (4 pts)



**Prototypical Analysis Site 2      R5 District, 25 feet x 100 feet interior lot,  
Existing – Special Hillside Preservation District,  
Proposed – Hillside Subdistrict, Base Protection  
Area**

Prototypical Analysis Site 2, as shown in the illustrations below, uses a generic 25 feet x 100 feet interior lot in an R5 zoning district. In the No Action scenario, the site is located in the SHPD; in the With Action scenario, the site is located in the Hillside Subdistrict, Base Protection Area. These assumptions were made because they represent typical lot conditions found in R5 districts in the existing SHPD. The prototypical analysis site illustrates the opportunity to understand the effects of the following components of the Proposed Actions on development:

- Proposed tree planting and biodiversity area requirements
- Lot coverage and hard surface area regulations
- As-of-right modification to natural features outside the footprint of the building

**Existing Conditions**

Existing conditions show a 2,500-square-foot vacant lot with four trees. The site illustrates a grade change of 4 feet, sloping upward from the street to the rear of the site.

**No Action Scenario**

The No Action scenario illustrates the development of a three-story, single-family, attached residence. The zoning lot is developed with 3,125 square feet of zoning floor area—the maximum permitted in an R5 district that allows a FAR of 1.25. The location of the building is defined by yard requirements and the underlying regulations (ZR 23-45) requiring off-street parking be 18 feet from the street line. The building footprint is 1,375 square feet, designed to maximize the lot coverage of 55 percent. Additionally, the site accommodates a driveway, walkway, and rear patio, creating 2,045 square feet of hard surface area (82 percent of lot area) and requiring 2,045 square feet of ground disturbance. Cut and fill are used for constructing both the building structure and non-building amenities, including the patio.

The scenario provides two off-street parking spaces, both in a garage within the building. Modification of topography of more than 2 feet cut or fill or removal of trees greater than 6-inch caliper is not proposed beyond the 15-foot construction buffer, thus construction is allowed as-of-right.

Prior to development, the site contained four trees, worth seven tree credits under existing regulations. Proposed regulations require three trees and four tree credits. The site now contains four trees—four trees were removed and four are newly planted. The building complies with all other height, yard, and setback regulations pursuant to the underlying district or modifications set forth in the existing special district.

### **With Action Scenario**

The With Action scenario illustrates the development of a three-story, single-family, attached residence. The zoning lot is developed with 3,125 square feet of zoning floor area—the maximum permitted in an R5 district that allows a FAR of 1.25. The location of the building is defined by yard requirements and the underlying regulations requiring off-street parking be 18 feet from the street line. The building footprint is 1,375 square feet, designed to maximize the 55 percent lot coverage. Additionally, the site accommodates a driveway, walkway, and a patio, creating 1,872 square feet of hard surface area (75 percent of lot area) and requiring 1,872 square feet of ground disturbance. Cut and fill are used for constructing both the building structure and non-building amenities, including the patio.

As required by the underlying zoning, the scenario provides two off-street parking spaces, both in a garage within the building.

Prior to development, the site contained 4 trees, worth 11 tree credits under proposed regulations. Proposed regulations require 3 trees and 10 tree credits. In this scenario, the site now contains four trees—three trees were removed, one was preserved, and three are newly planted. Due to the proposed tree clustering regulations, new trees are planted proximate to each other to form a tree cluster, making them eligible to receive bonus tree credits.

Additionally, 146 square feet (6 percent of the lot area) of garden is provided to satisfy the proposed biodiversity planting area regulations that require two biodiversity points. The building complies with all other height, yard, and setback regulations pursuant to the underlying district or modifications set forth in the existing special district.

### **Incremental Change**

Under the With Action scenario, the total floor area or lot coverage does not change. Hard surface area decreases from 82 percent to 75 percent.

The proposed rules allow minor disturbances to the critical root zone of the tree beyond the structural root zone, unlike the existing rules. This flexibility in the proposed rules favors preservation of trees, compared to existing rules, where any disturbance to the critical root zone of a tree outside the 15-foot construction buffer may allow tree removal via authorization from CPC. Simultaneously, the proposed change facilitates the as-of-right construction of site amenities outside the 15-foot construction buffer through the increased flexibility to locate amenities where they minimally disturb tree critical root zones.

In total, the With Action scenario increased biodiversity planting areas by 146 square feet. No additional number of trees, stories, residential units, or floor area are accommodated on the lot through the Proposed Actions.

## Prototypical Analysis Site 2

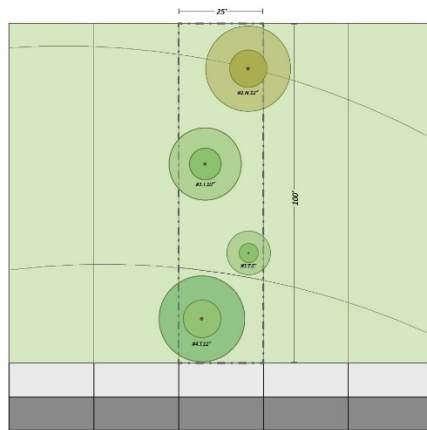
R5 District, 25 ft x 100 ft interior lot, 2,500 sf lot area,  
 Three-story Single-family attached  
 No Action- Existing Special Hillside Preservation District  
 With Action- Hillside Subdistrict, Base Protection Area



### Existing

FAR: 0  
 Total Floor area: 0  
 Lot Coverage: 0  
 Hard Surface Area: 0  
 Ground Disturbance: 0

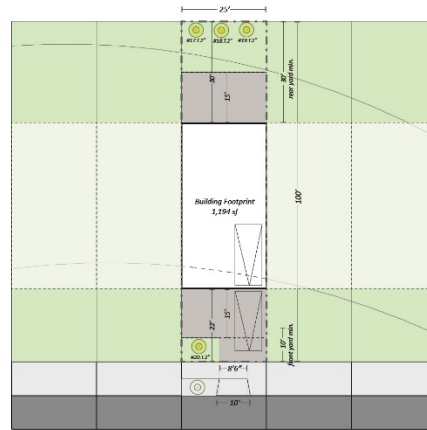
Existing Trees: 4  
 Biodiversity Garden: N/A



### No Action

FAR: 1.25  
 Total Floor area: 3,125 sf  
 Lot Coverage: 48%  
 Hard Surface Area: 82%  
 Ground Disturbance: 82%

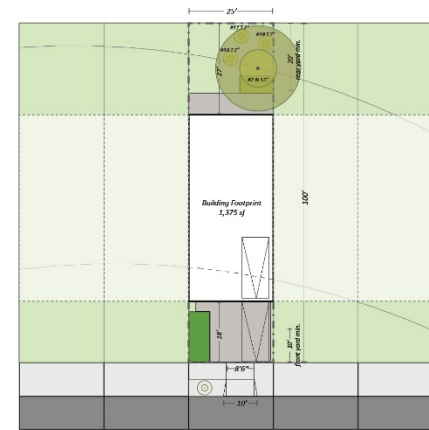
Removed Trees: 4  
 Preserved Trees: 0  
 New Trees: 4  
 Total Trees: 4  
 Biodiversity Garden: N/A



### With Action

FAR: 1.25  
 Total Floor area: 3,125 sf  
 Lot Coverage: 55%  
 Hard Surface Area: 75%  
 Ground Disturbance: 75%

Removed Trees: 3  
 Preserved Trees: 1  
 New Trees: 3  
 Total Trees: 4  
 Biodiversity Garden: 146 sf (2 pts)



## Prototypical Analysis Site 2

R5 District, 25 ft x 100 ft interior lot, 2,500 sf lot area,  
 Three-story Single-family attached  
 No Action- Existing Special Hillside Preservation District  
 With Action- Hillside Subdistrict, Base Protection Area

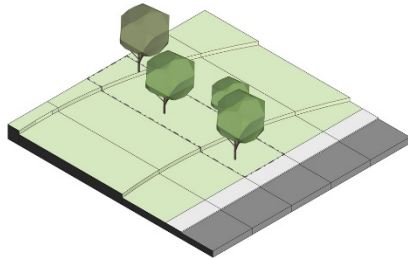
**Legend**



**Existing**

FAR: 0  
 Total Floor area: 0  
 Lot Coverage: 0  
 Hard Surface Area: 0  
 Ground Disturbance: 0

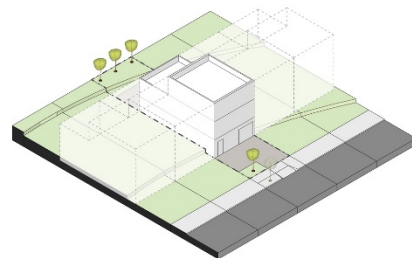
Existing Trees: 4  
 Biodiversity Garden: N/A



**No Action**

FAR: 1.25  
 Total Floor area: 3,125 sf  
 Lot Coverage: 48%  
 Hard Surface Area: 82%  
 Ground Disturbance: 82%

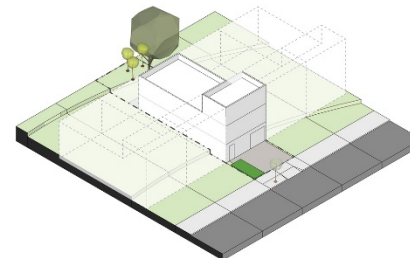
Removed Trees: 4  
 Preserved Trees: 0  
 New Trees: 4  
 Total Trees: 4  
 Biodiversity Garden: N/A



**With Action**

FAR: 1.25  
 Total Floor area: 3,125 sf  
 Lot Coverage: 55%  
 Hard Surface Area: 75%  
 Ground Disturbance: 75%

Removed Trees: 3  
 Preserved Trees: 1  
 New Trees: 3  
 Total Trees: 4  
 Biodiversity Garden: 146 sf (2 pts)



**Prototypical Analysis Site 3      R1-2 District, 60 feet x 100 feet interior lot,  
Existing – Special Natural Area District,  
Proposed – Riverdale-Fieldston Subdistrict, Base  
Protection Area**

Prototypical Analysis Site 3, as shown in the illustrations below, uses a generic 60 feet x 100 feet interior lot in an R1-2 zoning district. In the No Action scenario, the site is located in the Special Natural Area District (SNAD) (NA-2); in the With Action scenario, the site is located in the Riverdale-Fieldston Subdistrict, Base Protection Area. These assumptions were made because they represent typical lot conditions found in R1-2 districts in the existing SNAD. The prototypical analysis site illustrates the opportunity to understand the effects of the following components of the Proposed Actions on development:

- Proposed tree planting and biodiversity area requirements
- Lot coverage and hard surface area regulations
- As-of-right modification to natural features outside the footprint of the building

**Existing Conditions**

Existing condition show a 6,000-square-foot lot with four trees and a 1,165-square-foot, one-story, single-family detached residence with one off-street parking space in an enclosed garage. The site illustrates a grade change of 4 feet, sloping downward from the street to the rear of the site.

**No Action Scenario**

The No Action scenario illustrates the vertical and horizontal enlargement of the existing residence into a two-story, single-family, detached residence. The zoning lot is developed with 3,000 square feet of zoning floor area—the maximum permitted within an R1-2 district that allows a FAR of 0.5. The location of the enlargement is defined by yard requirements and the desire to avoid impacting Tree #2. The building footprint is 1,500 square feet, the maximum allowed while meeting the required open space ratio of 150.0. The site accommodates a driveway, walkway, and rear patio, creating 3,000 square feet of hard surface area (50 percent of lot area) and requiring 3,000 square feet of ground disturbance.

The scenario provides an additional unenclosed parking space to the side yard to comply with underlying the Lower Density Growth Management Area (LDGMA) parking requirements (ZR 25-22). Because the site is smaller than 10,000 square feet and the enlargement does not exceed the lot coverage beyond 2,500 square feet, this enlargement does not require special review pursuant to 105-021 and is allowed as-of-right. Additionally, trees greater than 6-inch caliper are not removed beyond the 15-foot construction zone buffer.

Prior to the enlargement, the site contained four trees, worth seven tree credits under existing regulations. The developed site contains six trees—one tree was removed, three were preserved, and three are newly planted. This meets the six trees and four tree credit requirement under the existing regulations. The building complies with all other height, yard, and



setback regulations pursuant to the underlying district or modifications set forth in the existing special district.

**With Action Scenario**

The With Action scenario illustrates the vertical and horizontal enlargement of the existing residence into a two-story, single-family, detached residence. The zoning lot is developed with 3,000 square feet of zoning floor area—the maximum permitted in an R1-2 district that allows a FAR of 0.5. The location of the enlargement is defined by yard requirements and the desire to avoid impacting Tree #2 while also leaving enough room for a swimming pool in the backyard. The building footprint is 1,500 square feet, designed to maximize the 25 percent lot coverage. The site accommodates a driveway, walkway, swimming pool, and a patio, creating 3,000 square feet of hard surface area (50 percent of lot area) and requiring 3,000 square feet of ground disturbance. Cut and fill are used for constructing both the building structure and non-building amenities, including the swimming pool.

The scenario provides an additional unenclosed parking space to the side yard to comply with underlying LDGMA parking requirements (ZR 25-22).

Prior to the enlargement, the site contained 4 trees, worth 12 tree credits under proposed regulations. The developed site contains eight trees—two trees were removed, two were preserved, and six are newly planted. This meets the 6 trees and 24 tree credit requirement under the proposed regulations. Because of the proposed tree clustering regulations, new trees are planted proximate to preserved trees to form tree clusters, making them eligible to receive bonus tree credits. One front yard tree was preserved and three trees were newly planted in the front yard to satisfy the proposed regulations, which require six front yard tree credits.

Additionally, 604 square feet (10 percent of the lot area) of garden is provided to satisfy the proposed biodiversity planting area regulations that require four biodiversity points. The building complies with all other height, yard, and setback regulations pursuant to the underlying district or modifications set forth in the existing special district.

**Incremental Change**

Under the With Action scenario, there is no change to the total floor area, hard surface area, or lot coverage.

The proposed rules allow minor disturbances to the critical root zone of the tree beyond the structural root zone, unlike the existing rules. This flexibility in the proposed rules favors preservation of trees, compared to existing rules, where any disturbance to the critical root zone of a tree outside the 15-foot construction buffer may allow tree removal via CPC authorization. Simultaneously, the proposed change facilitates the as-of-right construction of site amenities outside the 15-foot construction buffer through the increased flexibility to locate amenities where they minimally disturb tree critical root zones.

In total, the With Action scenario has two more trees than the No Action scenario and increases biodiversity planting areas by 604 square feet. No additional number of stories, residential units, or floor area are accommodated on the lot through the Proposed Actions.

### Prototypical Analysis Site 3

R1-2 District, 60 ft x 100 ft interior lot, 6,000 sf lot area,  
 Two-story Single-family detached  
 No Action- Existing Special Natural Area District  
 With Action- Riverdale-Fieldston Subdistrict, Base Protection Area

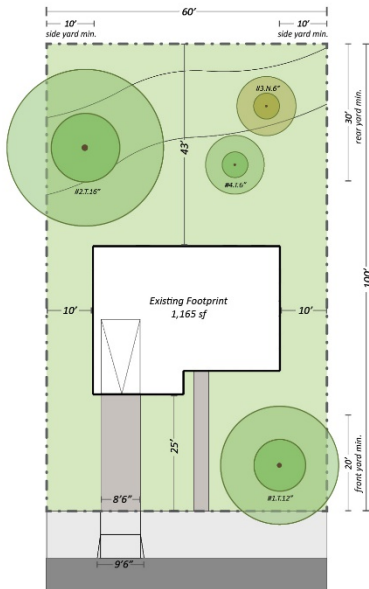
**Legend**



**Existing**

FAR: .19  
 Total Floor area: 1,165 sf  
 Lot Coverage: 19%  
 Hard Surface Area: 25%  
 Ground Disturbance: 25%

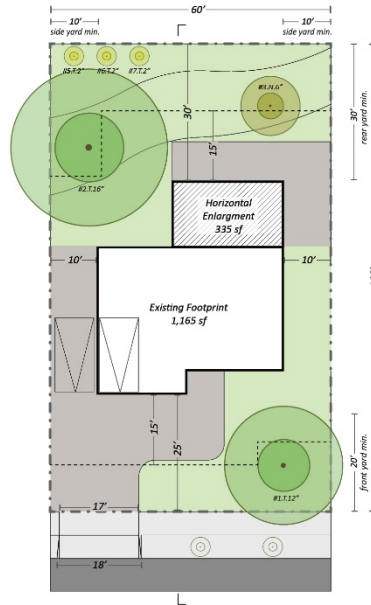
Existing Trees: 4  
 Biodiversity Garden: N/A



**No Action**

FAR: 0.5  
 Total Floor area: 3,000 sf  
 Lot Coverage: 25%  
 Hard Surface Area: 50%  
 Ground Disturbance: 50%

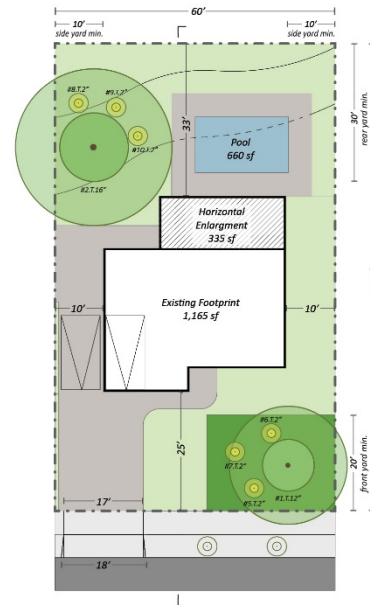
Removed Trees: 1  
 Preserved Trees: 3  
 New Trees: 3  
 Total Trees: 6  
 Biodiversity Garden: N/A



**With Action**

FAR: 0.5  
 Total Floor area: 3,000 sf  
 Lot Coverage: 25%  
 Hard Surface Area: 50%  
 Ground Disturbance: 50%

Removed Trees: 2  
 Preserved Trees: 2  
 New Trees: 6  
 Total Trees: 8  
 Biodiversity Garden: 604 sf (4pts)



### Prototypical Analysis Site 3

R1-2 District, 60 ft x 100 ft interior lot, 6,000 sf lot area,  
 Two-story Single-family detached  
 No Action- Existing Special Natural Area District  
 With Action- Riverdale-Fieldston Subdistrict, Base Protection Area

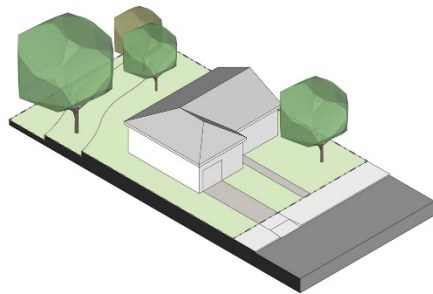
**Legend**



**Existing**

FAR: .19  
 Total Floor area: 1,165 sf  
 Lot Coverage: 19%  
 Hard Surface Area: 25%  
 Ground Disturbance: 25%

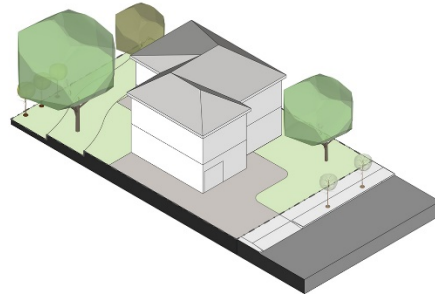
Existing Trees: 4  
 Biodiversity Garden: N/A



**No Action**

FAR: 0.5  
 Total Floor area: 3,000 sf  
 Lot Coverage: 25%  
 Hard Surface Area: 50%  
 Ground Disturbance: 50%

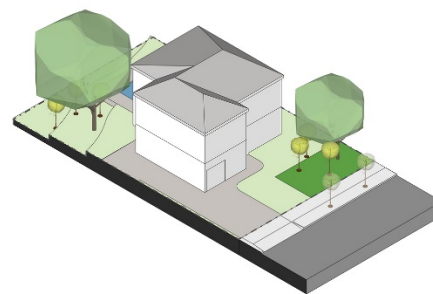
Removed Trees: 1  
 Preserved Trees: 3  
 New Trees: 3  
 Total Trees: 6  
 Biodiversity Garden: N/A



**With Action**

FAR: 0.5  
 Total Floor area: 3,000 sf  
 Lot Coverage: 25%  
 Hard Surface Area: 50%  
 Ground Disturbance: 50%

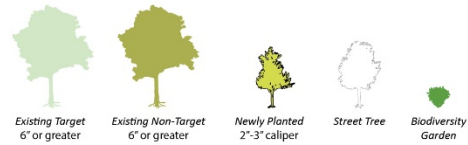
Removed Trees: 2  
 Preserved Trees: 2  
 New Trees: 6  
 Total Trees: 8  
 Biodiversity Garden: 604 sf (4pts)



### Prototypical Analysis Site 3

R1-2 District, 60 ft x 100 ft interior lot, 6,000 sf lot area,  
 Two-story Single-family detached  
 No Action- Existing Special Natural Area District  
 With Action- Riverdale-Fieldston Subdistrict, Base Protection Area

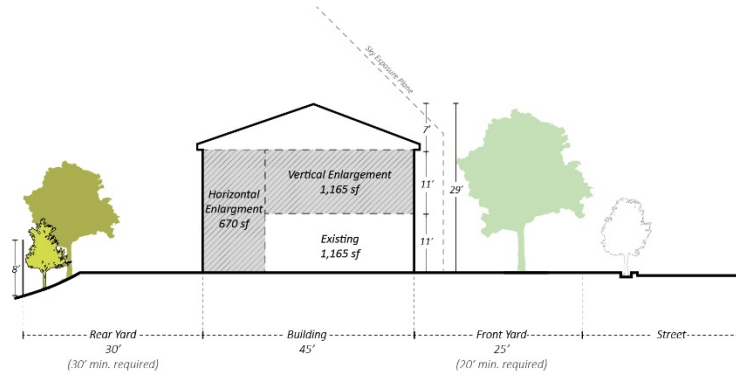
**Legend**



**No Action**

FAR: 0.5  
 Total Floor area: 3,000 sf  
 Lot Coverage: 25%  
 Hard Surface Area: 50%  
 Ground Disturbance: 50%

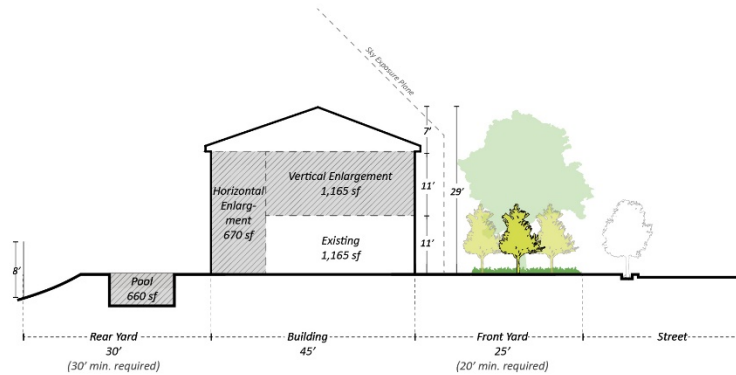
Removed Trees: 1  
 Preserved Trees: 3  
 New Trees: 3  
 Total Trees: 6  
 Biodiversity Garden: N/A



**With Action**

FAR: 0.5  
 Total Floor area: 3,000 sf  
 Lot Coverage: 25%  
 Hard Surface Area: 50%  
 Ground Disturbance: 50%

Removed Trees: 2  
 Preserved Trees: 2  
 New Trees: 6  
 Total Trees: 8  
 Biodiversity Garden: 604 sf (4pts)



**Prototypical Analysis Site 4      R3-1 District, 50 feet x 100 feet interior lot, (2) 25 ft. x 100 ft. adjacent lots**  
**Existing – Special South Richmond Development District**  
**Proposed – South Richmond Subdistrict, Base Protection Area**

Prototypical Analysis Site 4, as shown in the illustrations below, uses a generic 50 feet x 100 feet interior lot in an R3-1 zoning district. In the No Action scenario, the site is located in the Special South Richmond Development District (SSRDD); in the With Action scenario, the site is located in the Special South Richmond Development Subdistrict, Base Protection Area. These assumptions were made because they represent typical lot conditions found in R3-1 districts in the existing South Richmond Development District. The prototypical analysis site illustrates the opportunity to understand the effects of the following components of the Proposed Actions on development:

- Proposed tree planting and biodiversity area requirements
- Lot coverage and hard surface area regulations
- As-of-right modification to natural features outside the footprint of the building

**Existing Conditions**

Existing conditions show a 5,000 square feet vacant lot with 10 trees. The site illustrates a grade change of 4 feet, sloping upward from the street to the rear of the site. The analysis assumes that neighboring buildings are located 9 feet or more from the lot line of the subject site. The lot will be subdivided into two separate lots of equal size and assumed to be identical in design; the left lot has six trees, while the right lot has four trees. The site is not located within designated open space. To avoid repetitiveness, only the left side is portrayed and described below.

**No Action Scenario**

The No Action scenario illustrates the development of a two-story, single-family, semi-detached residence. The zoning lot is developed with 1,504 square feet of zoning floor area—the maximum permitted in an R3-1 district when utilizing the permitted 20 percent floor area increase for sites in LGMAs (ZR 23-142) that allows a FAR of 0.6. The building footprint is 752 square feet and provides the maximum floor area within two stories of the same footprint. Additionally, the site accommodates a driveway, walkway, and patio, creating 1,802 square feet of hard surface area (72 percent of lot area) and requiring 1,802 square feet of ground disturbance. Cut and fill are used for constructing both the building structure and non-building amenities, including the walkway and backyard patio.

As required in the underlying zoning (ZR 25-62), the scenario provides two off-street parking spaces in two unenclosed parking pads in the side yard ribbon. Modification of topography of more than 2 feet cut or fill or removal of trees greater than 6-inch caliper is not proposed beyond the 8-foot construction buffer, thus construction is allowed as-of-right.

Prior to development, the site contained six trees, worth eight tree credits under existing regulations. The developed site contains four trees—five trees were removed, one was preserved, and three are newly planted. This meets the three tree and four tree credit requirement under the existing regulations. The building complies with all other height, yard, and setback regulations pursuant to the underlying district or modifications set forth in the existing special district.

### **With Action Scenario**

The With Action scenario illustrates the development of a two-story, single-family, semi-detached residence. The zoning lot is developed with 1,504 square feet of zoning floor area—the maximum permitted in an R3-1 district when utilizing the permitted 20 percent floor area increase for sites in LGMAs. The building footprint is 752 square feet, designed to maximize the 30 percent lot coverage. Additionally, the site accommodates a driveway, walkway, and patio, creating 1,614.5 square feet of hard surface area (65 percent of lot area) and requiring 1,614.5 square feet of ground disturbance. Cut and fill are used for constructing both the building structure and non-building amenities, including the walkway and backyard patio.

As required by the underlying zoning, the scenario provides two off-street parking spaces in two unenclosed parking pads on the side yard ribbon.

Prior to development, the site contained 6 trees worth 17 tree credits under the proposed regulations. Proposed regulations require 3 trees and 10 tree credits. In this scenario, the site contains four trees—five trees were removed, one was preserved, and three are newly planted. Due to the proposed tree clustering regulations, new trees are planted proximate to the existing tree to form a tree cluster, making them eligible to receive bonus tree credits.

Additionally, 252.5 square feet (10 percent of the lot area) of a garden is provided to satisfy the proposed biodiversity planting area regulations that require four biodiversity points. The building complies with all other height, yard, and setback regulations pursuant to the underlying district or modifications set forth in the existing special district.

### **Incremental Change**

Under the With Action scenario, there is no change to the total floor area or lot coverage. Hard surface area decreases from 72 percent (No Action) to 65 percent (With Action), while maintaining a consistent lot coverage of 30 percent.

The proposed rules allow minor disturbances to the critical root zone of the tree beyond the structural root zone, unlike the existing rules. This flexibility in the proposed rules favors preservation of trees, compared to existing rules, where any disturbance to the critical root zone of a tree outside the 8-foot construction buffer may allow tree removal via CPC authorization. Simultaneously, the proposed change facilitates the as-of-right construction of site amenities outside the 8-foot construction buffer through the increased flexibility to locate amenities where they minimally disturb tree critical root zones.

through the increased flexibility to locate amenities where they minimally disturb tree critical root zones.

In total, the With Action scenario increases biodiversity planting areas by 252.5 square feet. No additional number of stories, residential units, or floor area are accommodated on the lot through the Proposed Actions.



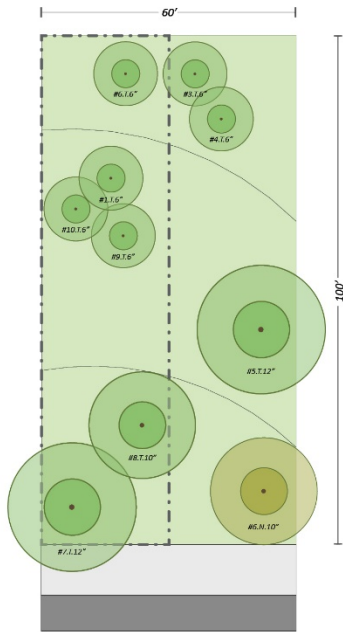
### Prototypical Analysis Site 4

R3-1 District, 50 ft. x 100 ft. interior lot, (2) 25 ft. x 100 ft. adjacent lots  
 Two-story Single-family semi-detached  
 No Action- Existing Special South Richmond Development District  
 With Action- South Richmond Subdistrict, Base Protection Area



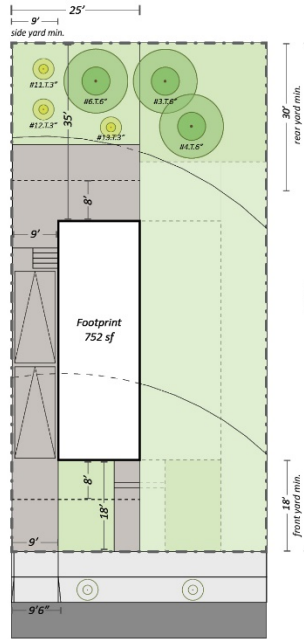
**Existing**

FAR: 0  
 Total Floor area: 0  
 Lot Coverage: 0  
 Hard Surface Area: 0  
 Ground Disturbance: 0  
 Existing Trees: 6  
 Biodiversity Garden: N/A



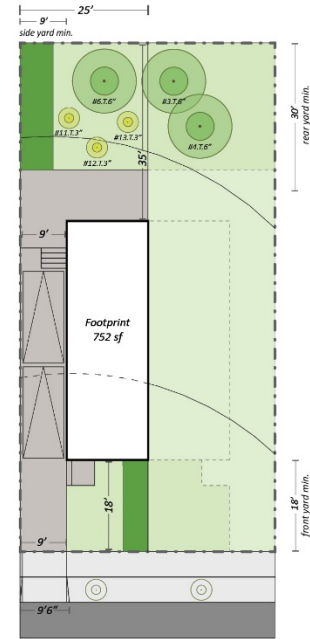
**No Action**

FAR: 0.6  
 Total Floor area: 1,504 sf  
 Lot Coverage: 30%  
 Hard Surface Area: 72%  
 Ground Disturbance: 72%  
 Removed Trees: 5  
 Preserved Trees: 1  
 New Trees: 3  
 Total Trees: 4  
 Biodiversity Garden: N/A



**With Action**

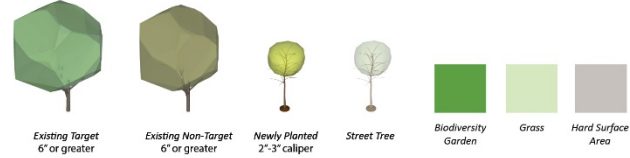
FAR: 0.6  
 Total Floor area: 1,504 sf  
 Lot Coverage: 30%  
 Hard Surface Area: 65%  
 Ground Disturbance: 65%  
 Removed Trees: 5  
 Preserved Trees: 1  
 New Trees: 3  
 Total Trees: 4  
 Biodiversity Garden: 252sf (4 pts)



## Prototypical Analysis Site 4

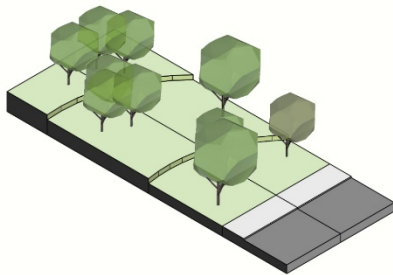
R3-1 District, 50 ft. x 100 ft. interior lot, (2) 25 ft. x 100 ft. adjacent lots  
 Two-story Single-family semi-detached  
 No Action- Existing Special South Richmond Development District  
 With Action- South Richmond Subdistrict, Base Protection Area

**Legend**



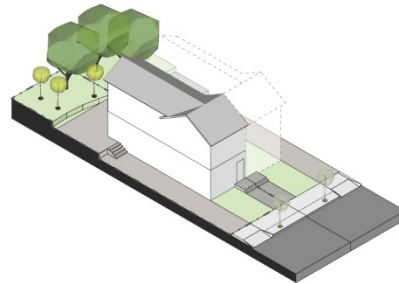
**Existing**

FAR: 0  
 Total Floor area: 0  
 Lot Coverage: 0  
 Hard Surface Area: 0  
 Ground Disturbance: 0  
 Existing Trees: 6  
 Biodiversity Garden: N/A



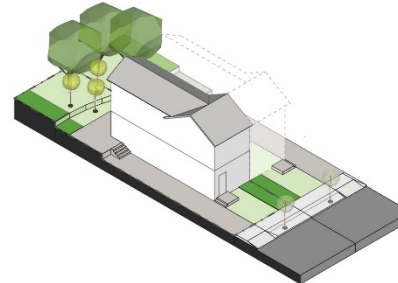
**No Action**

FAR: 0.6  
 Total Floor area: 1,504 sf  
 Lot Coverage: 30%  
 Hard Surface Area: 72%  
 Ground Disturbance: 72%  
 Removed Trees: 5  
 Preserved Trees: 1  
 New Trees: 3  
 Total Trees: 4  
 Biodiversity Garden: N/A



**With Action**

FAR: 0.6  
 Total Floor area: 1,504 sf  
 Lot Coverage: 30%  
 Hard Surface Area: 65%  
 Ground Disturbance: 65%  
 Removed Trees: 5  
 Preserved Trees: 1  
 New Trees: 3  
 Total Trees: 4  
 Biodiversity Garden: 252sf (4 pts)



**Prototypical Analysis Site 5      R3X District, 65 feet x 120 feet interior lot,  
Existing – Special South Richmond Development  
District,  
Proposed – South Richmond Subdistrict,  
Resource Adjacent Area**

Prototypical Analysis Site 5, as shown in the illustrations below, uses a generic 65 feet x 120 feet interior lot in an R3X zoning district. In the No Action scenario, the site is located in the SSRDD, and in the With Action scenario, the site is located in the South Richmond Subdistrict, Resource Adjacent Area. These assumptions were made because they represent typical lot conditions found in R3X districts in the existing SSRDD. The prototypical analysis site illustrates the opportunity to understand the effects of the following components of the Proposed Actions on development:

- Proposed tree planting and biodiversity area requirements
- Lot coverage and hard surface area regulations
- As-of-right modification to natural features outside the footprint of the building
- Lot coverage and hard surface area requirements designed for the preservation of ecologically sensitive areas.

**Existing Conditions**

Existing conditions show a 7,800-square-foot vacant lot with eight trees. The site illustrates a grade change of 4 feet, sloping upward from the street to the rear of the site. The ecologically sensitive area in this prototypical analysis site is a wetland that is adjacent to the rear lot line. The site is not located within designated open space.

**No Action Scenario**

The No Action scenario illustrates the development of a two-story, single-family, detached residence. The zoning lot is developed with 3,900 square feet of zoning floor area—the maximum permitted within an R3X district that allows a FAR of 0.5. The location of the building is defined by yard requirements. The building footprint is 1,950 square feet, designed to maximize the yard and FAR regulations. Additionally, the site accommodates a building, driveway, walkway, and rear patio, creating 4,012 square feet of hard surface area (51 percent of lot area) and requiring 4,012 square feet of ground disturbance. Cut and fill are used for constructing both the building structure and non-building amenities, including the patio.

The scenario provides two off-street parking spaces, both in a garage within the building. Modification of topography of more than 2 feet cut or fill or removal of trees greater than 6-inch caliper is not proposed beyond the 8-foot construction buffer, thus construction is allowed as-of-right.

Prior to development, the site contained 8 trees, worth 13 tree credits under existing regulations. Existing regulations require eight trees and seven tree credits. The site now contains eight

trees—four trees were removed, four were preserved, and four are newly planted. The building complies with all other height, yard, and setback regulations pursuant to the underlying district or modifications set forth in the existing special district. The site development does not take the adjacency of a natural resource (wetland) into consideration.

### **With Action Scenario**

The With Action scenario illustrates the development of a three-story, single-family, detached residence. The zoning lot is developed with 3,900 square feet of zoning floor area—the maximum permitted within an R3X district that allows a FAR of 0.5. The location of the building is defined by yard requirements and the desire to preserve Tree #6 and Tree #8. The proposed development would be subject to a maximum 15 percent lot coverage and 45 percent hard surface area within 100 feet of the rear lot line, and a maximum 30 percent lot coverage and 65 percent hard surface area beyond 100 feet of the rear lot line. The development provides 975 square feet of lot coverage (15 percent) and 2,950 square feet of hard surface area (45 percent) within 100 feet of the rear lot line and 390 square feet of lot coverage (30 percent) and 1,046 square feet of hard surface area (38 percent) beyond 100 feet of the rear lot line. The site accommodates a building, driveway, walkway, patio, and swimming pool, creating 1,365 square feet of lot coverage (18 percent) and 3,755 square feet of hard surface area (48 percent) and requires 3,755 square feet (48 percent) of ground disturbance. Cut and fill are used for constructing both the building structure and non-building amenities, including the patio.

The scenario provides two off-street parking spaces, as required by the underlying zoning, both in an unenclosed side yard parking pad.

Prior to development, the site contained 8 trees, worth 24 tree credits under proposed regulations. Proposed regulations require 8 trees and 31 tree credits. In this scenario, the site now contains 13 trees—2 trees were removed, 6 were preserved, and 7 are newly planted. Due to the proposed tree clustering regulations, new trees are planted proximate to existing trees to form a tree cluster, making them eligible to receive bonus tree credits. One front yard tree was preserved; additionally, two trees were newly planted in the front yard to satisfy the proposed regulations, which require seven front yard tree credits.

Additionally, 975 square feet (13 percent of the lot area) of garden and a 12 feet x 65 feet landscape buffer along the rear lot line is provided to satisfy the proposed biodiversity planting area regulations that require six biodiversity points. The building complies with all other height, yard, and setback regulations pursuant to the underlying district or modifications set forth in the existing special district.

### **Incremental Change**

Under the With Action scenario, there is no change to the total floor area. Lot coverage decreases from 25 percent to 18 percent; hard surface area decreases from 51 percent to 48 percent; and the total number of trees increases from 8 to 13.

The proposed rules allow minor disturbances to the critical root zone of the tree beyond the structural root zone, unlike the existing rules. This flexibility in the proposed rules favors

preservation of trees, compared to existing rules, where any disturbance to the critical root zone of a tree that is outside the 8-foot construction buffer may allow tree removal via CPC authorization. Simultaneously, the proposed change facilitates the as-of-right construction of site amenities outside the 8-foot construction buffer through the increased flexibility to locate amenities where they minimally disturb tree critical root zones.

In total, the With Action scenario increased the number of trees by five and the biodiversity planting areas by 975 square feet. No additional stories, residential units, or floor area are accommodated on the lot through the Proposed Actions.

### Prototypical Analysis Site 5

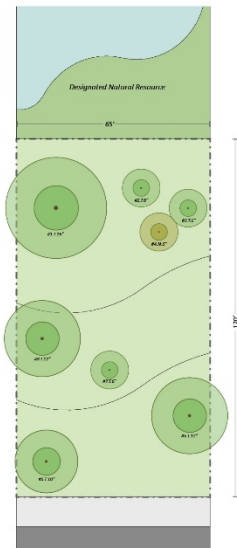
R3X District, 65 ft x 120 ft interior lot, 7,800 sf lot area,  
 Three-story Single-family detached  
 No Action- Existing Special South Richmond Development District  
 With Action- South Richmond Subdistrict, Resource Adjacent Area



**Existing**

FAR: 0  
 Total Floor area: 0  
 Lot Coverage: 0  
 Hard Surface Area: 0  
 Ground Disturbance: 0

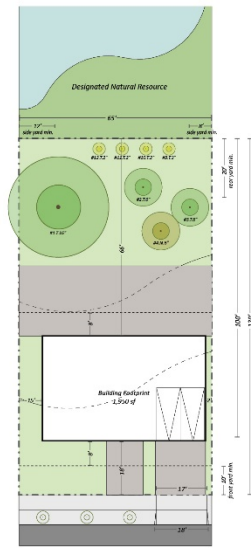
Existing Trees: 8  
 Biodiversity Garden: N/A



**No Action**

FAR: 0.5  
 Total Floor area: 3,900 sf  
 Lot Coverage: 25%  
 Hard Surface Area: 51%  
 Ground Disturbance: 51%

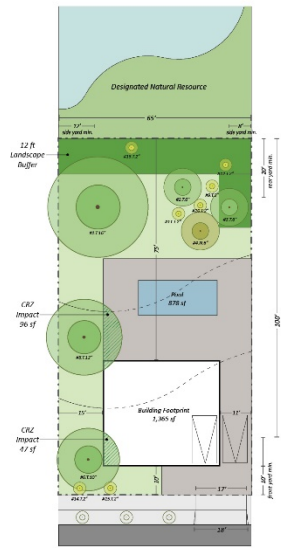
Removed Trees: 4  
 Preserved Trees: 4  
 New Trees: 4  
 Total Trees: 8  
 Biodiversity Garden: N/A



**With Action**

FAR: 0.5  
 Total Floor area: 3,900 sf  
 Lot Coverage: 18%  
 Hard Surface Area: 48%  
 Ground Disturbance: 48%

Removed Trees: 2  
 Preserved Trees: 6  
 New Trees: 7  
 Total Trees: 13  
 Biodiversity Garden: 975 sf (6pts)



## Prototypical Analysis Site 5

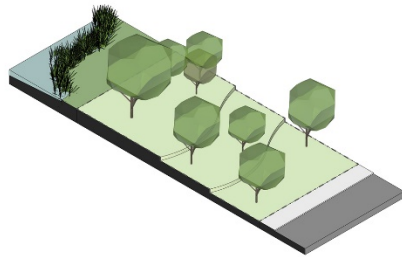
R3X District, 65 ft x 120 ft interior lot, 7,800 sf lot area,  
 Three-story Single-family detached  
 No Action- Existing Special South Richmond Development District  
 With Action- South Richmond Subdistrict, Resource Adjacent Area

**Legend**



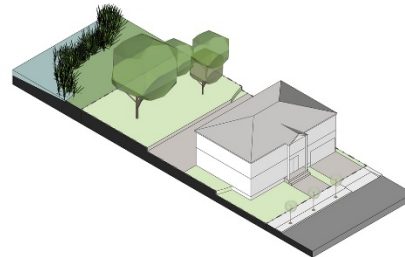
**Existing**

FAR: 0  
 Total Floor area: 0  
 Lot Coverage: 0  
 Hard Surface Area: 0  
 Ground Disturbance: 0  
 Existing Trees: 8  
 Biodiversity Garden: N/A



**No Action**

FAR: 0.5  
 Total Floor area: 3,900 sf  
 Lot Coverage: 25%  
 Hard Surface Area: 51%  
 Ground Disturbance: 51%  
 Removed Trees: 4  
 Preserved Trees: 4  
 New Trees: 4  
 Total Trees: 8  
 Biodiversity Garden: N/A



**With Action**

FAR: 0.5  
 Total Floor area: 3,900 sf  
 Lot Coverage: 18%  
 Hard Surface Area: 48%  
 Ground Disturbance: 48%  
 Removed Trees: 2  
 Preserved Trees: 6  
 New Trees: 7  
 Total Trees: 13  
 Biodiversity Garden: 975 sf (6pts)



**Prototypical Analysis Site 6      R1-1 District, 300 feet x 130 feet interior lot  
subdivided into three 100 feet x 130 feet lots,  
Existing – Special Natural Area District**

Prototypical Analysis Site 6, as shown in the illustrations below, uses a generic 300 feet x 130 feet interior lot in an R1-1 zoning district. In the No Action scenario, the site is located in the SNAD (NA-1); in the With Action scenario, the site is located in the Hillside Subdistrict, Escarpment Area. This prototypical analysis site represents typical lot conditions found in R1-1 districts that fall in the proposed SNAD that are rich in natural features, including steep slopes and botanic resources. The illustration depicts a scenario in which the lot is subdivided into three 100 feet x 130 feet lots and developed separately. The prototypical analysis site illustrates the opportunity to understand the effects of the following components of the Proposed Actions on development:

- Proposed tree planting and biodiversity area requirements
- Lot coverage and hard surface area regulations
- As-of-right modification to natural features outside the footprint of the building
- Regulations regarding steep slope encroachment

**Existing Conditions**

Existing conditions show a 39,000-square-foot vacant lot with 47 trees. The site illustrates a grade change of 34 feet, sloping steeply upward from the street to the rear of the site. The slopes range from under 25 percent to over 65 percent.

**No Action Scenario**

Pursuant to 105-42, development on steep slopes or steep slope buffers requires CPC authorization, thus no as-of-right development is permitted in the no action scenario.

**With Action Scenario**

This scenario illustrates a subdivision of the site into three 100 feet x 130 feet lots.

**Lot 1**

The With Action scenario illustrates the development of a three-story, single-family, detached residence. The zoning lot is developed with 5,723 square feet (0.44) of zoning floor area—slightly less than the maximum permitted in an R1-1 district that allows a FAR of 0.5. The location of the building is defined by yard requirements and the need to preserve Tree #7 (worth 18 credits). This resulted in the building encroaching on areas with a slope category of 45 percent to 65 percent, which subsequently limited the maximum lot coverage allowed on-site to 17.5 percent. The bulk is designed to maximize this lot coverage and is further governed by the sky exposure plane.

Additionally, the site accommodates a driveway, walkway, swimming pool, and a wooden deck, creating 5,770 square feet of hard surface area (44.4 percent of lot area) and requiring



5,770 square feet of ground disturbance. Cut and fill are used for constructing both the building structure and non-building amenities, including the driveway and pool. Encroachments within areas over 35 percent slope are not proposed outside 20 feet from the building by anything other than the driveway and walkway.

The scenario provides two off-street parking spaces, as required by the underlying zoning (ZR 25-22), one within an enclosed garage on the first floor and the other in an unenclosed parking pad located in the front yard. The latter takes advantage of the proposed regulations allowing front yard parking for sites with a lot coverage of 20 percent or less.

Prior to development, the site contained 17 trees, worth 68 tree credits under proposed regulations. The developed site contains 13 trees—7 trees were removed, 10 were preserved, and 3 are newly planted. This meets the 13 trees and 52 tree credit requirement under the proposed regulations. Tree preservation was considered in determining the location and width of yard amenities, driveways, and walkways. Due to the proposed tree clustering regulations, new trees are planted proximate to the existing tree to form a tree cluster, making them eligible to receive bonus tree credits. Additionally, 2,120 square feet of biodiversity planting area (native planting) is provided to satisfy the proposed biodiversity planting area requirements. Native planting is selected to capitalize on the three existing target species trees in the front yard. The building complies with all other height, yard, and setback regulations pursuant to the underlying district or modifications set forth in the proposed special district.

## **Lot 2**

The With Action scenario illustrates the development of a three-story, single-family, detached residence. The zoning lot is developed with 6,500 square feet of zoning floor area—the maximum permitted in an R1-1 district that allows a FAR of 0.5. The location of the building is defined by yard requirements, the need to preserve Tree #20 (worth 18 credits), and the need to avoid areas in the 45–65 percent slope category and above. The steepest slope category encroached upon by the building is 35–45 percent, which subsequently limited the maximum lot coverage allowed on-site to 20 percent. The other encroachments by hard surfaces on steeper slope category (45–65 percent) are smaller than 150 square feet cumulatively and hence would allow lot coverage of 20 percent. The bulk is designed to maximize the lot coverage and is further governed by the sky exposure plane.

Additionally, the site accommodates a driveway, walkway, swimming pool, and a wooden deck, creating 6,466 square feet of hard surface area (49.7 percent of lot area) and requiring 6,466 square feet of ground disturbance. Cut and fill are used for constructing both the building structure and non-building amenities, including the driveway and swimming pool. Encroachments within areas greater than 35 percent slope are not proposed outside 20 feet from the building by anything other than the driveway and walkway.

As required by the underlying zoning, the scenario provides two off-street parking spaces, one within an enclosed garage on the first floor and the other in an unenclosed parking pad located in the front yard. The latter takes advantage of the proposed regulations allowing front yard parking for sites with lot coverage of 20 percent or less.

Prior to development, the site contained 15 trees, worth 54 tree credits under proposed regulations. The developed site contains 13 trees—7 trees were removed, 8 were preserved, and 5 are newly planted. This meets the 13 trees and 52 tree credit requirement under the proposed regulations. Tree preservation was considered in determining the location and width of yard amenities, driveways, and walkways. Due to the proposed tree clustering regulations, new trees are planted proximate to the existing tree to form a tree cluster, making them eligible to receive bonus tree credits. Additionally, 1,300 square feet of biodiversity planting area (native planting) is provided to satisfy the proposed biodiversity planting area requirements. Native planting is selected to capitalize on the three existing target species trees in the front yard. The building complies with all other height, yard, and setback regulations pursuant to the underlying district or modifications set forth in the proposed special district.

### **Lot 3**

The With Action scenario illustrates the development of a three-story, single-family, detached residence. The zoning lot is developed with 6,500 square feet of zoning floor area—the maximum permitted within an R1-1 district that allows a FAR of 0.5. The location of the building is defined by the need to preserve Tree #42 (worth 18 credits) and by avoiding areas in the 35–45 percent slope category and above. The rear yard is reduced to 25 feet for this purpose. The steepest slope category encroached upon by the building is 25–35 percent, but the encroachment greater than 2 feet of cut and fill by the driveway in the 35–45 percent slope category is greater than 150 square feet, which subsequently limited the maximum lot coverage allowed on-site to 20 percent. The bulk is designed to maximize the lot coverage and is further governed by the sky exposure plane.

The site accommodates a driveway, walkway, swimming pool, and a wooden deck, creating 6,219 square feet of hard surface area (47.8 percent of lot area) and requiring 6,219 square feet of ground disturbance. Cut and fill are used for constructing both the building structure and non-building amenities, including the driveway and pool. Encroachments in areas over 35 percent slope are not proposed outside 20 feet from the building by anything other than the driveway and walkway.

As required by the underlying zoning, the scenario provides two off-street parking spaces, both within an enclosed garage on the first floor. The driveway is designed to avoid the structural root zones of Tree #42 while fulfilling driveway slope and retaining wall regulations.

Prior to development, the site contained 15 trees worth 58 tree credits under proposed regulations. The developed site contains 13 trees—5 trees were removed, 10 were preserved, and 4 are newly planted. This meets the 13 trees and 52 tree credit requirement under the proposed regulations. Tree preservation was considered in determining the location and width of yard amenities, driveways, and walkways. While the area of direct encroachment by the driveway upon the critical root zone of Tree #42 is kept below 30 percent, it is predicted that construction will sever the roots and harm portions of the roots beyond the encroachment. Although no regulatory intervention is proposed to remedy this, the required tree protection plan should assess the health of the tree. Due to the proposed tree clustering regulations, new trees are planted proximate to the existing tree to form a tree cluster, making them eligible to receive

bonus tree credits. Additionally, 1,300 square feet of biodiversity planting area (wilderness garden) is provided to satisfy the proposed biodiversity planting area requirements. The building complies with all other height, yard, and setback regulations pursuant to the underlying district or modifications set forth in the proposed special district.

**Incremental Change**

Under the With Action scenario, the total floor area, lot coverage, hard surface area, and ground disturbance all increase because development on this site in the No Action scenario requires a Zoning Authorization pursuant to ZR 105-42 and is not permitted as-of-right.

The proposed rules allow minor disturbances to the critical root zone of the tree beyond the structural root zone, unlike the existing rules. This flexibility in the proposed rules favors preservation of trees, compared to existing rules, where any disturbance to the critical root zone of a tree that is outside the 15-foot construction buffer may allow tree removal via CPC authorization. Simultaneously, the proposed change facilitates the as-of-right construction of site amenities outside the 15-foot construction buffer through the increased flexibility to locate amenities where they minimally disturb tree critical root zones.



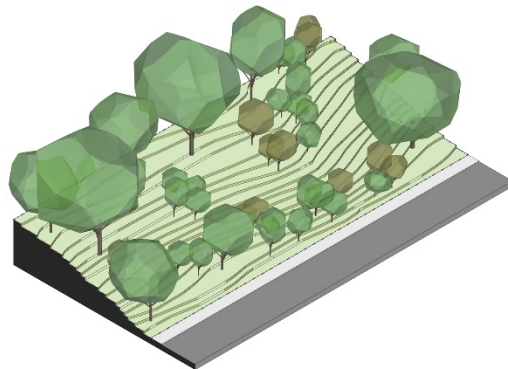
## Prototypical Analysis Site 6

R1-1 District, 100 ft x 130 ft interior lot, 13,000 sf lot area,  
 Three-story Single-family detached, 3 subdivided lots  
 No Action- Existing Special Natural Areas District  
 With Action- Hillside Subdistrict, Escarpment Area

### Existing & No Action

FAR: 0  
 Total Floor area: 0  
 Lot Coverage: 0  
 Hard Surface Area: 0  
 Ground Disturbance: 0

Existing Trees: 15  
 Biodiversity Garden: N/A

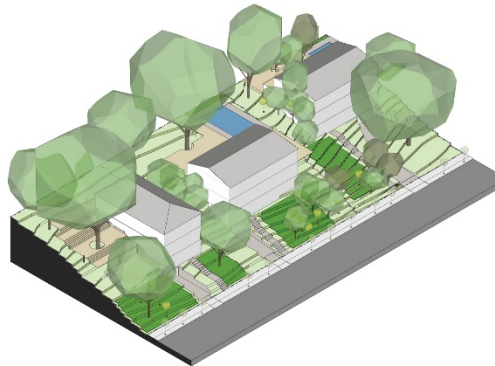


### Legend



### With Action

	Lot 1	Lot 2	Lot 3
<b>FAR</b>	0.5	0.5	0.5
<b>Total Floor area</b>	5,723 sf	6,500 sf	6,498 sf
<b>Lot Coverage</b>	17.5%	20%	20%
<b>Hard Surface Area</b>	45%	49%	48%
<b>Ground Disturbance</b>	45%	49%	48%
<b>Removed Trees</b>	7	7	5
<b>Preserved Trees</b>	10	8	10
<b>New Trees</b>	3	5	4
<b>Total Trees</b>	13	13	14
<b>Biodiversity Garden</b>	2,120 (4 points)	1,300 sf (4 points)	1,300 sf (4 points)



**Prototypical Analysis Site 7      R2 District, 45 feet x 100 feet interior lot,  
Existing – Special Hillside Preservation District,  
Proposed – Special Hillside Preservation  
Subdistrict, Base Protection Area**

Prototypical Analysis Site 7, as shown in the illustrations below, uses a generic 45 feet x 100 feet interior lot in an R2 zoning district. In the No Action scenario, the site is located in the SHPD, and in the With Action scenario, the site is located in the Special Hillside Preservation Subdistrict, Base Protection Area. These assumptions were made because they represent typical lot conditions found within R2 districts in the existing SHPD. The prototypical analysis site illustrates the opportunity to understand the effects of the following components of the Proposed Actions on development:

- Proposed tree planting and biodiversity area requirements
- Lot coverage and hard surface area regulations
- As-of-right modification to natural features outside the footprint of the building

**Existing Conditions**

Existing conditions show a 4,500-square-foot vacant lot with nine trees. The site illustrates a grade change of 4 feet, sloping upward from the street to the rear of the site.

**No Action Scenario**

The No Action scenario illustrates the development of a two-story, single-family, detached residence. The zoning lot is developed with 2,250 square feet of zoning floor area—the maximum permitted in an R2 district that allows a FAR of 0.5. The building footprint is 1,125 square feet, designed to maximize floor area while meeting the required open space ratio of 150.0.

Additionally, the site accommodates a driveway, walkway, and a patio area, creating 3,065 square feet of hard surface area (68 percent of lot area) and requiring 3,065 square feet of ground disturbance. Cut and fill are used for constructing both the building structure and non-building amenities. Modification of topography or removal of trees greater than 6-inch caliper is not proposed beyond the 15-foot construction buffer, thus construction is allowed as-of-right.

The scenario provides two off-street parking spaces, one is a garage in the building and the other is in an unenclosed parking pad located in the front yard, taking advantage of the underlying Special Purpose District regulations permitting front yard parking.

Prior to development, the site contained 9 trees, worth 14 tree credits under existing regulations. The developed site contains nine trees—four trees were removed, three were preserved at the rear of the site, two were preserved in the front yard, and four are newly planted. This meets the 5 trees and 7.1 tree credit requirement under existing regulations. Of the two preserved front yard trees, one is located within the 15-foot construction buffer and thus receives no credit because construction may affect its critical root zone. The building complies with all other

height, yard, and setback regulations pursuant to the underlying district or modifications set forth in the existing special district.

### **With Action Scenario**

The With Action scenario illustrates the development of a two-story, single-family residence. The zoning lot is developed with 2,250 square feet of zoning floor area—the maximum permitted in an R2 district that allows a FAR of 0.5. The building footprint is 1,350 square feet, designed to maximize the 30 percent lot coverage. Additionally, the site accommodates a driveway, walkway, and a swimming pool, creating 2,912 square feet of hard surface area (65 percent of lot area) and requiring 2,912 square feet of ground disturbance. Cut and fill are used for constructing both the building structure and non-building amenities, including the walkway and pool.

As required by the underlying zoning, the scenario provides two off-street parking spaces, one within a garage and the other in an unenclosed parking pad located in the side lot ribbon.

Prior to the development, the site contained 9 trees, worth 26 tree credits under proposed regulations. The developed site contains six trees—five trees were removed, four were preserved, and two are newly planted. This meets the 5 trees and 18 tree credit requirement under the proposed regulations. Due to the proposed tree clustering regulations, new trees are planted proximate to the existing tree to form a tree cluster, making them eligible to receive bonus tree credits. Additionally, 450 square feet (10 percent of the lot area) of garden is provided to satisfy the proposed biodiversity planting area regulations that require four biodiversity points. The building complies with all other height, yard, and setback regulations pursuant to the underlying district or modifications set forth in the existing special district.

### **Incremental Change**

Under the With Action scenario, the total floor area does not change. Lot coverage increases from 25 percent to 30 percent of the lot area, while hard surface area decreases from 68 percent to 65 percent.

The proposed rules allow minor disturbances to the critical root zone of the tree beyond the structural root zone, unlike the existing rules. This flexibility in the proposed rules favors preservation of trees, compared to existing rules, where any disturbance to the critical root zone of a tree that is outside the 15-foot construction buffer may allow tree removal via CPC authorization. Simultaneously, the proposed change facilitates the as-of-right construction of site amenities outside the 15-foot construction buffer through the increased flexibility to locate amenities where they minimally disturb tree critical root zones.

In total, the With Action scenario has three fewer trees than the No Action scenario because of the tree grouping bonus that enables the homeowner to plant fewer new trees to meet tree credit requirements. The With Action scenario increases biodiversity planting areas by 450 square feet. No additional number of stories, residential units, or floor area are accommodated on the lot through the Proposed Actions.

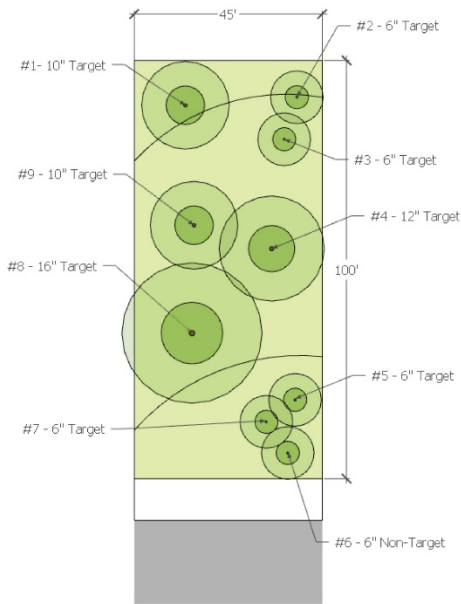
**Prototypical Analysis Site 7**

R2 District, 45 ft x 100 ft interior lot, 4,500 sf lot area,  
 Two-story Single-family detached  
 No Action- Existing Special Hillside Preservation District  
 With Action- Hillside Subdistrict, Base Protection Area



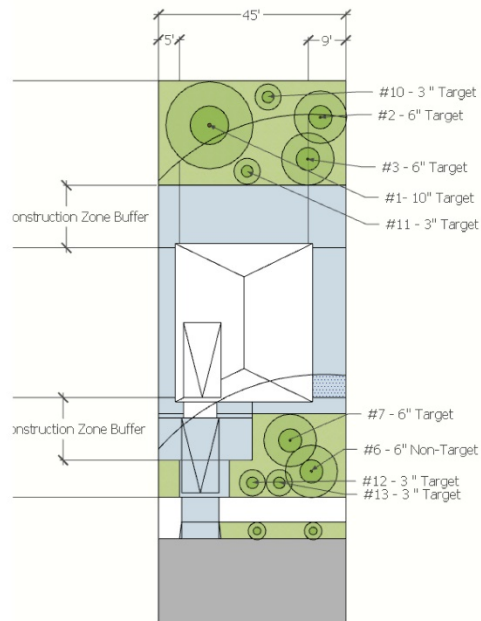
**Existing**

FAR: 0  
 Total Floor area: 0  
 Lot Coverage: 0  
 Hard Surface Area: 0  
 Ground Disturbance: 0  
 Existing Trees: 9  
 Biodiversity Garden: N/A



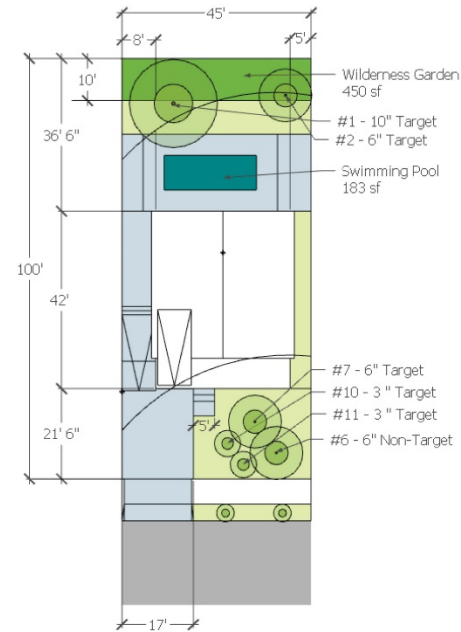
**No Action**

FAR: 0.5  
 Total Floor area: 2,250 sf  
 Lot Coverage: 25%  
 Hard Surface Area: 68%  
 Ground Disturbance: 68%  
 Removed Trees: 4  
 Preserved Trees: 5  
 New Trees: 4  
 Total Trees: 9  
 Biodiversity Garden: N/A



**With Action**

FAR: 0.5  
 Total Floor area: 2,250 sf  
 Lot Coverage: 30%  
 Hard Surface Area: 65%  
 Ground Disturbance: 65%  
 Removed Trees: 5  
 Preserved Trees: 4  
 New Trees: 2  
 Total Trees: 6  
 Biodiversity Garden: 450 sf (4 pts)





## Prototypical Analysis Site 7

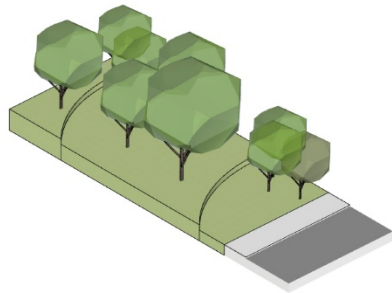
R2 District, 45 ft x 100 ft interior lot, 4,500 sf lot area,  
 Two-story Single-family detached  
 No Action- Existing Special Hillside Preservation District  
 With Action- Hillside Subdistrict, Base Protection Area

### Legend



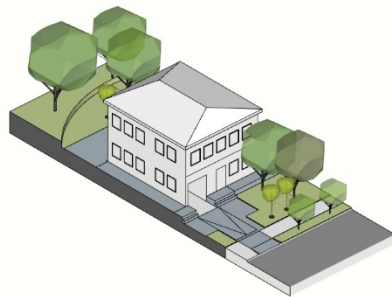
### Existing

FAR: 0	Existing Trees: 9
Total Floor area: 0	Biodiversity Garden: N/A
Lot Coverage: 0	
Hard Surface Area: 0	
Ground Disturbance: 0	



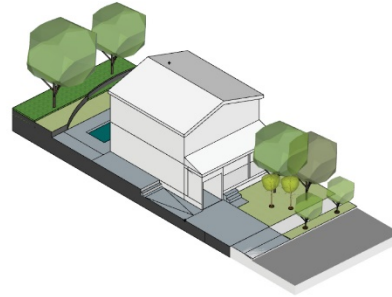
### No Action

FAR: 0.5	Removed Trees: 4
Total Floor area: 2,250 sf	Preserved Trees: 5
Lot Coverage: 25%	New Trees: 4
Hard Surface Area: 68%	Total Trees: 9
Ground Disturbance: 68%	Biodiversity Garden: N/A



### With Action

FAR: 0.5	Removed Trees: 5
Total Floor area: 2,250 sf	Preserved Trees: 4
Lot Coverage: 30%	New Trees: 2
Hard Surface Area: 65%	Total Trees: 6
Ground Disturbance: 65%	Biodiversity Garden: 450 sf (4 pts)



**Prototypical Analysis Site 8      R1-1 District, 120 feet x 100 feet interior lot,  
Existing – Special Natural Area District,  
Proposed – Riverdale-Fieldston Subdistrict, Base  
Protection Area**

Prototypical Analysis Site 8, as shown in the illustrations below, uses a generic 120 feet x 100 feet interior lot in an R1-1 zoning district. In the No Action scenario, the site is located in the SNAD (NA-2), and in the With Action scenario, the site is located in the Riverdale-Fieldston Subdistrict, Base Protection Area. These assumptions were made because they represent typical lot conditions found in R1-1 districts in the existing SNAD. The prototypical analysis site illustrates the opportunity to understand the effects of the following components of the Proposed Actions on development:

- Proposed tree planting and biodiversity area requirements
- Lot coverage and hard surface area regulations
- As-of-right modification to natural features outside the footprint of the building

**Existing Conditions**

Existing conditions shows a 12,000-square-foot vacant lot with nine trees. The site illustrates a grade change of 8 feet, sloping upward diagonally from the street to the rear of the site.

**No Action Scenario**

Pursuant to 105-421, development on a lot larger than 10,000 square feet requires CPC authorization, thus no as-of-right development is permitted.

**With Action Scenario**

The With Action scenario illustrates the development of a two-story, single-family, detached residence. The zoning lot is developed with 6,000 square feet of zoning floor area—the maximum permitted in an R1-1 district that allows a FAR of 0.5. The location of the building is defined by yard requirements and the desire to preserve as many trees as possible. The building footprint is 3,000 square feet, designed to maximize the 25 percent lot coverage. Additionally, the site accommodates a driveway, walkway, patio, and swimming pool, creating 6,000 square feet of hard surface area (50 percent of lot area) and requiring 6,000 square feet of ground disturbance. Cut and fill are used for constructing both the building structure and non-building amenities, including the patio.

As required by the underlying zoning, the scenario provides two off-street parking spaces, both in a garage within the building.

Prior to development, the site contained 9 trees, worth 35 tree credits under proposed regulations. Proposed regulations require 12 trees and 48 tree credits. In this scenario, the site now contains 15 trees—6 trees were preserved, 3 were removed, and 9 are newly planted. Due to the proposed tree clustering regulations, new trees are planted proximate to existing trees to form a tree cluster, making them eligible to receive bonus tree credits. One front yard tree was

preserved; additionally, 3 trees were newly planted in the front yard to satisfy the proposed regulations, which require 12 front yard tree credits.

Additionally, 1,200 square feet (10 percent of the lot area) of garden is provided to satisfy the proposed biodiversity planting area regulations that require four biodiversity points. The building complies with all other height, yard, and setback regulations pursuant to the underlying district or modifications set forth in the existing special district.

**Incremental Change**

Under the With Action scenario, the total floor area, lot coverage, hard surface area, and ground disturbance all increase because a house would not be built on this site under the No Action scenario without a Zoning Authorization 105-421.

The proposed rules allow minor disturbances to the critical root zone of a tree beyond the structural root zone, unlike the existing rules. This flexibility in the proposed rules favors preservation of trees, compared to existing rules, where any disturbance to the critical root zone of a tree that is outside the 15-foot construction buffer may allow tree removal via CPC authorization. Simultaneously, the proposed change facilitates the as-of-right construction of site amenities outside the 15-foot construction buffer through the increased flexibility to locate amenities where they minimally disturb tree critical root zones.

In total, the With Action scenario increases biodiversity planting areas by 1,200 square feet. An additional six trees are accommodated on the site because of the Proposed Actions.

## Prototypical Analysis Site 8

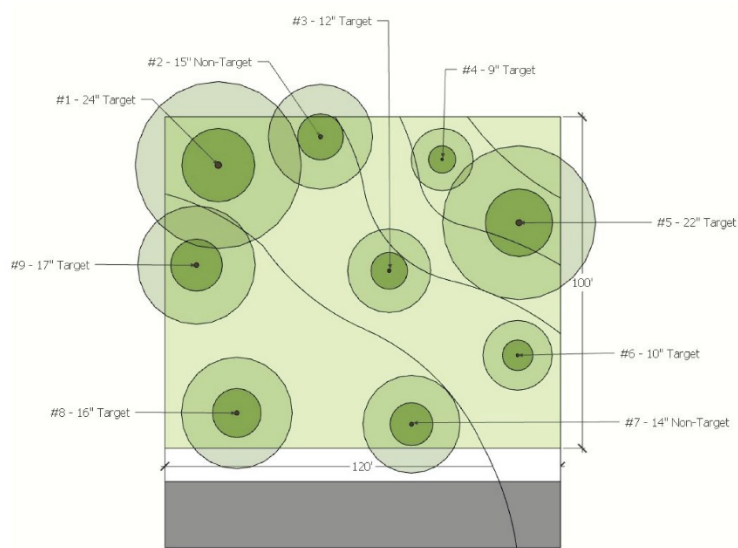
R1-1 District, 120 ft x 100 ft interior lot, 12,000 sf lot area,  
 Two-story Single-family detached  
 No Action- Existing Special Natural Area District  
 With Action- Riverdale-Fieldston Subdistrict, Base Protection Area

### Legend



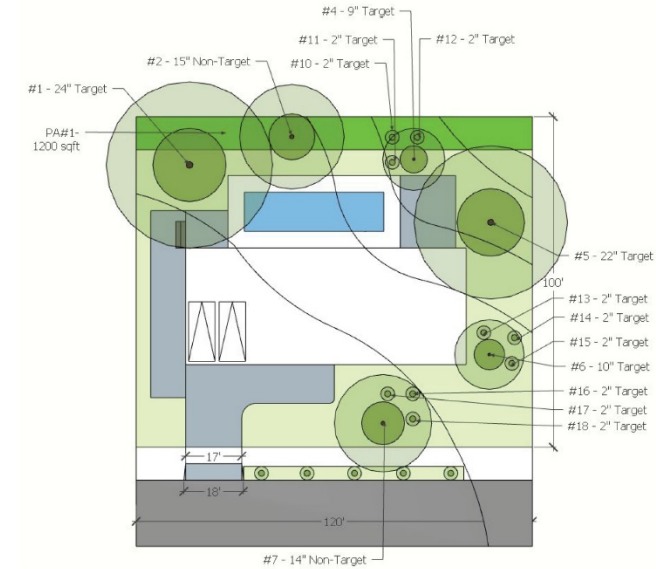
### Existing & No Action

FAR: 0  
 Total Floor area: 0  
 Lot Coverage: 0  
 Hard Surface Area: 0  
 Ground Disturbance: 0  
 Existing Trees: 9  
 Biodiversity Garden: N/A



### With Action

FAR: 0.5  
 Total Floor area: 6,000 sf  
 Lot Coverage: 25%  
 Hard Surface Area: 50%  
 Ground Disturbance: 50%  
 Removed Trees: 3  
 Preserved Trees: 6  
 New Trees: 9  
 Total Trees: 15  
 Biodiversity Garden: 1,200 sf (4 pts)

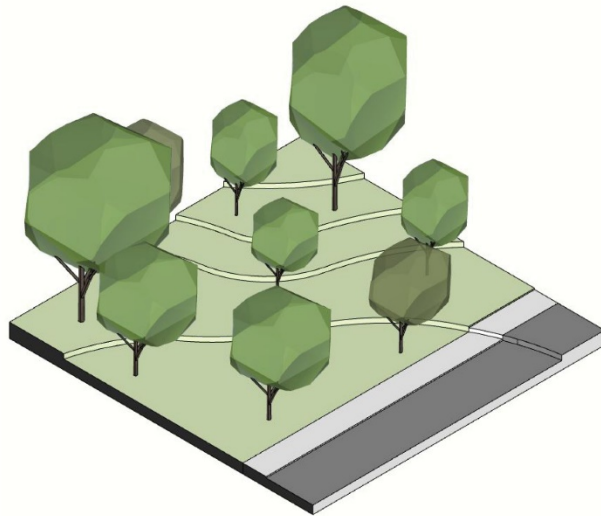


## Prototypical Analysis Site 8

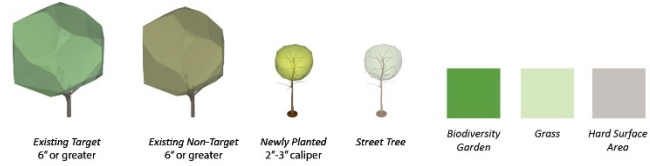
R1-1 District, 120 ft x 100 ft interior lot, 12,000 sf lot area,  
 Two-story Single-family detached  
 No Action- Existing Special Natural Area District  
 With Action- Riverdale-Fieldston Subdistrict, Base Protection Area

### Existing & No Action

FAR: 0                      Existing Trees: 9  
 Total Floor area: 0        Biodiversity Garden: N/A  
 Lot Coverage: 0  
 Hard Surface Area: 0  
 Ground Disturbance: 0

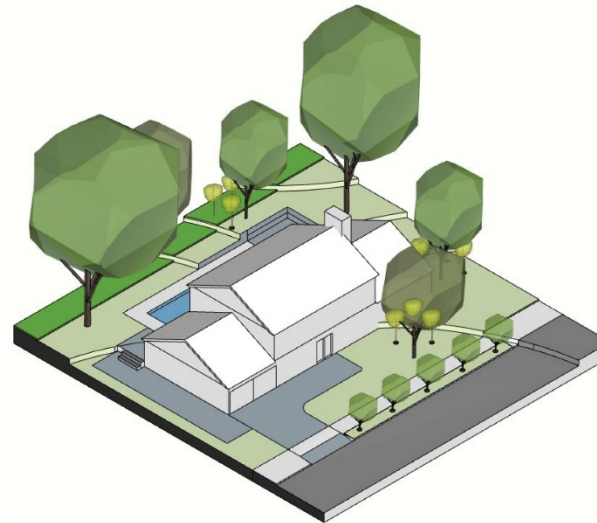


### Legend



### With Action

FAR: 0.5                      Removed Trees: 3  
 Total Floor area: 6,000 sf    Preserved Trees: 6  
 Lot Coverage: 25%            New Trees: 9  
 Hard Surface Area: 50%      Total Trees: 15  
 Ground Disturbance: 50%    Biodiversity Garden: 1,200 sf (4 pts)



**Prototypical Analysis Site 9      R3X District, 50 feet x 100 feet interior lot,  
Existing – Special South Richmond Development  
District,  
Proposed – South Richmond Subdistrict, Base  
Protection Area**

Prototypical Analysis Site 9, as shown in the illustrations below, uses a generic 50 feet x 100 feet interior lot in an R3X zoning district. In the No Action scenario, the site is located in the SSRDD; in the With Action scenario, the site is located in the South Richmond Subdistrict, Base Protection Area. These assumptions were made because they represent typical lot conditions found in R3X districts in the existing SSRDD. The prototypical analysis site illustrates the opportunity to understand the effects of the following components of the Proposed Actions on development:

- Proposed tree planting and biodiversity area requirements
- Lot coverage and hard surface area regulations
- As-of-right modification to natural features outside the footprint of the building

**Existing Conditions**

Existing conditions show a 5,000-square-foot vacant lot with six trees. The site illustrates a grade change of 2 feet, sloping upward from the street to the rear of the site.

**No Action Scenario**

The No Action scenario illustrates the development of a two-story, single-family, detached residence. The zoning lot is developed with 3,000 square feet of floor area—the maximum permitted in an R3X district when using the permitted 20 percent floor area increase for sites in LGMAs. The building footprint is 1,500 square feet and is designed to maximize lot coverage.

Additionally, the site accommodates a driveway, walkway, patio area, and swimming pool, creating 3,677 square feet of hard surface area (74 percent of lot area) and requiring 3,677 square feet of ground disturbance. Cut is used for constructing the swimming pool. Modification of topography of more than 2 feet cut or fill or removal of trees greater than 6-inch caliper is not proposed beyond the 8-foot construction buffer, thus this development is allowed as-of-right.

The scenario provides three off-street parking spaces: one in a garage within the building and two in unenclosed parking pads located in the side yard ribbon.

Prior to development, the site contained 6 trees, worth 11 tree credits under existing regulations. The developed site contains five trees—five trees were removed, one was preserved in the rear of the site, and four are newly planted. This meets the 5 trees and 5.6 tree credit requirement under the existing regulations. The building complies with all other height, yard, and setback regulations pursuant to the underlying district or modifications set forth in the existing special district.

### **With Action Scenario**

The With Action scenario illustrates the development of a two-story, single-family, detached residence. The zoning lot is developed with 3,000 square feet of floor area—the maximum permitted in an R3X district when using the permitted 20 percent floor area increase for sites in LGMAs. The building footprint is 1,500 square feet, designed to maximize the 30 percent lot coverage. Additionally, the site accommodates a driveway, walkway, and patio area, creating 3,249 square feet of hard surface area (65 percent of lot area) and requiring 3,249 square feet of ground disturbance.

As required by the underlying zoning, the scenario provides three off-street parking spaces: one within an enclosed garage and two in unenclosed parking pads located in the side yard ribbon.

Prior to development, the site contained 6 trees, worth 19 tree credits under proposed regulations. The developed site contains seven trees—four trees were removed, two were preserved, and five are newly planted. This meets the 5 trees and 20 tree credit requirement under the existing regulations. Due to the proposed tree clustering regulations, new trees are planted proximate to the existing tree to form a tree cluster, making them eligible to receive bonus tree credits. Additionally, 500 square feet (10 percent of the lot area) of garden is provided to satisfy the proposed biodiversity planting area regulations that require four biodiversity points. The building complies with all other height, yard, and setback regulations pursuant to the underlying district or modifications set forth in the existing special district.

### **Incremental Change**

Under the With Action scenario, there is no change to the total floor area or lot coverage, while hard surface area decreases from 74 percent to 65 percent.

The proposed rules allow minor disturbances to the critical root zone of the tree beyond the structural root zone, unlike the existing rules. This flexibility in the proposed rules favors preservation of trees, compared to existing rules, where any disturbance to the critical root zone of a tree that is outside the 15-foot construction buffer may allow tree removal via CPC authorization. Simultaneously, the proposed change facilitates the as-of-right construction of site amenities outside the 15-foot construction buffer through the increased flexibility to locate amenities where they minimally disturb tree critical root zones.

In total, the With Action scenario has two more trees than the No Action scenario. The With Action scenario increases biodiversity planting areas by 450 square feet. No additional number of stories, residential units, or floor area are accommodated on the lot through the Proposed Actions.

**Prototypical Analysis Site 9**

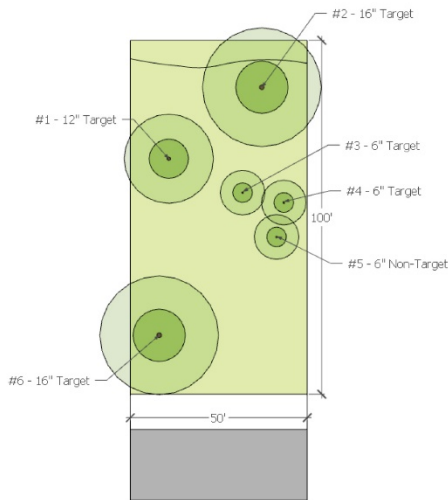
R3X District, 50 ft x 100 ft interior lot, 5,000 sf lot area,  
 Two-story Single-family detached  
 No Action- Existing Special South Richmond Development District  
 With Action- South Richmond Subdistrict, Base Protection Area

**Legend**



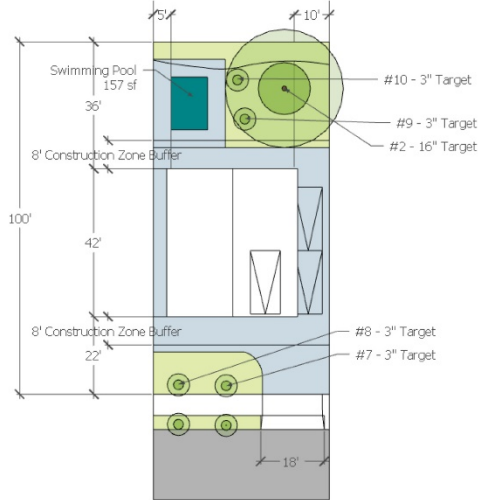
**Existing**

FAR: 0  
 Total Floor area: 0  
 Lot Coverage: 0  
 Hard Surface Area: 0  
 Ground Disturbance: 0  
 Existing Trees: 6  
 Biodiversity Garden: N/A



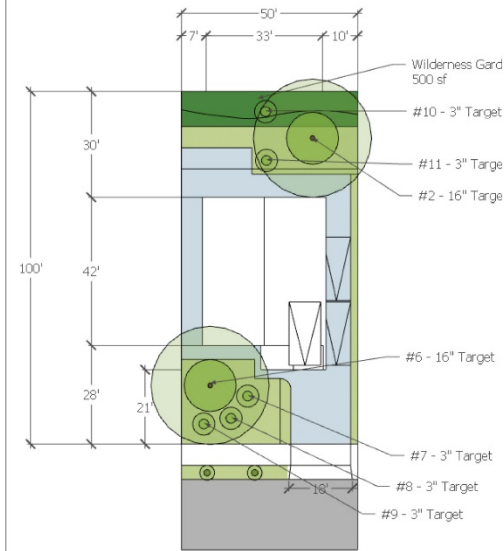
**No Action**

FAR: 0.6  
 Total Floor area: 3,000 sf  
 Lot Coverage: 30%  
 Hard Surface Area: 74%  
 Ground Disturbance: 74%  
 Removed Trees: 5  
 Preserved Trees: 1  
 New Trees: 4  
 Total Trees: 5  
 Biodiversity Garden: N/A



**With Action**

FAR: 0.6  
 Total Floor area: 3,000 sf  
 Lot Coverage: 30%  
 Hard Surface Area: 65%  
 Ground Disturbance: 65%  
 Removed Trees: 4  
 Preserved Trees: 2  
 New Trees: 5  
 Total Trees: 7  
 Biodiversity Garden: 500 sf (4pts)

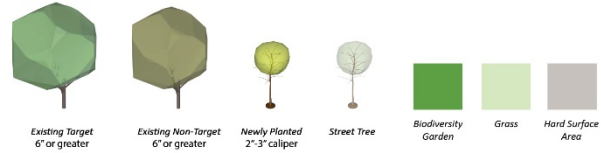




## Prototypical Analysis Site 9

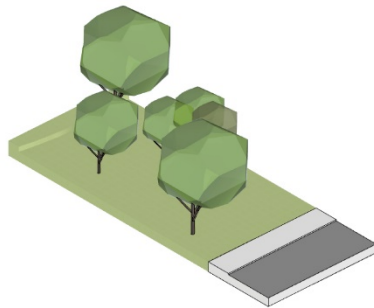
R3X District, 50 ft x 100 ft interior lot, 5,000 sf lot area,  
 Two-story Single-family detached  
 No Action- Existing Special South Richmond Development District  
 With Action- South Richmond Subdistrict, Base Protection Area

**Legend**



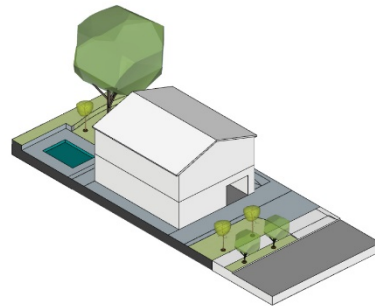
**Existing**

FAR: 0  
 Total Floor area: 0  
 Lot Coverage: 0  
 Hard Surface Area: 0  
 Ground Disturbance: 0  
 Existing Trees: 6  
 Biodiversity Garden: N/A



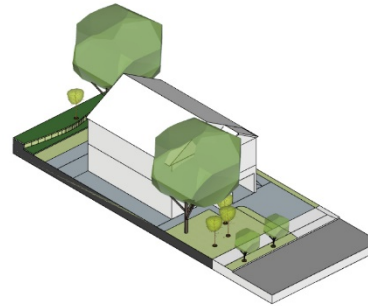
**No Action**

FAR: 0.6  
 Total Floor area: 3,000 sf  
 Lot Coverage: 30%  
 Hard Surface Area: 74%  
 Ground Disturbance: 74%  
 Removed Trees: 5  
 Preserved Trees: 1  
 New Trees: 4  
 Total Trees: 5  
 Biodiversity Garden: N/A



**With Action**

FAR: 0.6  
 Total Floor area: 3,000 sf  
 Lot Coverage: 30%  
 Hard Surface Area: 65%  
 Ground Disturbance: 65%  
 Removed Trees: 4  
 Preserved Trees: 2  
 New Trees: 5  
 Total Trees: 7  
 Biodiversity Garden: 500 sf (4pts)



**Prototypical Analysis Site 10 R1-2 District, 80 feet x 100 feet interior lot,  
Existing – Special Natural Area District,  
Proposed – Special Natural Area District,  
Resource Adjacent Ecological Area**

Prototypical Analysis Site 10, as shown in the illustrations below, uses a generic 80 feet x 100 feet interior lot in an R1-2 zoning district. In the No Action scenario, the site is located in the existing SNAD (NA-X); in the With Action scenario, the site is located in the SNAD, Resource Adjacent Ecological Area. The site represents typical lot conditions found in R1-2 districts in the existing SNAD for new development on sites that are adjacent to ecologically sensitive natural features. The prototypical analysis site illustrates the opportunity to understand the effects of the following components of the Proposed Actions on development:

- Proposed tree planting and biodiversity area requirements
- Lot coverage and hard surface area regulations
- As-of-right modification to natural features outside the footprint of the building
- Proposed regulations designed for the preservation of ecologically sensitive areas

**Existing Conditions**

Existing conditions show an 8,000-square-foot vacant lot adjacent to an ecologically sensitive area with eight trees. The ecologically sensitive area in this prototypical analysis site is a forest that is adjacent to the lot along the rear property lot line. The site illustrates a grade change of 6 feet, sloping upward from the street to the rear of the site.

**No Action Scenario**

The No Action scenario illustrates the development of a two-story, single-family, detached residence. The zoning lot is developed with 4,800 square feet of zoning floor area—the maximum permitted in an R1-2 district when using the permitted 20 percent floor area increase for sites in LGMAs (23-142) that allows a FAR of 0.6. The building footprint is 2,400 square feet, which also meets the open space ratio of 150 per the underlying zoning district (23-141). Additionally, the site accommodates a driveway, walkway, and patio, creating 3,820.5 square feet of hard surface area (48 percent of lot area) and requiring 3,820.5 square feet of ground disturbance. Cut and fill are used for constructing both the building structure and non-building amenities, including the walkway and backyard patio.

As required in the underlying zoning, the scenario provides two off-street parking spaces: one within a garage inside the residence and another at an unenclosed parking pad located in the front yard, which is permitted through LDGMA (105-702). Because the site is smaller than 10,000 square feet and the development does not exceed the lot coverage beyond 2,500 square feet, this enlargement does not require special review pursuant to 105-021 and is allowed as-of-right. Additionally, trees greater than 6-inch caliper are not proposed beyond the 15 feet construction buffer.

Prior to development, the site contained 8 trees, worth 24 tree credits under existing regulations. The developed site contains 13 trees—2 were preserved at the rear of the site, none were preserved in the front yard, and 11 are newly planted. This meets the eight trees and seven tree credit requirement under the existing regulations. The building complies with all other height, yard, and setback regulations pursuant to the underlying district or modifications set forth in the existing special district. The site development does not take the adjacency of the natural resource (forest) into consideration.

### **With Action Scenario**

The With Action scenario illustrates the development of a three-story, single-family, detached residence. The zoning lot is developed with 3,600 square feet of zoning floor area (a FAR of 0.45)—the maximum permitted in an R1-2 district allows a FAR of 0.5. The building footprint is 1,200 square feet, designed to maximize the 15 percent lot coverage. Additionally, the site accommodates a driveway, walkway, and swimming pool, creating 3,556 square feet of hard surface area (44 percent of lot area) and requiring 3,556 square feet of ground disturbance. Cut and fill are used for constructing both the building structure and non-building amenities, including the walkway and backyard patio.

As required by the underlying zoning, the scenario provides two off-street parking spaces: in a garage within the residence. Within the proposed special district, the site would be subject to a 15 percent lot coverage for the protection of the adjacent natural resource and would supersede the underlying open space provisions.

Prior to development, the site contained 8 trees, worth 24 credits under the proposed regulations. Proposed regulations require 8 trees and 32 tree credits. In this scenario, the site contains 11 trees—6 were preserved, 2 were removed, and 5 are newly planted. Two trees are preserved at the back of the site in the required landscape buffer area for increased credit due to proposed tree clustering regulations; also, three trees are newly planted between two preserved trees, making them eligible to receive bonus tree credits. Two front yard trees are preserved; additionally, one tree is newly planted in the front yard to satisfy the proposed regulations, which require eight front yard tree credits.

Additionally, 320 square feet (10 percent of lot area) of a garden and a 10-foot x 80-foot landscape buffer along the rear property line is provided to satisfy the proposed biodiversity planting area regulations that require six biodiversity points. The building complies with all other height, yard, and setback regulations pursuant to the underlying district or modifications set forth in the existing special district.

### **Incremental Change**

Under the With Action scenario, the total floor area decreases by 1,200 square feet compared to the No Action scenario. This is a result of the decrease in lot coverage from 30 percent to 15 percent of the lot area for the proposed rule in a lot adjacent to an ecologically sensitive resource, with minimal a minimal change in hard surface area from 48 percent (no action) to 44 percent (with action).

The proposed rules allow minor disturbances to the critical root zone of the tree beyond the structural root zone, unlike the existing rules. This flexibility in the proposed rules favors preservation of trees, compared to existing rules, where any disturbance to the critical root zone of a tree that is outside the 15-foot construction buffer may allow tree removal via CPC authorization. Simultaneously, the proposed change facilitates the as-of-right construction of site amenities outside the 15-foot construction buffer through the increased flexibility to locate amenities where they minimally disturb tree critical root zones.

In total, the With Action scenario decreases the total number of trees because of the tree clustering bonus, which enables the homeowner to plant fewer new trees to meet tree credit requirements. The With Action scenario increases biodiversity planting areas by 1,000 square feet. An additional floor is added in the With Action scenario with the reduction of lot coverage and an increase in the sky exposure plane, while the No Action scenario allows for a larger foot print within two-stories. No changes to the residential units are accommodated on the lot through the Proposed Actions.

**Prototypical Analysis Site 10**

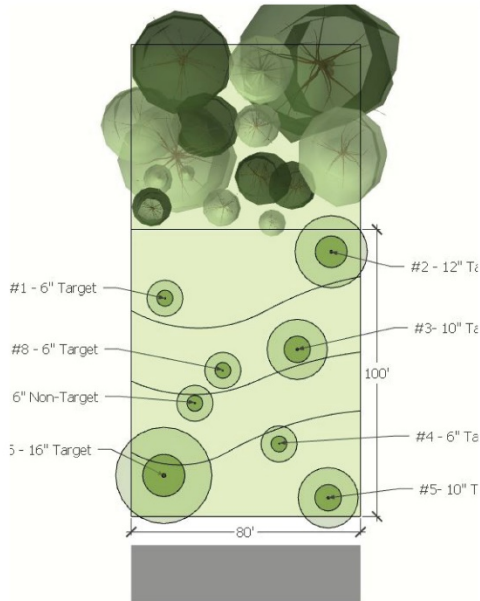
R1-2 District, 80 ft x 100 ft interior lot, 8,000 sf lot area,  
 Two-story Single-family detached  
 No Action- Existing Special Natural Area District  
 With Action- Hillside Subdistrict, Resource Adjacent Area



**Existing**

FAR: 0  
 Total Floor area: 0  
 Lot Coverage: 0  
 Hard Surface Area: 0  
 Ground Disturbance: 0

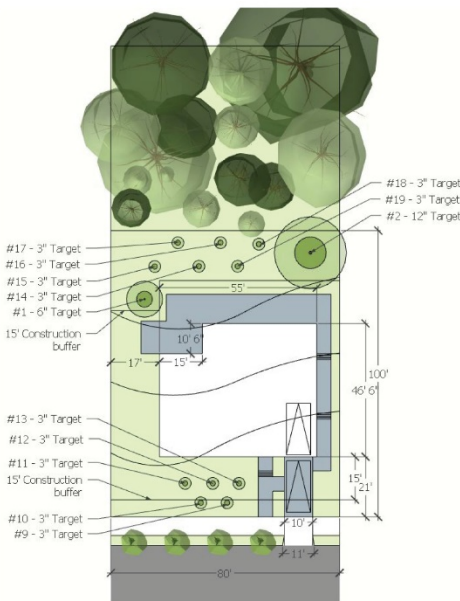
Existing Trees: 8  
 Biodiversity Garden: N/A



**No Action**

FAR: 0.6  
 Total Floor area: 4,800 sf  
 Lot Coverage: 30%  
 Hard Surface Area: 48%  
 Ground Disturbance: 48%

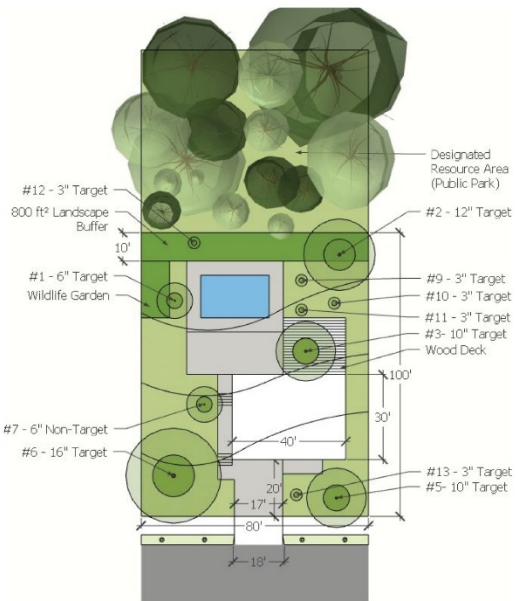
Removed Trees: 6  
 Preserved Trees: 2  
 New Trees: 11  
 Total Trees: 13  
 Biodiversity Garden: N/A



**With Action**

FAR: 0.45  
 Total Floor area: 3,600 sf  
 Lot Coverage: 15%  
 Hard Surface Area: 44%  
 Ground Disturbance: 44%

Removed Trees: 2  
 Preserved Trees: 6  
 New Trees: 5  
 Total Trees: 11  
 Biodiversity Garden: 1,000 sf (6pts)



## Prototypical Analysis Site 10

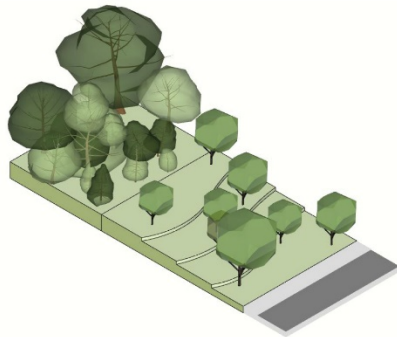
R1-2 District, 80 ft x 100 ft interior lot, 8,000 sf lot area,  
 Two-story Single-family detached  
 No Action- Existing Special Natural Area District  
 With Action- Hillside Subdistrict, Resource Adjacent Area

**Legend**



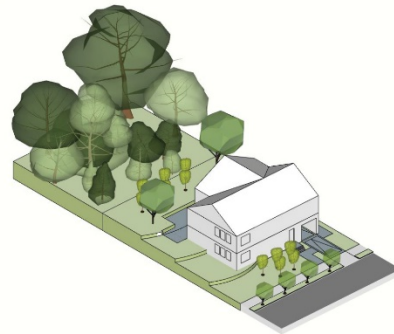
**Existing**

FAR: 0  
 Total Floor area: 0  
 Lot Coverage: 0  
 Hard Surface Area: 0  
 Ground Disturbance: 0  
 Existing Trees: 8  
 Biodiversity Garden: N/A



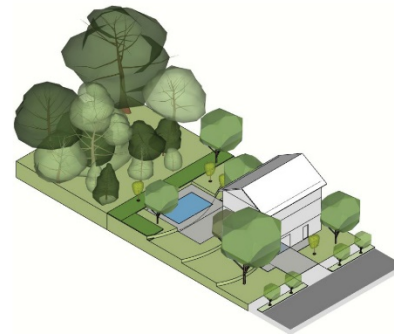
**No Action**

FAR: 0.6  
 Total Floor area: 4,800 sf  
 Lot Coverage: 30%  
 Hard Surface Area: 48%  
 Ground Disturbance: 48%  
 Removed Trees: 6  
 Preserved Trees: 2  
 New Trees: 11  
 Total Trees: 13  
 Biodiversity Garden: N/A



**With Action**

FAR: 0.45  
 Total Floor area: 3,600 sf  
 Lot Coverage: 15%  
 Hard Surface Area: 44%  
 Ground Disturbance: 44%  
 Removed Trees: 2  
 Preserved Trees: 6  
 New Trees: 5  
 Total Trees: 11  
 Biodiversity Garden: 1,000 sf (6pts)



**Prototypical Analysis Site 11 R2 District, 55 feet x 115 feet interior lot,  
Existing - Special Hillside Preservation District,  
Proposed - Hillside Subdistrict, Escarpment Area**

Prototypical Analysis Site 11, as shown in the illustrations below, uses a generic 55 feet x 115 feet interior lot in an R2 zoning district. In the No Action scenario, the site is located in the SHPD; in the With Action scenario, the site is located in the Hillside Preservation, Escarpment Area. These assumptions were made because they represent typical lot conditions found in R2 districts in the existing SHPD. The prototypical analysis site illustrates the opportunity to understand the effects of the following components of the Proposed Actions on development:

- Proposed tree planting and biodiversity area requirements
- Lot coverage and hard surface area regulations
- As-of-right modification to natural features outside the footprint of the building
- Regulations regarding steep slope encroachment

**Existing Conditions**

Existing conditions show a 6,325-square-foot vacant lot with 10 trees. The site illustrates a grade change of 52 feet—sloping downward from the street to the rear of the site, with slope categories of 10–24.9 percent at the street to more than 85 percent towards the rear of the site.

**No Action Scenario**

Pursuant to 119-311, development on steep slopes or steep slope buffers requires CPC authorization, thus no as-of-right development is permitted.

**With Action Scenario**

The With Action scenario illustrates the development of a two-story, single-family, detached residence. The zoning lot is developed with 2,850 square feet of zoning floor area—the maximum permitted in an R2 district that allows a FAR of 0.5. The location of the building is defined by yard requirements and takes advantage of the proposed regulations allowing a front yard reduction to 10 feet in escarpment areas. This results in the building encroaching on areas with a slope category of 65–84.9 percent, which subsequently limits the maximum lot coverage allowed on-site to 15 percent. The 950-square-foot building footprint is designed to maximize the 15 percent lot coverage. Additionally, the site accommodates a driveway, walkway, two patios, and jacuzzi, creating 2,772 square feet of hard surface area (44 percent of lot area) and requiring 1,819 square feet of ground disturbance. Cut and fill are used for constructing both the building structure and non-building amenities, including the patios.

The scenario provides two off-street parking spaces, both in an unenclosed parking pad located in the front yard that takes advantage of the proposed regulations allowing front yard parking for sites with a lot coverage of 20 percent or less.

Prior to development, the site contained 10 trees, worth 28 tree credits under proposed regulations. Proposed regulations require 6 trees and 25 tree credits. In this scenario, seven trees were removed, and the site now contains nine trees: three preserved trees and six newly planted trees. Due to the proposed tree clustering regulations, new trees are planted proximate to each other to form a tree cluster, making them eligible to receive bonus tree credits. Three trees are newly planted in the front yard to satisfy the proposed regulations, which require six front yard tree credits.

Additionally, 640 square feet (10 percent of the lot area) of garden is provided to satisfy the proposed biodiversity planting area regulations that require four biodiversity points. The building complies with all other height, yard, and setback regulations pursuant to the underlying district or modifications set forth in the proposed special district.

### **Incremental Change**

Under the With Action scenario, the total floor area, lot coverage, hard surface area, and ground disturbance all increase because a house would not be built on this site in the No Action scenario without a Zoning Authorization 119-311.

The proposed rules allow minor disturbances to the critical root zone of the tree beyond the structural root zone, unlike the existing rules. This flexibility in the proposed rules favors preservation of trees, compared to existing rules, where any disturbance to the critical root zone of a tree outside the 15-foot construction buffer may allow tree removal via CPC authorization. Simultaneously, the proposed change facilitates the as-of-right construction of site amenities outside the 15-foot construction buffer through the increased flexibility to locate amenities where they minimally disturb tree critical root zones.

In total, the With Action scenario increases biodiversity planting areas by 640 square feet. The number of trees decreases because of the increased tree grouping points.



### Prototypical Analysis Site 11

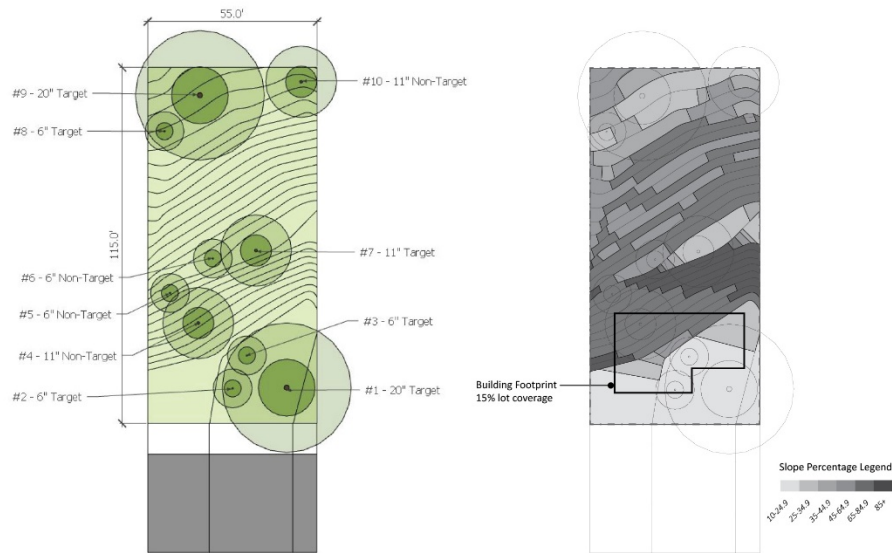
R2 District, 55 ft x 115 ft interior lot, 6,325 sf lot area,  
 Two-story Single-family detached  
 No Action- Existing Special Hillside Preservation District  
 With Action- Hillside Subdistrict, Escarpment Area



#### Existing & No Action

FAR: 0  
 Total Floor area: 0  
 Lot Coverage: 0  
 Hard Surface Area: 0  
 Ground Disturbance: 0

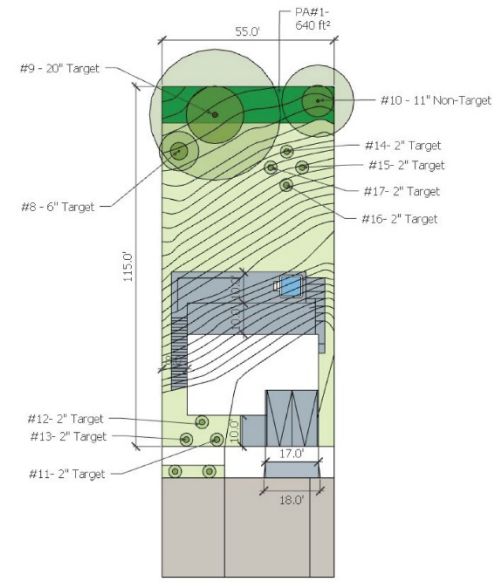
Existing Trees: 10  
 Biodiversity Garden: N/A



#### With Action

FAR: 0.5  
 Total Floor area: 2,850 sf  
 Lot Coverage: 15%  
 Hard Surface Area: 44%  
 Ground Disturbance: 29%

Removed Trees: 7  
 Preserved Trees: 3  
 New Trees: 6  
 Total Trees: 9  
 Biodiversity Garden: 640 sf (4 pts)



## Prototypical Analysis Site 11

R2 District, 55 ft x 115 ft interior lot, 6,325 sf lot area,  
 Two-story Single-family detached  
 No Action- Existing Special Hillside Preservation District  
 With Action- Hillside Subdistrict, Escarpment Area

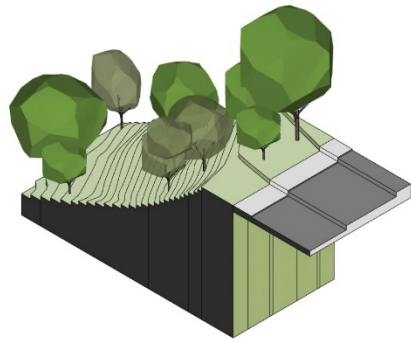
**Legend**



**Existing & No Action**

FAR: 0  
 Total Floor area: 0  
 Lot Coverage: 0  
 Hard Surface Area: 0  
 Ground Disturbance: 0

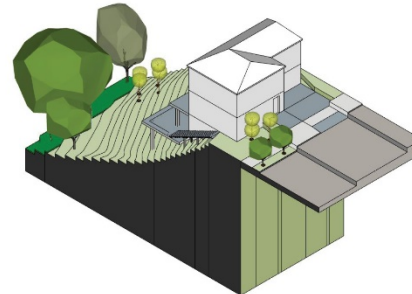
Existing Trees: 10  
 Biodiversity Garden: N/A



**With Action**

FAR: 0.5  
 Total Floor area: 2,850 sf  
 Lot Coverage: 15%  
 Hard Surface Area: 44%  
 Ground Disturbance: 29%

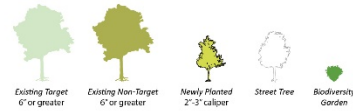
Removed Trees: 7  
 Preserved Trees: 3  
 New Trees: 6  
 Total Trees: 9  
 Biodiversity Garden: 640 sf (4 pts)



## Prototypical Analysis Site 11

R2 District, 55 ft x 115 ft interior lot, 6,325 sf lot area,  
 Two-story Single-family detached  
 No Action- Existing Special Hillside Preservation District  
 With Action- Hillside Subdistrict, Escarpment Area

**Legend**



**Existing & No Action**

FAR: 0  
 Total Floor area: 0  
 Lot Coverage: 0  
 Hard Surface Area: 0  
 Ground Disturbance: 0

Existing Trees: 10  
 Biodiversity Garden: N/A

**With Action**

FAR: 0.5  
 Total Floor area: 2,850 sf  
 Lot Coverage: 15%  
 Hard Surface Area: 44%  
 Ground Disturbance: 29%

Removed Trees: 7  
 Preserved Trees: 3  
 New Trees: 6  
 Total Trees: 9  
 Biodiversity Garden: 640 sf (4 pts)



**Prototypical Analysis Site 12    R3X District, 150 feet x 100 feet interior lot,  
Existing – Special South Richmond Development  
District,  
Proposed – South Richmond Subdistrict,  
Resource Adjacent Area**

Prototypical Analysis Site 12, as shown in the illustrations below, uses a generic 150 feet wide x 100 feet deep interior lot in an R3X zoning district. The site is located adjacent to New York State Department of Environmental Conservation (NYSDEC) freshwater wetlands and would require a review by NYSDEC. In the No Action scenario, the site is located in the SSRDD; in the With Action scenario, the site is located in the South Richmond Subdistrict, Resource Adjacent Area. These assumptions were made because they represent typical lot conditions in R3X districts in the existing SSRDD. The prototypical analysis site illustrates the opportunity to understand the effects of the following components of the Proposed Actions on development adjacent to designated aquatic resources (Resource Adjacent Area):

- Minimum lot area requirements for subdivisions to preserve aquatic resources
- As-of-right building clustering rules pertaining to distance between buildings and minimum lot area provisions for each building
- Lot coverage and hard surface area regulations
- Tree planting, landscape buffer and other biodiversity area requirements
- As-of-right modification to building height
- As-of-right modification to natural features outside the footprint of the building

**Existing Conditions**

Existing conditions show a 15,000-square-foot vacant lot with flat topography and no trees that are 6-inch caliper or more. The site is located near an NYSDEC freshwater wetland on its right. A portion of the existing lot is within the 100-foot wetland adjacent area that is regulated by NYSDEC.

**No Action Scenario**

The No Action scenario illustrates the lot being subdivided into three 5,000-square-foot lots, each measuring 50 feet wide and 100 feet deep. Lots are identified as 1, 2, 3 from left to right. Lots 2 and 3 are within 100-foot NYSDEC wetland adjacent area and would be subject to NYSDEC approvals for building footprint, amenities, and planted buffer areas. A development of a two-family, detached residence occupying two stories is proposed on each lot. Modification of topography of more than 2 feet cut or fill or removal of trees greater than 6-inch caliper is not proposed beyond the 8-foot construction buffer, thus construction is allowed as-of-right.

### **Lots 1 and 2 – Building and Hard Surface Area**

Development on Lots 1 and 2 is assumed to be similar after required NYSDEC approvals. Both lots are developed with 2,500 square feet of zoning floor area each, which is the maximum permitted in an R3X district that allows a FAR of 0.5. The location of the building is defined by yard requirements. Each building footprint is 1,250 square feet, designed to maximize FAR within two stories. Additionally, the site accommodates a building, driveway, walkway, and a patio, creating 2,950 square feet of hard surface area (59 percent of lot area) and requiring 2,950 sf of ground disturbance. Cut and fill used for constructing both the building structure and non-building amenities, including the patio, are less than 2 feet.

### **Lot 3 – Building and Hard Surface Area**

Lot 3 would require a planted buffer, which NYSDEC determines on a case-by-case basis. The zoning lot is developed with 2,500 square feet of zoning floor area, which is the maximum permitted in an R3X district that allows a FAR of 0.5. The location of the building is defined by yard requirements and the planted buffer requirements determined by NYSDEC. The building footprint is 1,250 square feet, designed to maximize FAR within two stories. Additionally, the site accommodates a building, driveway, walkway, and a patio, creating 2,950 square feet of hard surface area (59 percent of lot area) and requiring 2,950 square feet of ground disturbance. Cut and fill used for constructing both the building structure and non-building amenities, including the patio, are less than 2 feet.

### **Lots 1, 2, and 3 – Parking and Planting Requirements**

The scenario provides three off-street parking spaces for each lot: two in the side yard in tandem and one in a garage within the building.

Existing regulations require five tree credits; five newly planted trees of 3-inch caliper satisfy these requirements. The building complies with all other height, yard, and setback regulations pursuant to the underlying district or modifications set forth in the existing special district.

### **With Action Scenario**

The With Action scenario illustrates a development similar to the No Action scenario with three buildings, each a two-family, detached residence. The proposed rules require the aquatic resource and required planted buffer area to be excluded from the minimum lot area calculations, hence the existing lot can only be divided into two lots under the Proposed Actions. The existing lot is subdivided into two different sized lots to create one minimum size lot and another lot that can accommodate two detached buildings. The left lot (Lot 1) has a width of 40 feet and the right lot (Lot 2) is 110 feet wide. The proposed as-of-right clustering regulations modify the underlying rules for distance between buildings and minimum lot area associated with each building to accommodate development similar to the No Action scenario.

### **Lot 1**

The With Action scenario of Lot 1 illustrates development of a two-story, single-family, detached residence. The zoning lot is developed with 2,000 square feet of zoning floor area—the maximum permitted in an R3X district that allows a FAR of 0.5. The location of the building is

defined by yard requirements. The building footprint is 1,000 square feet, designed to maximize the FAR regulations within two stories. Additionally, the site accommodates a building, driveway, walkway, and a patio, creating 2,591 square feet of hard surface area (65 percent of lot area) and requiring 2,591 square feet of ground disturbance, which is the maximum allowed under the proposal. Cut and fill are used for constructing both the building structure and non-building amenities, including the patio.

The scenario provides three off-street parking spaces: two in the side yard in tandem and one in a garage within the building.

Proposed regulations require 4 trees (1 tree for every 1,000 square feet of lot area) and 16 tree credits (3 tree credits for every 750 square feet of lot area). In this scenario, the site now contains seven newly planted trees of 2-inch caliper each. Due to the proposed tree clustering regulations, new trees are planted proximate to each other to form a tree cluster, making them eligible to receive 25 percent bonus tree credits. No front yard trees are required.

Additionally, 400 square feet of garden is provided to satisfy the proposed biodiversity planting area regulations that require four biodiversity points. The building complies with all other height, yard and setback regulations pursuant to the underlying district or modifications set forth in the proposed special district.

## **Lot 2**

The With Action scenario of Lot 2 illustrates the development of two detached buildings each with a two-family residence within three stories. The proposed modification in perimeter wall height from 26 feet to 31 feet allows the construction of three stories in this ecologically sensitive area to cluster the development farther from the wetland and wetland buffer. The zoning lot is developed with 5,151 square feet of zoning floor area (.47) close to the maximum permitted in an R3X district that allows a FAR of 0.5. Building A, on the left, accommodates 2,526 square feet zoning floor area. Building B, on the right, uses 2,625 square feet of zoning floor area. The location of the building is defined by yard requirements and its proximity to the adjacent NYSDEC wetland. The proposed development would be subject to a maximum 15 percent lot coverage and 45 percent hard surface area within 100 feet of the NYSDEC wetland and a maximum 30 percent lot coverage and 65 percent hard surface area beyond 100 feet of the NYSDEC wetland. The development provides 875 square feet of lot coverage (11 percent) and 2,654 square feet of hard surface area (32 percent) within 100 feet of the NYSDEC wetland and 842 square feet of lot coverage (30 percent) and 1,629 square feet of hard surface area (58 percent) beyond 100 feet of the NYSDEC wetland. The site accommodates a building, driveway, walkway, and patio creating 1,717 square feet of lot coverage and 4,283 square feet of hard surface area and requires 4,283 square feet of ground disturbance across the entire Lot 2. Cut and fill are used for constructing both the building structure and non-building amenities including patios.

The scenario provides three off-street parking spaces for each building: two in the side yard and one in a garage within each building, for a total of six parking spaces.

Proposed regulations require 11 trees (1 tree for every 1,000 square feet of lot area) and 44 tree credits (3 tree credits for every 750 square feet of lot area). In the With Action scenario, the site contains 18 newly planted trees of 2-inch caliper each. Due to the proposed tree clustering regulations, new trees are planted proximate to each other to form a tree cluster, making them eligible to receive 25 percent bonus tree credits. Five of the 18 newly planted trees are in the front yard to satisfy the proposed regulations, which require 11 tree credits.

A landscape buffer along the side lot line of 3,990 square feet, which is required within 60 feet of NYSDEC wetland boundary, is provided to satisfy the proposed biodiversity planting area regulations. Six biodiversity points are required within 100 feet of the wetland boundary and four biodiversity points beyond the 100 feet, resulting in a weighted average requirement of 5.5 biodiversity points for the entire Lot 2. These requirements are satisfied by the required landscape buffer within 60 feet of the wetland boundary.

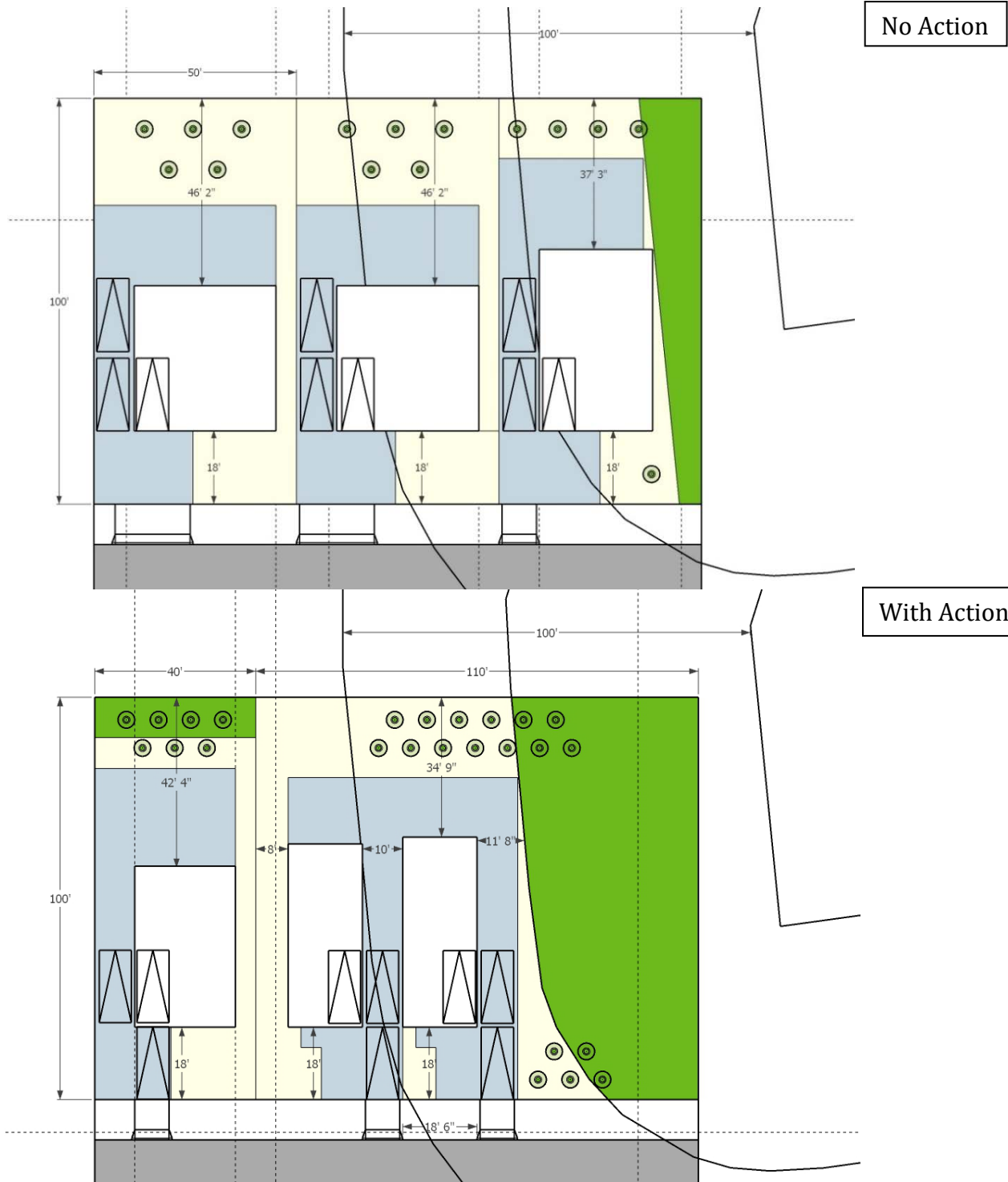
The building complies with all other height, yard, and setback regulations pursuant to the underlying district or modifications set forth in the existing special district.

### **Incremental Change**

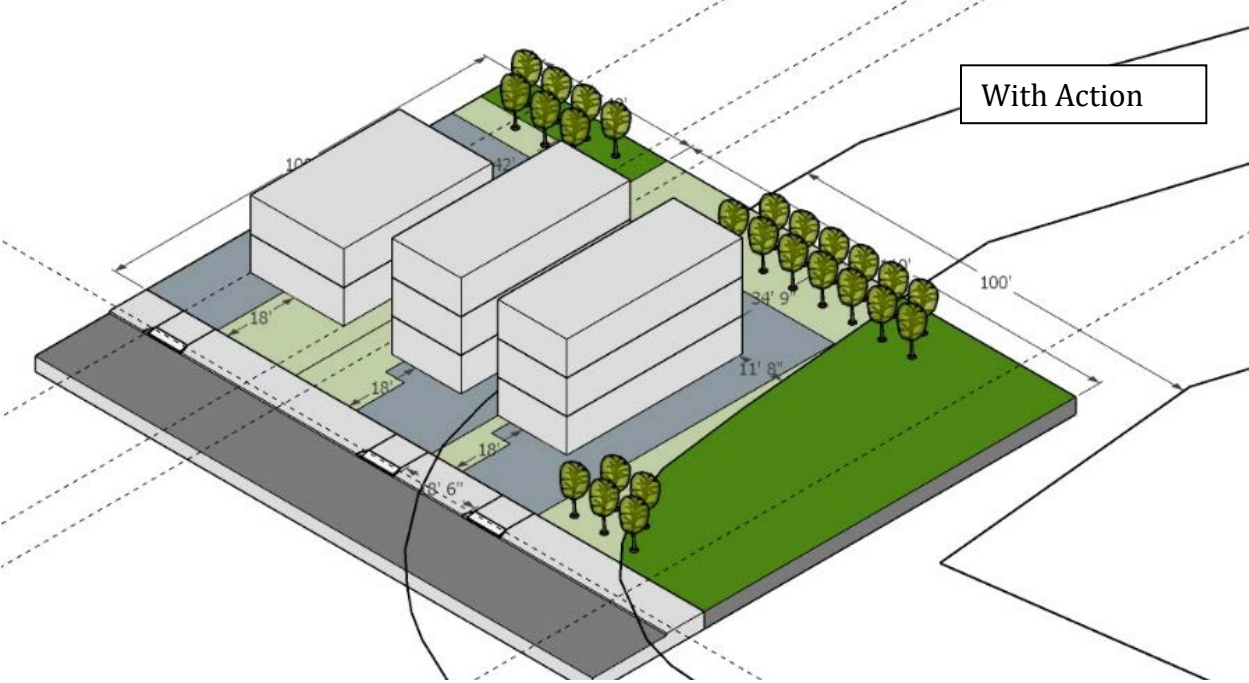
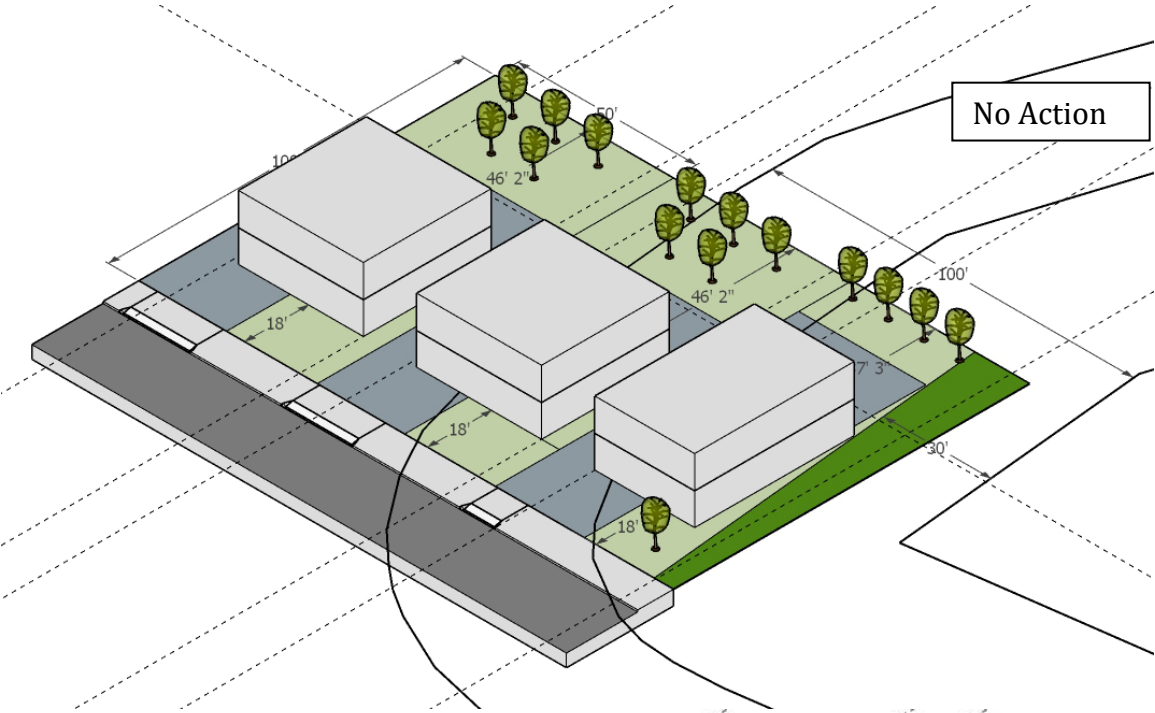
Under the With Action scenario for all subdivided lots, there is no change to the number of dwelling units. Lot coverage decreases from 25 percent to 18 percent, hard surface area decreases from 59 percent to 46 percent, and the total number of trees increases from 15 to 25.

In the With Action scenario, due to the adjacent NYSDEC wetland, a 60-foot planted buffer area will emerge from the side lot. This reduces the number of lot subdivisions from three to two to maintain the same number of dwelling units without increasing density.

In total, the With Action scenario increases the number of trees by 10 trees and biodiversity planting areas by 4,390 square feet. No additional dwelling units or floor area are accommodated on the lot through the Proposed Actions.







**Prototypical Analysis Site 13    R3X District with C1-1 overlay, 210 feet x 200 feet corner lot,  
Existing – Special South Richmond Development District,  
Proposed – South Richmond Subdistrict, Base Protection Area**

Prototypical Analysis Site 13, as shown in the illustrations below, uses a generic 210 feet x 200 feet corner lot in an R3X zoning district with a C1-1 overlay (200 feet wide) along an arterial. In the No Action scenario, the site is located in the SSRDD; in the With Action scenario, the site is located in the South Richmond Subdistrict, Base Protection Area. These assumptions were made because they represent typical lot conditions found in R3X districts with commercial overlays in the existing SSRDD.

The prototypical analysis site illustrates the opportunity to understand the effects of the following components of the Proposed Actions on development:

- Proposed tree planting and biodiversity area requirements
- Lot coverage and hard surface area regulations
- As-of-right modification to natural features outside the footprint of the building
- Proposed removal of parking authorization over 30 spaces

**Existing Conditions**

Existing conditions show a 42,000-square-foot vacant lot with 17 trees. The site illustrates a grade change of 6 feet, sloping upward from the street intersection to the opposite corner of the site. The site fronts two roads, one of which is an arterial road.

**No Action Scenario**

The No Action scenario illustrates the development of a one-story commercial building with general retail. Because the maximum number of parking spaces allowed as-of-right is 30 and one parking space is required for every 150 square feet of retail space, the buildable floor area is limited to 4,500 square feet without requiring CPC authorization. The building is kept to one story and placed in the corner of the lot to preserve the cluster of existing trees located on one portion of the lot to avoid requiring planting of too many new trees as well as allow for future expansion of the use. The site accommodates a driveway and 30 parking spaces, creating 11,370 square feet of hard surface area (27 percent of lot area), including the building, and requiring 11,370 square feet of ground disturbance. A cut of less than 2 feet is used to construct the building, driveway, and parking spaces. A single curb cut is located more than 50 feet away from the street intersection, fronting the non-arterial road, in compliance with existing regulations governing curb cut location. Modification of topography of more than 2 feet cut or fill or removal of trees greater than 6-inch caliper is not proposed beyond the 8-foot construction buffer, thus this development is allowed as-of-right.

Prior to development, the site contained 17 trees. The developed site contains 42 trees—6 existing trees were removed, and 31 trees are newly planted, as per the tree planting requirements (1 tree required for every 1,000 square feet of lot area) under existing regulations. A portion of the new trees are planted in planting islands at the ends of parking rows to comply with special landscaping and buffering provisions required in the existing SSRDD. The building complies with all other height, yard, and screening regulations pursuant to the underlying district or modifications set forth in the existing special district. The scenario meets parking and landscaping requirements pursuant to ZR sections 37-90, as well as access requirements under the Fire Code.

### **With Action Scenario**

The With Action scenario illustrates the development of a single-story commercial building allowed as-of-right on a lot under an acre. The zoning lot is developed with 11,185 square feet of floor area—the result of maximizing floor area while providing the required number of parking spaces on site. The site accommodates a driveway and 77 parking spaces, creating 35,148 square feet of hard surface area (84 percent of lot area) and requiring 35,148 square feet of ground disturbance. This meets the maximum proposed hard surface area of 90 percent allowed on the site.

Prior to development, the site contained 17 trees worth 50 tree credits under proposed regulations. The developed site contains 36 trees—15 trees were removed, 2 were preserved, and 34 are newly planted. This meets the 21 trees (1 tree required per 2,000 square feet of lot area) and 84 tree credit (1.5 tree credits per every 750 square feet of lot area) requirement under the proposed regulations. Due to the proposed tree clustering regulations, new trees are planted proximate to the existing tree to form a tree cluster, making them eligible to receive bonus tree credits.

Because the site fronts both an arterial and a non-arterial road, the curb cut is provided on the latter to make construction as-of-right under the proposed regulations. The building complies with all other height, yard, and setback regulations pursuant to the underlying district or modifications set forth in the existing special district as well as access requirements under the Fire Code. The scenario meets parking and landscaping requirements pursuant to ZR sections 37-90 and the proposed biodiversity requirements for ground planting are met by the landscaping required around planting islands.

### **Incremental Change**

Under the With Action scenario, the total floor area increases by 6,685 square feet (16 percent of lot area), and the total number of parking spaces increases by 47. Total lot coverage increases from 11 percent to 27 percent of the lot area, while hard surface area increases from 27 percent to 84 percent. In total, the With Action scenario has six fewer trees than the No Action scenario.

**Prototypical Analysis Site 13**

R3X/C1-1 District, 210 ft x 200 ft corner lot, 42,000 sf lot area,  
 Single-story commercial building, fronting an arterial road  
 No Action- Existing South Richmond Development District  
 With Action- South Richmond Subdistrict, Base Protection Area

**Legend**



**Existing**

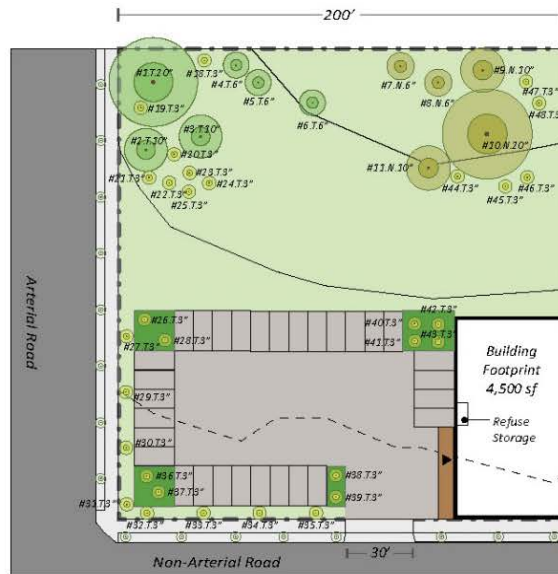
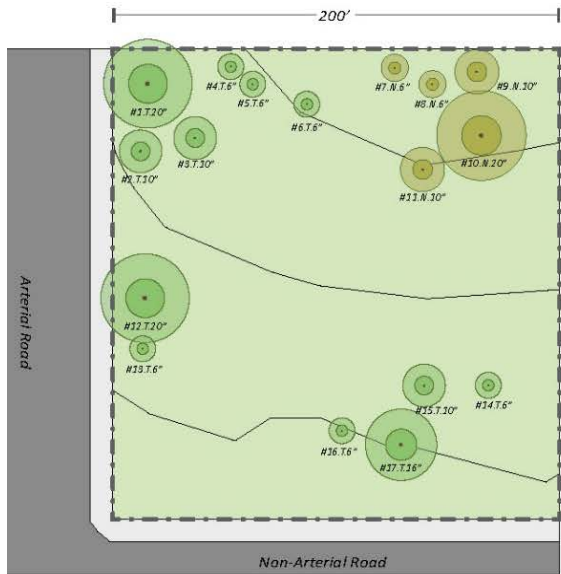
FAR: 0  
 Total Floor area: 0  
 Lot Coverage: 0  
 Impervious Area: 0  
 Ground Disturbance: 0  
 Existing Trees: 17  
 Biodiversity Garden: N/A

**No Action**

FAR: 0.1  
 Total Floor area: 4,500 sf  
 Lot Coverage: 11%  
 Impervious Area: 27%  
 Ground Disturbance: 27%  
 Removed Trees: 6  
 Preserved Trees: 11  
 New Trees: 31  
 Total Trees: 42  
 Biodiversity Garden: N/A

**With Action**

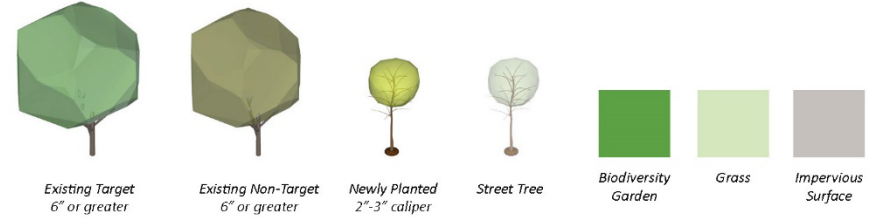
FAR: 0.27  
 Total Floor area: 11,185 sf  
 Lot Coverage: 27%  
 Impervious Area: 84%  
 Ground Disturbance: 84%  
 Removed Trees: 15  
 Preserved Trees: 2  
 New Trees: 34  
 Total Trees: 36  
 Biodiversity Garden: N/A



**Prototypical Analysis Site 13**

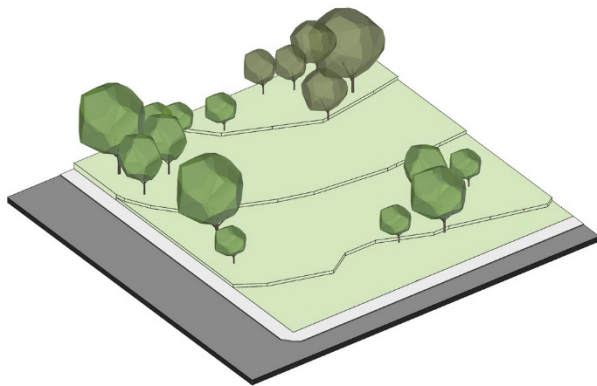
*R3X/C1-1 District, 210 ft x 200 ft corner lot, 42,000 sf lot area,  
Single-story commercial building, fronting an arterial road  
No Action- Existing South Richmond Development District  
With Action- South Richmond Subdistrict, Base Protection Area*

**Legend**



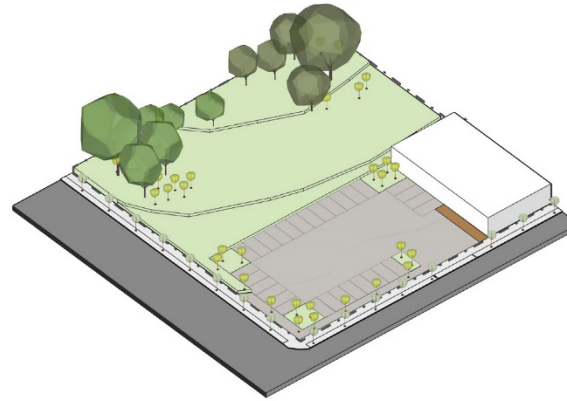
**Existing**

FAR: 0  
Total Floor area: 0  
Lot Coverage: 0  
Impervious Area: 0  
Ground Disturbance: 0  
Existing Trees: 17  
Biodiversity Garden: N/A



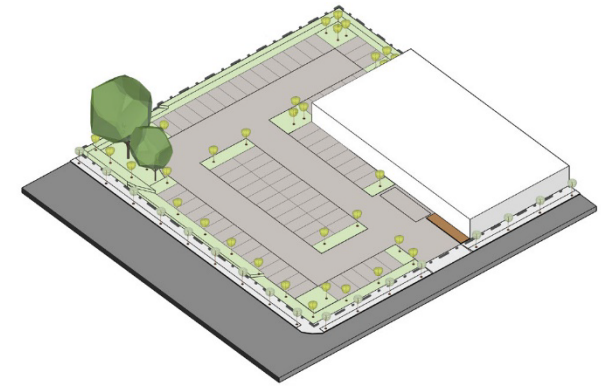
**No Action**

FAR: 0.1  
Total Floor area: 4,500 sf  
Lot Coverage: 11%  
Impervious Area: 27%  
Ground Disturbance: 27%  
Removed Trees: 6  
Preserved Trees: 11  
New Trees: 31  
Total Trees: 42  
Biodiversity Garden: N/A



**With Action**

FAR: 0.27  
Total Floor area: 11,185 sf  
Lot Coverage: 27%  
Impervious Area: 84%  
Ground Disturbance: 84%  
Removed Trees: 15  
Preserved Trees: 2  
New Trees: 34  
Total Trees: 36  
Biodiversity Garden: N/A



**Prototypical Analysis Site 14 R3-2 District with C1-1 overlay, 100 feet x 100 feet interior lot,  
Existing – Special South Richmond Development District,  
Proposed – South Richmond Subdistrict, Base Protection Area**

Prototypical Analysis Site 14, as shown in the illustrations below, uses a generic 100 feet x 100 feet interior lot in an R3-2 zoning district with a C1-1 overlay (100 feet wide) along a primary street frontage. In the No Action scenario, the site is located in the SSRDD; in the With Action scenario, the site is located in the South Richmond Subdistrict, Base Protection Area. These assumptions were made because they represent typical lot conditions found within R3-2 districts with commercial overlays in the existing SSRDD.

The prototypical analysis site illustrates the opportunity to understand the effects of the following components of the Proposed Actions on development:

- Proposed tree planting and biodiversity area requirements
- Lot coverage and hard surface area regulations
- As-of-right modification to natural features outside the footprint of the building

**Existing Conditions**

Existing conditions show a 10,000-square-foot vacant lot with nine trees. There is no grade change on the site. The site has a primary street frontage.

**No Action Scenario**

The No Action scenario illustrates the development of a three-story, mixed-use building with general retail and a residential lobby on the ground floor, and residential uses on the second and third floors. It contains 5,000 square feet of floor area (1,200 square feet of commercial and 3,800 square feet of residential).

The restriction on the use of open space for parking spaces and driveway limited to 50 percent, pursuant to ZR 36-54, defines the number of parking spaces, floor area allocation among the uses, and building footprint of this development. The building is placed on the corner of the lot to maximize the number of parking spaces and minimize the space required for the driveway. The ground floor accommodates commercial use up to 30 feet from the street wall, fulfilling requirements under ZR 32-433.

The site accommodates a driveway and 12 parking spaces—4 spaces for the 4 residential units and 8 spaces for the commercial space (at the rate of 1 space for every 150 square feet of commercial floor area). This configuration creates 4,928 square feet of hard surface area (49 percent of lot area) including the building and requires 4,928 square feet of ground disturbance. Neither cut nor fill is required, and modification of topography of more than 2 feet

cut or fill or removal of trees greater than 6-inch caliper is not proposed beyond the 8-foot construction buffer, thus this development is allowed as-of-right.

Prior to development, the site contained nine trees. The developed site contains eight trees—seven existing trees were removed and 6 are newly planted, each of 3-inch caliper, as per the tree planting requirements (1 tree required for every 1,000 square feet of lot area) pursuant to ZR 107-322. A portion of the new trees are planted in planting islands at the ends of parking rows to comply with special landscaping and buffering provisions required in the existing SSRDD. The building complies with all other height, yard, and screening regulations pursuant to the underlying district or modifications set forth in the existing special district. The scenario meets parking and landscaping requirements pursuant to ZR sections 37-90, as well as access requirements under the Fire Code.

### **With Action Scenario**

Similar to the No Action scenario, the With Action scenario illustrates the development of a three-story, mixed-use building with general retail and a residential lobby on the ground floor, and residential uses on the second and third floors. It contains 5,000 square feet of floor area (1,200 square feet of commercial and 3,800 square feet of residential).

The restriction on the use of open space for parking spaces and driveway, limited to 50 percent, pursuant to ZR 36-54, defines the number of parking spaces, floor area allocation among the uses, and building footprint of this development. The building is placed on the corner of the lot to maximize the number of parking spaces and minimize the space required for the driveway. The ground floor accommodates commercial use up to 30 feet from the street wall, fulfilling requirements under ZR 32-433.

The site accommodates a driveway and 12 parking spaces—4 spaces for the 4 residential units and 8 spaces for the commercial space, which creates 4,928 square feet of hard surface area (49 percent of lot area) including the building and requires 4,928 square feet of ground disturbance. This meets the maximum proposed hard surface area of 90 percent allowed on the site. Neither cut nor fill is required.

Prior to development, the site contained 9 trees worth 25 tree credits under proposed regulations. The developed site contains eight trees—seven existing trees were removed and six trees are newly planted, each of 2-inch caliper. This meets the 5 trees (1 tree required per 2,000 square feet of lot area) and 20 tree credits (1.5 tree credits per every 750 square feet of lot area) required under the proposed regulations. Due to the proposed tree clustering regulations, new trees are planted proximate to the existing tree to form a tree cluster, making them eligible to receive bonus tree credits.

The building complies with all other height, yard, and setback regulations pursuant to the underlying district or modifications set forth in the existing special district as well as access requirements under the Fire Code. The scenario meets parking and landscaping requirements pursuant to ZR sections 37-90 and the proposed biodiversity requirements for ground planting are met by the 1,000 square feet of garden planted at the rear of the site.

**Incremental Change**

Under the With Action scenario, there is no change in the total floor area, total number of parking spaces, or total lot coverage. In total, the With Action scenario has three fewer trees than the No Action scenario and 1,000 square feet of increased biodiversity planting.



### Prototypical Analysis Site 14

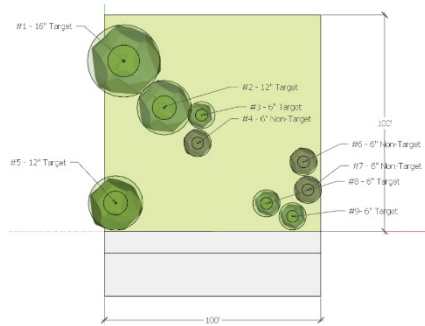
R3-2/C1-1 District, 100 ft x 100 ft interior lot, 10,000 sf lot area,  
 Three-story mixed-use commercial & residential building  
 No Action- Existing Special South Richmond Development District  
 With Action- South Richmond Subdistrict, Base Protection Area



**Existing**

FAR: 0  
 Total Floor area: 0  
 Lot Coverage: 0  
 Hard Surface Area: 0  
 Ground Disturbance: 0

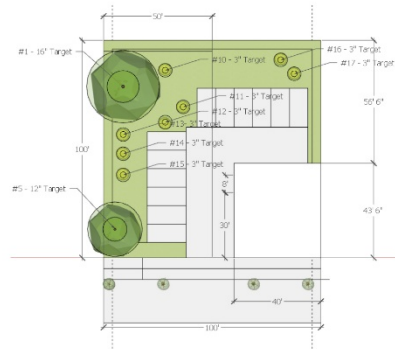
Existing Trees: 9  
 Biodiversity Garden: N/A



**No Action**

FAR: 0.5  
 Total Floor area: 5,000 sf  
 Lot Coverage: 17%  
 Hard Surface Area: 49%  
 Ground Disturbance: 49%

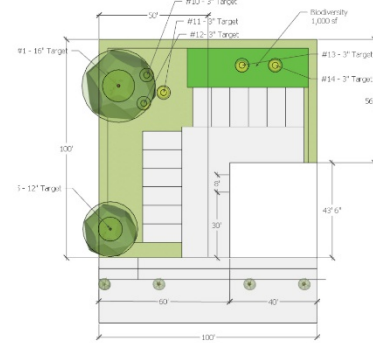
Removed Trees: 7  
 Preserved Trees: 2  
 New Trees: 8  
 Total Trees: 10  
 Biodiversity Garden: N/A



**With Action**

FAR: 0.5  
 Total Floor area: 5,000 sf  
 Lot Coverage: 17%  
 Hard Surface Area: 49%  
 Ground Disturbance: 49%

Removed Trees: 7  
 Preserved Trees: 2  
 New Trees: 5  
 Total Trees: 7  
 Biodiversity Garden: 1,000 sf (4 pts)



Prototypical Analysis Site 14

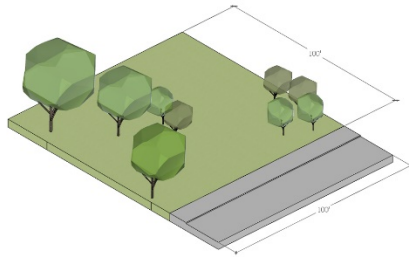
R3-2/C1-1 District, 100 ft x 100 ft interior lot, 10,000 sf lot area,  
 Three-story mixed-use commercial & residential building  
 No Action- Existing Special South Richmond Development District  
 With Action- South Richmond Subdistrict, Base Protection Area

Legend



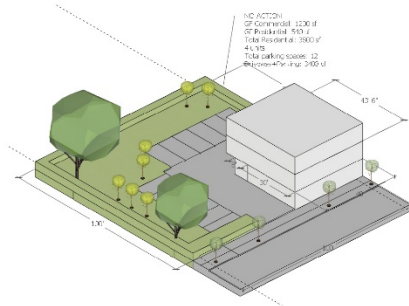
Existing

FAR: 0  
 Total Floor area: 0  
 Lot Coverage: 0  
 Hard Surface Area: 0  
 Ground Disturbance: 0  
 Existing Trees: 9  
 Biodiversity Garden: N/A



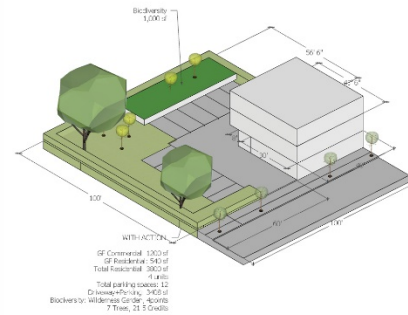
No Action

FAR: 0.5  
 Total Floor area: 5,000 sf  
 Lot Coverage: 17%  
 Hard Surface Area: 49%  
 Ground Disturbance: 49%  
 Removed Trees: 7  
 Preserved Trees: 2  
 New Trees: 8  
 Total Trees: 10  
 Biodiversity Garden: N/A



With Action

FAR: 0.5  
 Total Floor area: 5,000 sf  
 Lot Coverage: 17%  
 Hard Surface Area: 49%  
 Ground Disturbance: 49%  
 Removed Trees: 7  
 Preserved Trees: 2  
 New Trees: 5  
 Total Trees: 7  
 Biodiversity Garden: 1,000 sf (4 pts)



**Prototypical Analysis Site 15 R3X District, 60 feet x 100 feet interior lot, Existing – Special Hillside Preservation District, Proposed – Special Hillside Subdistrict, Base Protection Area**

Prototypical Analysis Site 15, as shown in the illustrations below, uses a generic 60 feet x 100 feet interior lot in an R3X zoning district with a three-story, detached, mixed-use community facility (doctor's office) and a two-family residential building. In the No Action scenario, the site is located in the SHPD; in the With Action scenario, the site is located in the Special Hillside Subdistrict, Base Protection Area. These assumptions were made because they represent typical lot conditions found in R3X districts with community facility uses in the existing SHPD.

The prototypical analysis site illustrates the opportunity to understand the effects of the following components of the Proposed Actions on development:

- Proposed tree planting and biodiversity area requirements
- Lot coverage and hard surface area regulations
- As-of-right modification to natural features outside the footprint of the building
- Proposed elimination of authorization pursuant to ZR 119-312

**Existing Conditions**

Existing conditions show a 6,000-square-foot vacant lot with seven trees. The site illustrates a grade change of 4 feet, sloping upward from the street to the rear of the site.

**No Action Scenario**

Pursuant to ZR 119-312, development of any community facility use in a residential district in the SHPD requires CPC authorization, thus no as-of-right development is permitted.

**With Action Scenario**

The With Action scenario illustrates the development of a three-story, mixed-use, detached building with a community facility (doctor's office) on the ground floor, and residential uses on the second and third floors. It contains 2,800 square feet of floor area (with 1,000 square feet of community facility and 1,800 square feet of residential).

The accessory parking requirements is key in determining the building footprint of this development because the footprint needs to be limited to have enough space for parking and required parking lot landscaping for community facility use under ZR section 37-90. The building is placed closer to the street to allow enough space for parking lot maneuverability and to make the driveway as short as possible to stay below the proposed hard surface area maximum of 65 percent.

The site accommodates a driveway and 6 parking spaces—3 for the 2 residential units at the rate of 1.5 space per dwelling unit and 3 for the community facility use at the rate of 1 space required for every 400 square feet, required by underlying zoning regulations (ZR 25-31). This configuration creates 3,885 square feet of hard surface area (65 percent of lot area) including the building and requires 3,885 square feet of ground disturbance. This meets the maximum proposed hard surface area of 65 percent allowed on the site.

Prior to development, the site contained 7 trees, worth 22 tree credits under proposed regulations. Under the With Action scenario, the site contains nine trees—six existing trees were removed to accommodate the building and parking areas, one tree was preserved, and eight trees are newly planted. This meets the 6 trees (1 tree required per 2,000 square feet of lot area) and 24 tree credits (1.5 tree credits per every 750 square feet of lot area) required under the proposed regulations. Due to the proposed tree clustering regulations, new trees are planted proximate to each other to form a tree cluster, making them eligible to receive 25 percent bonus tree credits.

The building complies with all other height, yard, and setback regulations pursuant to the underlying district or modifications set forth in the existing special district as well as access requirements under the Fire Code. The scenario meets parking and parking lot landscaping and screening requirements pursuant to ZR sections 25-66 and ZR 25-67. The front yard planting requirement (ZR 23-451) is fulfilled with 355 square feet of planted area and the proposed biodiversity requirements for ground planting are met by the 610 square feet of garden planted at the front and rear of the site.

### **Incremental Change**

Under the With Action scenario, the total floor area, lot coverage, hard surface area, and ground disturbance all increase because a community facility would not be built on this site in the No Action scenario without an authorization pursuant to ZR 119-312.

In total, the With Action scenario increases biodiversity planting areas by 610 square feet and results in two more trees than the existing condition.

## Prototypical Analysis Site 15

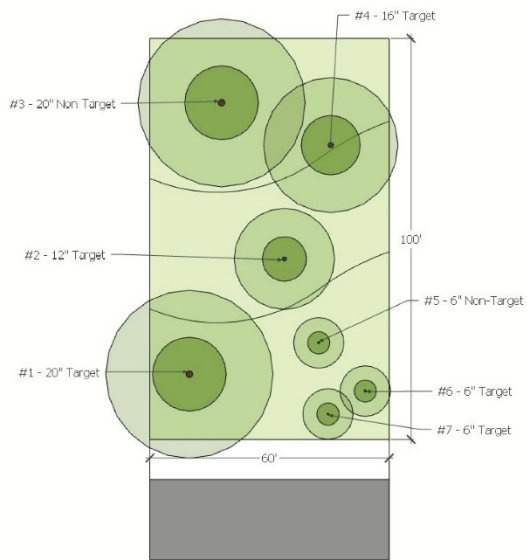
R3X District, 60 ft x 100 ft interior lot, 6,000 sf lot area,  
 Three-story Two-family detached & Community Facility (doctor's office)  
 No Action- Existing Special Hillside Preservation District  
 With Action- Hillside Subdistrict, Base Protection Area



### Existing & No Action

FAR: 0  
 Total Floor area: 0  
 Lot Coverage: 0  
 Hard Surface Area: 0  
 Ground Disturbance: 0

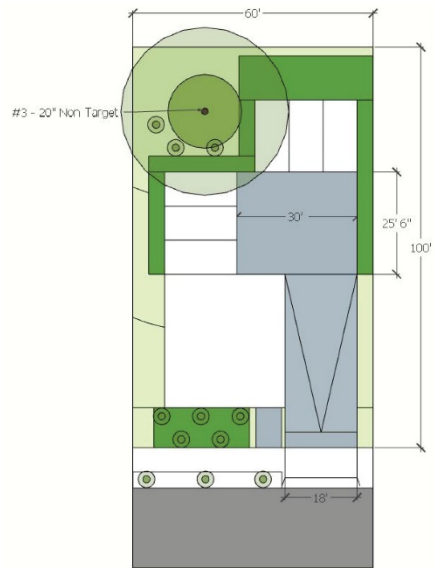
Existing Trees: 7  
 Biodiversity Garden: N/A



### With Action

FAR: 0.5  
 Total Floor area: 2,800 sf  
 Lot Coverage: 17%  
 Hard Surface Area: 65%  
 Ground Disturbance: 65%

Removed Trees: 6  
 Preserved Trees: 1  
 New Trees: 8  
 Total Trees: 9  
 Biodiversity Garden: 610 sf (4 pts)

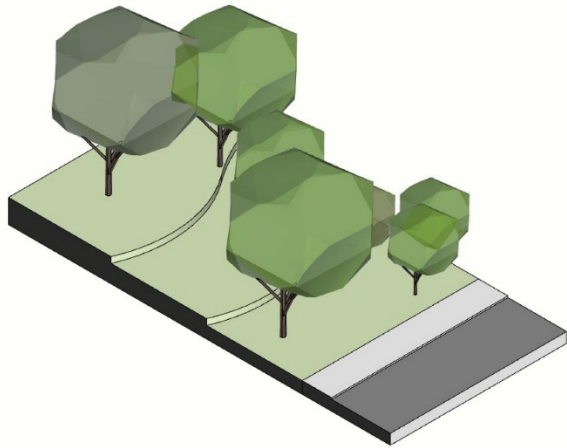


## Prototypical Analysis Site 15

R3X District, 60 ft x 100 ft interior lot, 6,000 sf lot area,  
 Three-story Two-family detached & Community Facility (doctor's office)  
 No Action- Existing Special Hillside Preservation District  
 With Action- Hillside Subdistrict, Base Protection Area

### Existing & No Action

FAR: 0	Existing Trees: 7
Total Floor area: 0	Biodiversity Garden: N/A
Lot Coverage: 0	
Hard Surface Area: 0	
Ground Disturbance: 0	

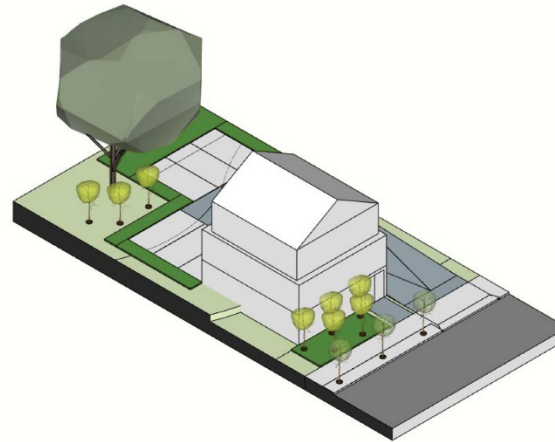


### Legend



### With Action

FAR: 0.5	Removed Trees: 6
Total Floor area: 2,800 sf	Preserved Trees: 1
Lot Coverage: 17%	New Trees: 8
Hard Surface Area: 65%	Total Trees: 9
Ground Disturbance: 65%	Biodiversity Garden: 610 sf (4 pts)



**Prototypical Analysis Site 16 M1-1 District, 150 feet x 200 feet interior lot,  
Existing – Existing Special South Richmond  
Development District  
Proposed – South Richmond Subdistrict, Base  
Protection Area**

Prototypical Analysis Site 16, as shown in the illustrations below, uses a generic 150 feet x 200 feet interior lot in an M1-1 zoning district that shows general retail use requiring cross-access connection. In the No Action scenario, the site is located in the SSRDD; in the With Action scenario, the site is located in the South Richmond Subdistrict, Base Protection Area. These assumptions were made because they represent typical lot and use conditions found in M1-1 districts in the existing SSRDD.

The prototypical analysis site illustrates the opportunity to understand the effects of the following components of the Proposed Actions on development:

- Proposed tree planting and biodiversity area requirements
- Hard surface area regulations
- As-of-right modification to natural features outside the footprint of the building
- Proposed modification to cross-access requirements

**Existing Conditions**

Existing conditions show a 30,000-square-foot vacant lot with 48 trees. The site illustrates a grade change of 8 feet, sloping downward from the street to the rear of the site.

**No Action Scenario**

The No Action scenario illustrates the development of a one-story commercial building with general retail. Cross access is required for all open parking lots with 36 parking spaces or more or any open parking lot that is greater than 12,000 square feet pursuant to ZR 36-591. Thirty parking spaces are provided within a 15,650-square-foot area and because the cross-access connections are required at each property line, three cross-access connections are provided on the site: one on each side lot line and one on the rear lot line. All cross-access connections are 22 feet wide. The building is kept to one story and placed in the rear of the lot as is common in developments of this type. The zoning lot is developed with 9,000 square feet of floor area—the result of providing as much floor area as possible while keeping the required accessory group parking spaces at 30, the maximum permitted as-of-right in the South Richmond District (ZR 107-472). Fire truck access is provided in a 30-foot clear area in front of the building, and a loading berth is provided without interrupting any cross-access path of travel. The site accommodates a driveway, pedestrian walkway along the commercial use and an open parking lot, creating 27,732 square feet of hard surface area (92 percent of lot area), including the building, and requiring 27,732 square feet of ground disturbance.

Prior to development, the site contained 48 trees. All existing trees were removed to accommodate development and eight trees are newly planted, as per the tree planting requirements (one tree required for every four parking spaces) under ZR section 107-483. All the new trees are planted in planting islands at the ends of parking rows to comply with special landscaping and buffering provisions required in the existing SSRDD and with the parking lot landscaping requirement pursuant to ZR 37-90. The building complies with all other height, yard, and screening regulations pursuant to the underlying district or modifications set forth in the existing special district. The scenario meets parking and parking lot landscaping requirements pursuant to ZR sections 44-48 and 107-48, as well as access requirements under the Fire Code.

### **With Action Scenario**

The With Action scenario illustrates the development of a one-story commercial building with general retail and cross access. Cross access is required for all open parking lots with 36 parking spaces or more or any open parking lot that is greater than 12,000 square feet. Thirty parking spaces are provided within a 14,450-square-foot area. The proposed regulations clarify that cross-access connections do not need to be provided along all property lines as long as there is a connection between adjacent properties; therefore, two cross-access connections are provided on the site, one on each side lot line. One of the cross-access connections includes a 6-foot pedestrian pathway, which is newly proposed, providing a total width of 28 feet for the connection. Pedestrian access is provided at the rear lot line at a required minimum width of 9 feet under proposed regulations when a parking area is located at the rear of the property. The building is kept to one story and placed in the rear of the lot as is common in developments of this type. The zoning lot is developed with 9,000 square feet of floor area—the result of providing as much floor area as possible while meeting the required 85 percent hard surface area maximum and leaving 30 feet clear in front of the building for fire truck access. A loading berth is provided without interrupting any cross-access path of travel. The site accommodates a pedestrian walkway and an open parking lot, creating 25,500 square feet of hard surface area (85 percent of lot area, which is the maximum allowed under proposed regulations) including the building and requiring 25,500 square feet of ground disturbance.

Prior to development, the site contained 48 trees worth 135 tree credits under proposed regulations. The 48 existing trees were removed to accommodate development, and 30 trees are newly planted to accommodate the proposed tree planting requirements (1 tree required per 2,000 square feet of lot area) and 60 tree credits (1.5 tree credits per every 750 square feet of lot area) requirement under the proposed regulations.

The building complies with all other height, yard, and setback regulations pursuant to the underlying district or modifications set forth in the existing special district as well as access requirements under the Fire Code. The scenario meets parking and parking lot landscaping requirements pursuant to ZR sections 44-40, proposed regulations, and the proposed biodiversity requirements for ground planting are met by the landscaping required pursuant to underlying ZR 37-90 as well as planting islands that are provided to accommodate proposed tree planting requirements.



**Incremental Change**

Under the With Action scenario, the total hard surface area decreases by 2,232 square feet (7 percent of lot area). The total number of parking spaces stays the same at 30; total lot coverage and total floor area stay the same. In total, the With Action scenario has 22 more trees than the No Action scenario.

Prototypical Analysis Site 16

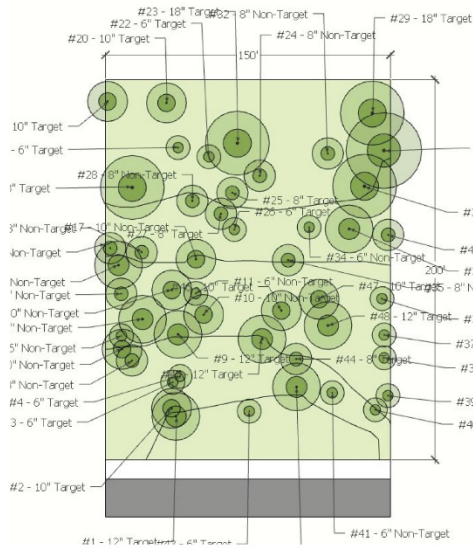
M1-1 District, 150 ft x 200 ft interior lot, 30,000 sf lot area,  
 Single-story general retail with cross access  
 No Action- Existing Special South Richmond Development District  
 With Action- South Richmond Subdistrict, Base Protection Area

Legend



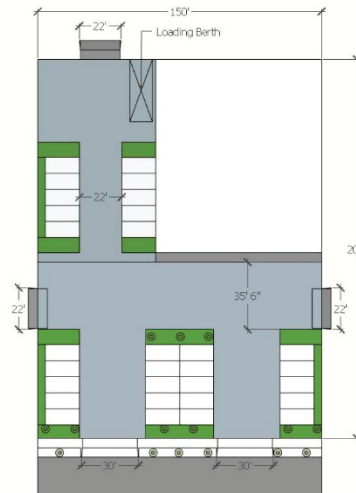
Existing

FAR: 0  
 Total Floor area: 0  
 Lot Coverage: 0  
 Hard Surface Area: 0  
 Ground Disturbance: 0  
 Existing Trees: 48  
 Biodiversity Garden: N/A



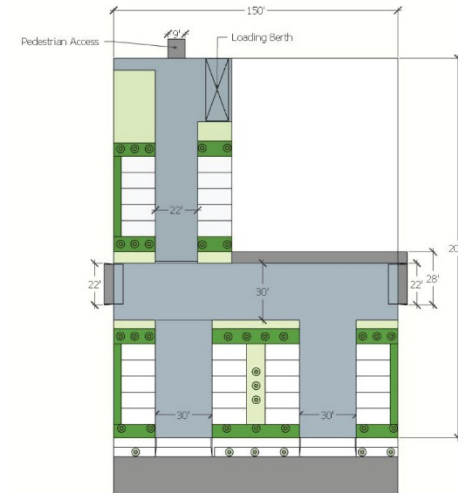
No Action

FAR: 0.30  
 Total Floor area: 9,000 sf  
 Lot Coverage: 30%  
 Hard Surface Area: 92%  
 Ground Disturbance: 92%  
 Parking Spaces: 30  
 Removed Trees: 48  
 Preserved Trees: 0  
 New Trees: 8  
 Total Trees: 8  
 Biodiversity Garden: N/A



With Action

FAR: 0.30  
 Total Floor area: 9,000 sf  
 Lot Coverage: 30%  
 Hard Surface Area: 85%  
 Ground Disturbance: 85%  
 Parking Spaces: 30  
 Removed Trees: 48  
 Preserved Trees: 0  
 New Trees: 30  
 Total Trees: 30  
 Biodiversity Garden: N/A



## Prototypical Analysis Site 16

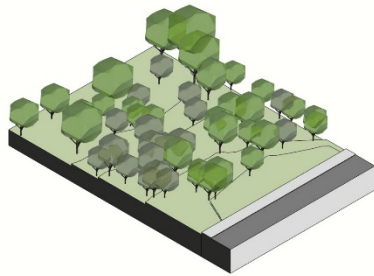
M1-1 District, 150 ft x 200 ft interior lot, 30,000 sf lot area,  
 Single-story general retail with cross access  
 No Action- Existing Special South Richmond Development District  
 With Action- South Richmond Subdistrict, Base Protection Area

**Legend**



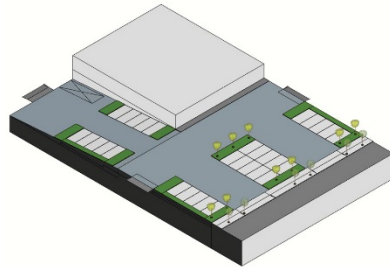
**Existing**

FAR: 0  
 Total Floor area: 0  
 Lot Coverage: 0  
 Hard Surface Area: 0  
 Ground Disturbance: 0  
 Existing Trees: 48  
 Biodiversity Garden: N/A



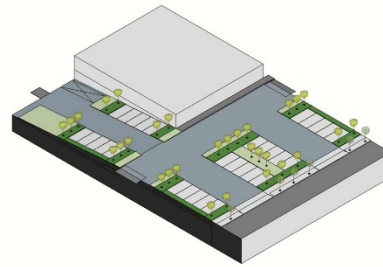
**No Action**

FAR: 0.30  
 Total Floor area: 9,000 sf  
 Lot Coverage: 30%  
 Hard Surface Area: 92%  
 Ground Disturbance: 92%  
 Parking Spaces: 30  
 Removed Trees: 48  
 Preserved Trees: 0  
 New Trees: 8  
 Total Trees: 8  
 Biodiversity Garden: N/A



**With Action**

FAR: 0.30  
 Total Floor area: 9,000 sf  
 Lot Coverage: 30%  
 Hard Surface Area: 85%  
 Ground Disturbance: 85%  
 Parking Spaces: 30  
 Removed Trees: 48  
 Preserved Trees: 0  
 New Trees: 30  
 Total Trees: 30  
 Biodiversity Garden: N/A



Appendix 3:  
Response to Comments

## **1.0 INTRODUCTION**

This document summarizes and responds to substantive comments received on the Draft Scope of Work that was issued on November 9, 2018, for the Staten Island & Bronx Special District Update Environmental Impact Statement (EIS).

The New York City Department of City Planning (DCP) received oral and written comments during two public scoping meetings held on December 10 and 13, 2018. Written comments were accepted through January 14, 2019, the close of the public comment period.

Section 2 lists the organizations and individuals that submitted comments on the Draft Scope of Work, and Section 3 summarizes relevant comments and provides a response to each. Comments that are closely related or similar to other comments are grouped together, and a single response is provided. Although verbatim language from the comments is not typically provided, all comments reflect, as accurately as possible, the original comment(s).

Appendix 4 contains all letters and comments. All substantive comments were assigned a code, and the names of the commenters and the comment numbers are provided after each comment. Comments are coded by last name and identified in brackets at the end of each comment. For example, comments from Andrew Cohen are coded “Cohen 1; Cohen 2,” etc. Note that, in some cases, comment numbering starts after number 1 in the correspondences contained in the appendices. This is to account for instances where the commenter submitted a letter and an email that were not identical. In this case, the letter begins at number 1 and proceeds consecutively for all other correspondences associated with the individual commenter. In the case where the same letter was sent by multiple people (a form letter), the first letter was coded, and the repeated letters are located after the initial coded form letter. In instances where multiple commenters had the same last name, the first initial was used to differentiate. For example, Cheryl and Glen Kaiser were coded as “C-Kaiser 1” and “G-Kaiser 1,” respectively.

## **2.0 LIST OF ORGANIZATIONS AND INDIVIDUALS THAT COMMENTED ON THE DRAFT SCOPE OF WORK**

Commenters whose substantive comments are addressed herein are listed below, organized alphabetically by last name.

### **2.1 Elected Officials and Government Agencies**

- Cohen, Andrew, Council Member, 12/13/2018, oral comment at public meeting
- Cullman, Georgina, Forest, Natural Resources Division, New York City Parks and Recreation (NYC Parks), 12/13/2018, oral comment at public meeting
- Kasem, Alia, Borough Planner, New York City Department of Transportation (DOT), 1/11/2019, written comment (email)
- LaPointe, Jeremy, Forestry, Horticulture, and Natural Resources with NYC Parks, 12/10/2018, oral comment at public meeting planning efforts

### **2.2 Organizations**

- Dellangelo, Dennis, Zoning and Land Use Coordinator, Staten Island Taxpayer's Association, and Vice President of the Pleasant Plains, Princess Bay, Richmond Valley Civic Association, 12/10/2018, oral comment at public meeting
- Donovan, Carol, President, Richmondtown and Clarke Avenue Civic Association, Inc., 1/4/2019, written comment (email and mail)

- Dulong, Michael, Senior Attorney, Riverkeeper, 1/14/2019, written comment
- Hagen, Clifford, President, Protectors of Pine Oak Woods, 1/10/2019, written comment (email and mail)
- Rampulla, Phil, Urban Planner, Co-Chair of the City Planning Committee for the Staten Island American Institute of Architects and Co-Chair of the City Planning Committee for the Building Industry Association of New York City, 12/10/2018, oral comment at public meeting
- Switzer, Daniel, Director of Campus Facilities, Wagner College, 12/10/2018, oral comment at public meeting

### **2.3 Interested Public**

- Angeles, Eduardo, 1/9/2019, written comment
- Anzalone, Christopher, 1/10/2019, written comment
- Brochin, Ed, 1/6/2019, written comment (email)
- Cagner, Patricia, 1/7/2019, written comment
- Capodarro, Marie, 1/7/2019, written comment
- Carabella, Diane, 1/3/2019, written comment (email)
- Carlizo, Barbara, 1/12/2019, written comment
- Caruvana, Anthony, 1/6/2019, written comment (email)
- Ciseneros, Patricia, 1/17/2019, written comment
- Cistone, Caroline, 1/6/2019, written comment (email)
- Comeau-Raspanti, Jacqueline, 1/4/2019, written comment (email)
- Conlon, Susan B., 1/10/2019, written comment
- Conner, Madeline, 1/16/2019, written comment
- Coppola, Mr. and Mrs. J., written comment
- Croue, Roseanne and John, 1/12/2019, written comment
- Cugno, Louis, 1/7/2019, written comment
- De Marco, Rosalie, 1/6/2019, written comment (email)
- DeAngelis, Gordon and Rosemarie, 1/13/2019, written comment
- Del Cuore, Eleanor, 1/8/2019, written comment
- Dorfman, Hal, 12/13/2018, oral comment at public meeting
- Dugo, Janet W., 1/7/2019, written comment (email)
- Esposito, Louis, 1/5/2019, written comment
- Farruggio, John, 1/4/2019, written comment (email)
- Fauci, Frances, 1/4/2018, written comment (email)
- Galvan, David, 12/13/2018, oral comment at public meeting
- Gioia, Henry, 1/7/2019, written comment (email)
- Giura, Maria, 1/5/2019, written comment (email)
- Golden, Timothy, 1/13/2019, written comment
- Havens, Rene, 12/13/2018, oral comment at public meeting
- Hawkins, Tracey, 12/27, 2018, written comment (email)
- Herbert, Patricia and John, 1/9/2019, written comment (email)
- Iacona, Michael, 1/5/2019, written comment
- Kaiser, Cheryl G., 1/19/2019, written comment
- Kaiser, Glenn, 1/19/2019, written comment
- Kaiser, Grace May, 1/19/2019, written comment
- Kaplan, Paula, 12/13/2018, oral comment at public meeting
- Kelley, Robert, 12/10/2018, oral comment at public meeting

- Kelly, Tara, 1/7/2019, written comment
- Krebushevski, Stan, 12/10/2018, oral comment at public meeting
- Ladley, John and Karen, 1/4/2019, written comment (email)
- Lalava, Anthony, 1/13/2019, written comment
- Largo, Constance, 1/13/2019, written comment
- Larsen, Marjorie, 1/6/2019, written comment
- Levenberg-Engle, I.C., 12/13/2018, oral comment at public meeting
- Llolla, Hamet and Suada, 1/2/2019, written comment (email)
- Lombardo, Mr. and Mrs. Louis, 1/14/2019, written comment (email)
- Loughlin, Emily, 1/7/2019, written comment (email)
- Loughlin, Patricia, 1/7/2019, written comment (email)
- Loughlin, Rodger, 1/7/2019, written comment (email)
- Mannino, Vincent, 1/13/2019, written comment
- Mariano, Maria, 1/4/2019, written comment (email)
- Master, Susan, 12/10/2018, oral comment at public meeting
- Mattia, Damien, 12/29/2018, written comment (email)
- Mattia, Lisa, 12/27/2018 and 1/2/2019, written comment (email)
- Mazzola, Jack, 1/10/2019, written comment
- McComiskey, Elizabeth, 1/7/2019, written comment (email)
- McGough, Harold, 1/8/2019, written comment (email)
- Meaghan, Kathleen and Ullstrom, Donald 1/19/2019, written comment
- Moran, John J., 1/4/2019 & 1/6/2019 written comment (email)
- Narducci, Margaret, 1/4/2019, written comment (email)
- Palladino, Susan and Joseph, 1/2/2019, written comment (email)
- Pane, Joseph, 1/14/2019, written comment
- Parsons, Jennifer, 1/7/2019, written comment
- Pellizzi, Michael, 1/4/2019, written comment (email)
- Psomas, Alexander J., 12/27/2018, written comment (email)
- Raspanti, Michael, 1/4/2019, (two comments) written comment (email)
- Ross, Angelo, 1/13/2019, written comment
- Ruck, Diane and Edward, 1/8/2019, written comment
- Russo, Lisa, 1/11/2019, written comment
- Ruck, Michael, 12/10/2018, oral comment at public meeting
- Sanna, Michael, 12/10/2018, oral comment at public meeting
- Schantz, Julie, 1/3/2019, written comment (email)
- SchianodiCola, Dr. and Mrs. Joseph and Rosalyn, 1/4/2019, written comment (email)
- Schroder, Kurt, 1/15/2019, written comment
- Smolka, Bruce, 1/12/2019, written comment
- Stasi, Antoinette and Robert, 1/4/2019, written comment (email and hardcopy)
- Sweeney, Francis J, 1/5/2019, written comment
- Tennant, Edward, 1/3/2019, written comment
- Terrone, Ron, 1/2/2019, written comment (email)
- Tesoriero, Elizabeth, 1/6/2019, written comment (email)
- Thompson, Angela, 1/7/2019, written comment (email)
- Tomasetti, Angelo and Regine, 1/13/2019, written comment
- Unknown, [catwengryn@yahoo.com], 1/4/2019, written comment (email)
- Unknown, Susan, 12/29/2018, written comment (email)
- Yanushefski, Juliana, 12/24/2018, written comment

### 3.0 COMMENTS AND RESPONSES ON THE DRAFT SCOPE OF WORK

#### 3.1 Process

**Comment 1:** Commenters noted that all persons impacted by this project have not been involved in public outreach, including the elderly, who will not know about new rules and regulations on their properties. When will Draft EIS (DEIS) public hearing(s) be held? [Master 1; Moran 6]

**Response:** On Friday, November 9, 2018, DCP published a joint public notice of scoping meeting and positive declaration/intent to prepare a DEIS for the Staten Island & Bronx Special District Update in the City Record. The Draft Scope of Work and Environmental Assessment Statement for the Staten Island & Bronx Special District Update were also published on November 9, 2018. On this date, these three documents were available for download at <https://www1.nyc.gov/site/planning/applicants/scoping-documents.page>. As indicated in the public notice, copies of the Draft Scope of Work and the Environmental Assessment Statement were also available from the Environmental Assessment and Review Division, New York City Department of City Planning, 120 Broadway, 31<sup>st</sup> Floor, New York, New York 10271, Olga Abinader, Acting Director (212) 720-3493; or from the Mayor's Office of Environmental Coordination, 253 Broadway, 14<sup>th</sup> Floor, New York, New York 10007, Hilary Semel, Director (212) 676-3273.

The first public scoping meeting was held on Monday, December 10, 2018, in Staten Island at Wagner College. The second public scoping meeting was held on Thursday, December 13, 2018, in the Bronx at the Ethical Culture Fieldston School.

The times and dates for the public review periods and hearings on the DEIS have not been established. A public hearing on the DEIS will be held at a later date to be announced, in conjunction with the City Planning Commission's (CPC) citywide public hearing pursuant to the Uniform Land Use Review Procedure (ULURP). Advance notice will be given of the time and place of the hearing. The lead agency will receive and consider written comments on the DEIS a until the tenth calendar day following the close of the public hearing.

**Comment 2:** The Proposed Actions would remove opportunities for public comment and review if fewer projects are reviewed by DCP. Procedures for public review of proposed construction in the proposed Special Natural Resources District (SNRD) should be implemented. The proposed review structure does not address how the public would become aware of proposed projects or be allowed sufficient time to make comments on such proposals.

[Angeles 4; Anzalone 4; Cagner 4; Capodarro 4; Carabella 4; Carlizo 4; Ciseneros 4; Cistone 4; C-Kaiser 4; Comeau-Raspanti 4; Conlon 4; Conner 4; Coppola 4; Croue 4; Cugno 4; DeAngelis 4; Del Cuore 4; Dugo 4; Donovan 4; E-Loughlin 4; Esposito 4; Farruggio 4; Fauci 4; Giura 4; G-Kaiser 4; GM-Kaiser 4; Golden 4; Herbert 4; Iacona 4; Kelly 4; Lalava 4; Largo 4; Larsen 4; Lombardo 4; Mannino 4; Mariano 4; Mazzola 4; McComiskey 4; Meaghan 4; Moran 4; Pane 4; Parsons 4; Pellizzi 4; P-Loughlin 4; R-Loughlin 4; Ross 4; Ruck 4; Russo 4; SchianodiCola 4; Smolka 4; Stasi 4; Sweeney 4; Tennant 4; Tesoriero 4; Tomasetti 4]



**Response:** The existing review structure requires the participation of the Department of Buildings (DOB) for “as-of-right” development and CPC for both ministerial and discretionary actions. When no CPC approvals are required for a proposed development, it is considered “as-of-right,” and the property owner can apply directly to DOB for a building permit. A permit will be granted if the proposal complies with all zoning requirements and all other applicable codes and regulations.

The existing review structure for CPC for the special districts includes certifications, authorizations, and special permits. CPC certifications are ministerial in nature, meaning that, like as-of-right development, the proposed development must be approved or denied based on whether it meets the conditions of the certification, based on facts. In contrast to certifications, the CPC authorizations and special permits are discretionary, because CPC must weigh and balance various factors to arrive at a decision on each of the findings of an authorization or special permit. These discretionary actions include a public review process that allows the public to be informed about a proposed project and provides opportunities for public comment. CPC considers these comments when making its decision.

The Proposed Actions would allow certain small properties that currently require CPC discretionary review to proceed directly to DOB for approval by showing compliance with the proposed regulations. As such, fewer smaller projects would be subject to CPC review. However, more clearly defined underlying zoning regulations would ensure consistency and clarity in development outcome and DOB makes information related to applications for building permits available so that the public may review and be aware of proposed development in their communities.

The proposed SNRD would require CPC discretionary review of “Plan Review Sites,” which include properties that are:

- 1 acre or larger in size where a new building, enlargement, subdivision, or site alteration is proposed, or,
- if smaller than 1 acre:
  - where a private road is proposed to be extended or created;
  - if located in a Resource Adjacent or Escarpment Area, where four or more buildings, lots, or eight or more dwelling units are proposed; or
  - if located in a Historic District and a new building or subdivision is proposed.

Thus, the Proposed Actions would ensure public review of projects that have a greater effect on the public realm and natural resources—including many large sites that today do not require CPC review.

**Comment 3:** Because of the holidays, the public comment period should be extended to the end of January. [Dorfman 4]

**Response:** The public comment period opened on Friday, November 9, 2018, with the publication of the joint public notice of scoping meeting and intent to prepare a DEIS, Draft Scope of Work and Environmental Assessment Statement for the Staten Island & Bronx Special District Update. Comments were accepted through Monday, January 14, 2019. The comment period lasted longer than 60

days, complied with all relevant rules and regulations, and provided an adequate amount of time for submission of public comments.

### 3.2 Proposed Actions

#### **General**

**Comment 4:** The 1-acre threshold for discretionary review is too high and will encourage developers to subdivide properties and develop them in a piecemeal fashion. [Dulong 2]

**Response:** The proposal is not expected to facilitate the subdivision of larger lots into multiple lots smaller than 1 acre where it would not have otherwise occurred. Under the Proposed Actions, CPC discretionary review would be required for parcels less than 1 acre if:

- a private road would be extended or created;
- parcels are located in a Resource Adjacent or Escarpment Area where four or more buildings, lots, or eight or more dwelling units are proposed; or
- parcels are located in a Historic District where a new building or subdivision is proposed.

Lowering the threshold for Plan Review Sites would potentially result in an increased number of discretionary review sites, where DCP does not believe that discretionary review would add significant public benefit. Further, clustering of development is unlikely because of the limited amount of vacant land and the low-density residential zoning districts mapped throughout the affected areas.

**Comment 5:** The 1-acre threshold for discretionary review is too low and would overregulate proposed development. Regulations in place to protect steep slopes could be maintained without the 1-acre threshold. [Krebushevski 3]

**Response:** The selection of the 1-acre threshold is based on the City's evolving understanding of ecology. Since the establishment of the special area districts in the 1970s and 1980s, the City's understanding of the importance of larger natural areas, such as Forever Wild parklands (referred to as *designated natural resources* in the proposed regulations), has evolved. These larger natural areas are now understood to be key "anchor habitats," characterized by a high level of biodiversity with more species of plants and animals that form an integral part of the larger ecosystem. The designated natural resources that are already located on publicly protected land, in combination with other larger habitats on private properties, are the most important assets to protect, preserve, and enhance.

Most properties smaller than 1 acre would be allowed to proceed to DOB directly without CPC discretionary review and would be required to show compliance with robust special district rules that protect natural features and underlying zoning regulations. To preserve natural features, the proposed special district rules address building footprint, permeability, trees, and ground cover. Raising the threshold for Plan Review Sites would not require discretionary review for certain sites larger than 1 acre that could have a strong effect on the public realm. Modifying the proposal in this way would compromise the goals and objectives of the Proposed Actions.

**Comment 6:** NYC Parks and the New York City Department of Environmental Protection (NYCDEP) should continue to undergo CPC review for developments in these

special districts. The disturbance created by these developments is no less impactful even though the agencies are sensitive to the potential harms. That said, given the strong planning and design talent held by agency staff, these developments should pass through CPC review without much opposition. [Dulong 5]

Commenters oppose the proposed removal of CPC review for Bluebelt properties and note that suggesting that DCP oversight is merely a redundancy is wrong. The Special South Richmond Development District (SSRDD) was clear in its intent to set a high bar for the preservation of open space on the south shore of Staten Island. The public review process involved in the CPC review allows the community to gather and advocate on behalf of or in opposition to development plans. [Hagen 1]

**Response:** Comments noted. NYC Parks and NYCDEP have goals of preserving natural resources and have their own public review processes that consider the potential for environment impacts. Both agencies also go through the mandatory Public Design Commission review process. These public processes create opportunities for communities to provide feedback; therefore, CPC review is considered superfluous because the goals of having community input are being met by the current processes in place.

The proposed removal of CPC review of Bluebelt properties would not affect the preservation of open space on the Staten Island's south shore, nor is it expected to eliminate opportunities for public review.

**Comment 7:** The Proposed Actions do not explain how to determine the presence of wetlands, and as such, there needs to be a certified biologist and a certified wetland scientist on the DCP staff. DCP should consult New York City Watershed Regulations, the *City Environmental Quality Review (CEQR) Technical Manual*, and the New York State Department of Environmental Conservation (NYSDEC) regulations concerning buffer zones and wetland regulations. [Donovan 7; Krebushevski 1]

**Response:** Comments noted. Individual landowners will still need to comply with existing federal Clean Water Act and NYSDEC Article 24 Freshwater Wetlands and Article 25 Tidal Wetlands regulations in the No Action and With Action scenarios. In both cases, a qualified biologist or wetland scientist will need to examine a property for the presence/absence of federal- and state-regulated wetlands in accordance with the appropriate federal methodology as defined by the U.S. Army Corps of Engineers (USACE) and the NYSDEC wetland delineation methodology for state regulated wetlands. In addition, to define the limits for the state-regulated, Adjacent Areas (or buffers), adjacent properties would need to be inspected to determine if state-regulated freshwater wetlands are present within 100 feet of the subject property, or if state regulated tidal wetlands are present within 150 feet. The Proposed Action would not amend or alter these procedures.

For freshwater wetlands and other aquatic resources that are not regulated by NYSDEC, the Proposed Actions include zoning text maps to flag properties that would need site assessment to delineate such aquatic resources for properties of an acre or more. A qualified environmental professional would be required to complete the delineation, which would be based on guidelines similar to those used by NYSDEC and USACE.

**Comment 8:** The Proposed Actions would place too much responsibility on DOB, which cannot provide the rigorous review necessary. Review should be kept with CPC because DOB is not equipped to handle reviews of botanical environments. Regulatory compliance will be hard to monitor without DCP oversight. It is unrealistic to expect DOB plan examiners to receive the extensive training needed. There should be leeway on small sites, so that their review is not solely in the hands of DOB.

[Angeles 5; Anzalone 5; Cagner 5; Capodarro 5; Carabella 5; Carlizo 5; Ciseneros 5; Cistone 5; C-Kaiser 5; Cohen 2; Comeau-Raspanti 5; Conlon 5; Conner 5; Coppola 5; Croue 5; Cugno 5; DeAngelis 5; Del Cuore 5; Donovan 5; Dorfman 2; Dugo 5; E-Loughlin 5; Esposito 5; Farruggio 5; Fauci 5; Giura 5; G-Kaiser 5; GM-Kaiser 5; Golden 5; Havens 1; Herbert 5; Iacona 5; Kaplan 3; Kelly 5; Lalava 5; Largo 5; Larsen 5; Lombardo 5; Mannino 5; Mariano 5; Mazzola 5; McComiskey 5; Meaghan 5; Moran 5; Pane 5; Parsons 5; Pellizzi 5; P-Loughlin 5; R-Loughlin 5; Ross 5; Ruck 5; Russo 5; SchianodiCola 5; Smolka 5; Stasi 5; Sweeney 5; Tennant 5; Tesoriero 5; Tomasetti 1]

**Response:** Citywide, it is DOB plan examiners who are the qualified professionals responsible for reviewing site plans to ensure compliance with all applicable zoning regulations. Plan examiners would be adequately trained with respect to the proposed building footprint, permeability, trees, and ground cover rules that would apply to smaller sites under the Proposed Actions. Clear, consistent zoning rules would improve the review process for DOB plan examiners. In addition to training and producing checklists and guides, DCP has committed to ongoing support as new rules are implemented. A combination of clear, consistent rules and a transparent process would create a stronger basis for oversight and enforcement, while also providing an opportunity for the community to be more aware of what is allowed to be built.

**Comment 9:** The requirement to submit a master plan for projects larger than 1 acre will hinder the ability to get donations or be able to use designated inheritances for new projects (specifically on college campuses). [Switzer 1]

**Response:** Comment noted. The proposed development plan regulations provide an option for long-term development on sites larger than 1 acre but are not required. If a future applicant chose to apply for the development plan option, the development plan regulations would encourage upfront, long-term planning to facilitate the creation of a holistic development plan for the public and the property owner that considers natural resource preservation. It would create an opportunity for community input and a holistic single environmental review at the initial planning stage if the applicant chose to delineate short- and long-term development sites during this review, depending on future development plans.

**Comment 10:** Regulations should allow the small property owner to conduct small projects without going through a rigorous process. [Krebushevski 2]

**Response:** One of the key purposes of the Proposed Actions is to create a homeowner-friendly regulatory environment with robust as-of-right rules for the development of homes on small lots that protect significant natural features. Under the Proposed Actions, best practices would be codified to create clearly defined parameters that would allow applicants to proceed directly to DOB for building permits and confirm zoning regulation compliance. This would ease the process

for small property owners by eliminating CPC review, where appropriate.<sup>1</sup> Accordingly, the Proposed Actions would enable CPC review to focus its review on sites that have a greater impact on natural resources and the public realm.

**Comment 11:** Why are certifications being eliminated? Given that so many properties would be affected, regulations should be tightened instead of weakened. [Donovan 9, 10]

**Response:** Certifications are ministerial actions and do not allow discretion by CPC. To tighten regulations where appropriate, certifications are being changed to authorizations. For example, subdivisions for properties of 1 acre or more or for properties in sensitive areas or with private roads will require an authorization to allow more CPC oversight and discretion. The Proposed Actions are intended to strengthen and rationalize natural resource preservation. They would not weaken regulations, rather they would change the review structure for certain “smaller” parcels (i.e., under 1 acre). Under the proposed review structure, owners of most of these small properties would file permits directly with DOB, which would then review them for compliance with the provisions of the zoning resolution. The updated zoning regulations proposed in the SNRD would provide rigid and consistent rules related to lot coverage, hard surface area, preservation of aquatic resources, old growth trees, and other natural resources based on context, ecological adjacency, and other conditions. CPC review would still be required for small parcels in the following special cases: development of new private roads, development in historic districts, and development of four or more new lots or buildings in areas that are adjacent to regionally important habitats or on steep slopes.

**Comment 12:** Current SNAD provisions are not adequately enforced. Property owners may be aware of SNAD and choose to disregard regulations, or they may be unaware of restrictions or changes in restrictions. What controls and protections are in place if someone does not follow regulations? There are currently no consequences for not complying with the restrictions. [Galvan 1; Kaplan 1; Spaulding 1]

**Response:** Comments noted. While enforcement of zoning regulations is beyond the scope of CEQR, the Proposed Actions focus on preservation by creating outcome-based regulations. The clear rules proposed in the Proposed Actions would define parameters against which to compare development outcomes. For example, if a tree that was required to be preserved is removed, then based on complaints or other enforcement mechanisms, DOB would issue a violation. A zoning violation would need to be corrected by planting new trees to replace the credit value of the removed tree.

**Comment 13:** The Proposed Actions would result in regulations that are too complicated to understand, such as the proposed tree credit system. [Kaplan 2]

**Response:** An explanation of the tree credit system is provided in the Draft and Final Scope of Work and will be provided in the DEIS. The Final Scope of Work has been updated to include descriptions of all the prototypical analysis sites and provides detailed examples of the application of the existing and proposed tree credit systems and implications on site development.

Further, the zoning text will provide details on how the system will be implemented and DCP’s zoning help desk can be consulted for zoning questions,

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<sup>1</sup> DCP estimates that the introduction of as-of-right rules and removal of CPC certification for many small parcels would result in more than a 66 percent reduction in the number of land use applications requiring CPC review.

or a zoning inquiry form can be completed. In both cases, a response from a zoning specialist is typically provided within two business days. More information about zoning assistance is available on DCP's website: <https://www1.nyc.gov/site/planning/about/contact-us.page>.

**Comment 14:** Proposed subdistricts should be clearly divided so that changes can be tailored to each area. The Bronx and Staten Island are different areas and should be subject to disparate regulations. Would the boundaries of the Riverdale-Fieldston Subdistrict be consistent with the current SNAD NA-2 subarea, and would any other changes to the boundaries occur? [Cohen 4; Dorfman 1, 5]

**Response:** The Proposed Actions recognize differences between geographical areas by creating subdistricts, and the proposed zoning text and map amendments reflect differences in the natural features that are found in these various subdistricts.

The Proposed Actions would combine the special natural districts into one new district—SNRD—while maintaining the existing boundaries of the existing special districts as subdistricts within the new SNRD. For example, the existing SNAD, NA-2 subarea, located in the Bronx, would become the SNRD Riverdale-Fieldston subdistrict. The subdistricts would be created to maintain the specific characteristics of different areas. For instance, the Riverdale-Fieldston subdistrict would have special rules for steep slope sites that would not apply to sites within the South Richmond subdistrict.

**Comment 15:** City Planning and DOB review processes should anticipate climate change. [Donovan 6]

**Response:** Climate change and natural resources protection were considered during the development of the Proposed Actions. The Proposed Actions are intended to create clear guidelines to preserve and expand large natural areas and to preserve and create smaller patches of habitat that serve as connections among larger natural areas. Intact natural habitats perform valuable ecosystem services, including stormwater absorption, flood mitigation, air and water filtration, and temperature regulation. The Proposed Actions are intended to conserve natural areas; protect and restore wetlands and ecological habitats; and preserve natural resources such as trees, vegetation, and wetlands. An assessment of greenhouse gas emissions and climate change is provided in the DEIS, pursuant to *CEQR Technical Manual* guidance. In addition, future environmental reviews conducted pursuant to discretionary actions created by the Proposed Actions would also include an assessment of greenhouse gas emissions and climate change. Additionally, the DEIS and future environmental reviews will provide a Waterfront Revitalization Program (WRP) Consistency Assessment, when applicable that assesses policies related to climate change (e.g., Policy 6.2).

**Comment 16:** Commenters request changes to definitions throughout the document, including changing “authorizations” to “certifications” under Zoning Resolution (ZR) Section 105-02. They recommend revising the definition of “Plan Review Site” to note that elements in a vendee contract include not taking ownership until discretionary approval, such as DCP approval, is granted. They also request that the proposed zoning resolution text amendments permit higher retaining walls. The definition of “site alternation” may conflict with the City charter empowering the DOT to allow for improvements and maintenance of the streets.

Commenters believe that the New York City Board of Standards and Appeals should continue to consider yards and bulk. The proposed zoning text amendments should consider slopes at 20 percent instead of 10 percent. Finally, the proposed zoning text amendments should encourage additional mitigation factors, such as creating best management practices in the designated open space. [Rampulla 2, 3, 6, 7, 8, 9, 10]

**Response:** Comments noted. DCP will consider these requests when finalizing the proposed zoning text amendments.

**Comment 17:** The chart at the end of the Draft Scope of Work is dense and difficult to understand and should have a section-by-section comparison of changes. [Dorfman 3]

**Response:** The DEIS will include an updated table of existing and proposed land use actions.

**Comment 18:** Commenters request a less restrictive definition for “impervious area” that includes porous pavement and porous pervious pavers, and not a house that is cantilevered, so it is consistent with DEP guidelines for pervious surfaces. [Rampulla 5]

**Response:** The Final Scope of Work has been updated to provide a definition of “hard surface area” as defined in the zoning text amendment. The Proposed Actions include new regulations that aim to limit the amount of hard surface area and facilitate permeability in the special district to maintain natural groundwater levels for the health of the forests and wetlands, while providing enough flexibility to include necessary building footprints and amenities that are desirable for a typical development. A clear definition for hard surface area that creates a distinction between planted and non-planted areas allows for better implementation of the proposed as-of-right regulations, while eliminating maintenance and enforcement issues identified by DOB and NYCDEP. Proposed rules would limit the amount of hard surface area as a percentage of the lot, linking the amount of permitted lot coverage in R1, R2, and R3 districts so that sites with the most restricted lot coverage also have the most stringent impervious area restrictions.

**Comment 19:** Commenters recommend regulating the growth of new development in areas where schools are over capacity by considering the capacity of the school attendance zone, which contains the proposed development when issuing a school seat certification. School seats should be connected to development. [Dellangelo 1]

**Response** Comment noted. The SSRDD School Seat Certification was established in the 1970s and does not reflect today’s process, nor is it the most effective way of monitoring or projecting school need. Today, the School Construction Authority and the NYC Department of Education have robust methodologies to track and project future school need. Demographic analysis includes census data, building permits, and DCP approvals, including CEQR materials, to forecast growth/need and update the forecasting documents annually. The existing certification for school seats applicable in the SSRDD would continue to apply in the proposed South Richmond subdistrict of the SNRD. Expanding applicability of this certification would not advance the goals and objectives of the Proposed Actions.

**Comment 20:** Dwellings should be farther than 5 feet from properties lines when they are bordering a street. [McGough 1]

**Response:** Comment noted.

**Comment 21:** Commenters question eliminating the “park street” designation, because the understanding is to limit vehicular traffic. [Donovan 8]

**Response:** Comment noted. In the SSRDD, certain streets are designated as park streets, and special regulations apply to curb cuts and landscaping. The curb cut restrictions are not designed to limit vehicular traffic, which is a function of the uses along the street. The curb cut restrictions are designed to limit potential conflicts between vehicles and pedestrians (due to vehicles turning to/from a curb cut, thereby crossing a sidewalk). On lots fronting a park street, only one curb cut is permitted without CPC authorization.

Under the Proposed Actions, park street designations would be eliminated. Therefore, the Proposed Actions could result in increased curb cuts along former park streets.

Property owners need a curb cut permit to create or modify a curb cut. The design and functionality of any such curb cuts are evaluated during the DOB permit review process to ensure they meet size and location requirements for safety and access.

**Comment 22:** Commenters suggest enlarging the parks in South Richmond to increase the open space network, instead of the proposed buffer zones around open space. [Sanna 2]

**Response:** Comment noted. Enlargement of parks is beyond the scope of the Proposed Actions. NYC Parks acquisitions of private property would require additional discretionary approvals.

### ***Environmental Review***

**Comment 23:** Why are lots larger than 1 acre excluded from the DEIS Analytic Framework? Who will conduct the environmental analysis for discretionary actions? [Donovan 11, 13]

**Response:** As described in the Final Scope of Work, the DEIS will evaluate the potential environmental impacts of the Proposed Actions, including development of as-of-right sites of sites that require discretionary actions and CPC review (i.e., Plan Review Sites, which would include all sites 1 acre or larger).

Because of the generic nature of this action, there are no known or projected as-of-right development sites identified as part of a Reasonable Worst Case Development Scenario (RWCDS). To produce a reasonable analysis of the likely effect of the Proposed Actions, 16 representative prototypical analysis sites were identified to demonstrate the wide range of proposed regulations for sites that would be able to develop as-of-right in the future (i.e., sites smaller than 1 acre that do not entail development of private roads, are not located in a historic district, and do not entail development of four lots or buildings located adjacent to regionally important habitats or on steep slopes). These sites are intended to demonstrate the effect of changes to proposed regulations (including eliminating existing discretionary actions), in which the development would proceed as-of-right in the With Action scenario and assess the potential for significant, adverse impacts.



For development of sites 1 acre or larger (as well as applicable smaller sites with special circumstances noted above), where discretionary actions would require CPC review in the With Action scenario, a conceptual analysis was conducted and will be included in the DEIS. To conduct the conceptual analysis, representative sites were identified to demonstrate how future discretionary actions could be applied under the Proposed Actions (i.e., conceptual analysis sites). The conceptual analyses sites will serve to disclose the potential significant, adverse impacts of the proposed discretionary actions for these Plan Review Sites. However, these applications would be subject to SEQRA, and would conduct environmental review, as warranted. The applicant for the proposed future action would be required to conduct the environmental review pursuant to *CEQR Technical Manual* guidance, as warranted, which would be reviewed by the lead agency.

**Comment 24:** Please provide access to a copy of the PlaNYC assessment. [Donovan 12]

**Response:** As noted in the Scope of Work, the Land Use, Zoning and Public Policy chapter of the DEIS will include assessments of the Proposed Actions' consistency with *PlaNYC 2030: A Greener, Greater New York*; and with *OneNYC*, the current comprehensive plan for a sustainable and resilient city that addresses the profound social, economic, and environmental challenges facing the City.

**Comment 25:** The Proposed Actions would result in overcrowding by allowing houses as small as 600 square feet, which would further exacerbate commuting times and overcrowding in schools. These changes would disrupt the integrity of neighborhoods.

[Angeles 2; Anzalone 2; Cagner 2; Capodarro 2; Carabella 2; Carlizo 2; Ciseneros 2; Cistone 2; C-Kaiser 2; Comeau-Raspanti 2; Conlon 2; Conner 2; Coppola 2; Croue 2; Cugno 2; D-Mattia 2; DeAngelis 2; Del Cuore 2; Donovan 2; Dugo 2; E-Loughlin 2; Esposito 2; Farruggio 2; Fauci 2; Giura 2; G-Kaiser 2; GM-Kaiser 2; Golden 2; Herbert 2; Iacona 2; Kelly 2; L-Mattia-1; Lalava 2; Largo 2; Larsen 2; Lombardo 2; Mannino 2; Mariano 2; Mazzola 2; McComiskey 2; Meaghan 2; Moran 2; Palladino 1; Pane 2; Parsons 2; Pellizzi 2; P-Loughlin 2; R-Loughlin 2; Ross 2; Ruck 2; Russo 2; SchianodiCola 2; Smolka 2; Stasi 2; Susan 2; Sweeney 2; Tennant 2; Tesoriero 2; Tomasetti 2]

**Response:** Comment noted. The Proposed Actions do not include changes to the underlying zoning district with respect to the overall permitted amount, type, and location of development, including minimum lot size. Thus, they would not increase the overall density of development or disrupt the integrity of neighborhoods.

The minimum residential footprint in the Proposed Actions would only apply in limited instances and is intended to accommodate a minimum amount of feasible development on a lot where the presence of significant natural features limits the developable area. When the proposed zoning regulations would preclude the development of a feasible house or building, a minimum feasible development footprint would be permitted as an exception that ensures minimum disturbance on the natural environment.

As noted in the Scope of Work, the will DEIS include an analysis of the Proposed Actions' impacts on socioeconomics and neighborhood character.

**Comment 26:** Commenters are concerned about the negative impact on property values from the 25 percent conservation easement requirements for parcels larger than 1 acre.

They object to the creation of smaller wetlands under 12 acres because this would affect small property owners. Because there would be no funds to compensate property owners, they consider this a taking without compensation. [Kelley 1, 2]

Commenters believe that wetlands should be included in the minimum lot area requirement and are strongly opposed to proposed zoning updates that would exclude wetlands from the minimum lot area requirement. [Rampulla 11]

**Response:** The objective of the Proposed Actions is to retain development potential of small parcels by creating an as-of-right framework for properties that are smaller than 1 acre. Consistent with this approach, only parcels that are 1 acre or larger would be required to preserve wetlands that are smaller than 12.4 acres or are not under NYSDEC jurisdiction.

Minimum lot area regulations were designed to avoid creating undevelopable lots that are composed of wetlands or buffer areas. However, in response to comments, the wetland buffer exclusion has been revised to note that such minimum lot area requirements could be reduced by 10 percent. For existing parcels that cannot satisfy the minimum lot area requirement due to the presence of wetlands, permitted disturbance areas would be allowed to retain development potential. Similarly, the proposed habitat preservation area requirements were designed to achieve the dual objectives of facilitating development and preserving the site's ecology. Therefore, neither the preservation of wetlands that are smaller than 12.4 acres nor the required habitat preservation areas would constitute an uncompensated regulatory taking.

**Comment 27:** Commenters strongly object to the proposal to exclude the area of the private road from floor area calculations, noting that this would set up private roads to be their own tax lot, which is problematic if the Homeowner Association fails. They consider this a taking of property without compensation. Excluding private roads from the minimum lot area would remove development rights from the property owners. [Rampulla 1; Sanna 1]

**Response:** Comment noted. The Proposed Actions include updates to the Lower Density Growth Management Area (LDGMA) regulations that are applicable throughout much of Staten Island. Currently, portions of lots that include private roads are permitted to be included when calculating minimum lot area in the existing SNAD and SSRDD but are not permitted to be included in maximum permitted floor area calculations for existing Special Hillside Preservation District (SHPD) Tier II sites. The proposed change would not affect the floor area that can include the portion of the lot within the private road. The proposed change could result in fewer lots, slightly reducing the density of development, which aligns with the original goals of the LDGMA. In properties where habitat preservation is required, such area within a private road could be counted toward the minimum lot area to allow for clustering of development in lieu of natural resource preservation.

**Comment 28:** Commenters are concerned that the Proposed Actions would weaken the protections of natural resources, particularly in the Bluebelt properties, which are vital for stormwater retention and maintaining ecologically sensitive areas, such

as wetlands, hillside preservation, open space, and parkland. The relaxed restrictions could lead to development in areas previously considered ecologically sensitive. Regulations and protections on ecologically sensitive areas should not be eliminated from projects. New development should not be allowed within 100 feet of aquatic resources and should also preserve steep slopes, rock outcroppings, and other sensitive natural features.

[Angeles 3; Anzalone 3; Cagner 3; Capodarro 3; Carabella 3; Carlizo 3; Ciseneros 3; Cistone 3; C-Kaiser 3; Comeau-Raspanti 3; Conlon 3; Conner 3; Coppola 3; Croue 3; Cugno 3; DeAngelis 3; Del Cuore 3; Dugo 3; Donovan 3; Dulong 1, 4; E-Loughlin 3; Esposito 3; Farruggio 3; Fauci 3; Giura 3; G-Kaiser 3; GM-Kaiser 3; Golden 3; Herbert 3; Iacona 3; Kelly 3; Lalava 3; Largo 3; Larsen 3; Lombardo 3; Mannino 3; Mariano 3; Mazzola 3; McComiskey 3; Meaghan 3; Moran 3; Pane 3; Parsons 3; Pellizzi 3; P-Loughlin 3; R-Loughlin 3; Ross 3; Ruck 3; Russo 3; SchianodiCola 3; Smolka 3; Stasi 3; Sweeney 3; Tennant 3; Tesoriero 3; Tomasetti 3]

**Response:** The intent of the Proposed Actions is to update zoning regulations to strengthen and rationalize natural resource preservation and to codify best practices learned over the past 40 years. The Proposed Actions would establish, for the first time ever, comprehensive wetland regulations across all three current special districts and expand protections to smaller wetlands on lots 1 acre or larger that are not currently regulated by the NYSDEC. This new appreciation of the interconnectedness of wetland systems is important since even the smallest wetlands help to protect communities against events like local flooding and disasters such as Hurricane Sandy.

This proposed zoning update would strengthen the ability of NYSDEC and USACE to enforce their rules. NYSDEC or USACE sign off will still be required for development adjacent to wetlands, but corresponding City rules would set a minimum buffer zone from these wetlands to ensure their long-term protection as well as limits to disturbances within the 100-foot adjacent area. As detailed in the Scope of Work, a natural resources assessment will be provided in the DEIS.

**Comment 29:** One commenter expressed concern that if the existing wetland buffer zones for the special districts in Staten Island are decreased, it will decrease the effectiveness of the Bluebelt's ability to manage stormwater and ultimately cause communities to be negatively impacted by natural disasters. [Yanushefski 2]

**Response:** Comment noted. The Proposed Actions are intended to strengthen the preservation and protection of wetlands and would not reduce wetland buffer areas. As noted in the Natural Resources task of the Scope of Work, an assessment of the Proposed Actions' potential effects on wetlands will be included in the DEIS.

**Comment 30:** One commenter expressed concern that under-1-acre lots may be contiguous, and by not reviewing development of these lots, habitat may be removed and cause the accidental elimination of a wildlife corridor. [Levenberg-Engle 1]

**Response:** Under the Proposed Actions, important publicly owned and managed natural assets within the proposed SNRD would be mapped as *designated natural resources*, forming the basis of a holistic ecological strategy to strengthen and protect these core natural areas. As such, substantial wildlife corridors would be accounted for in the natural assets mapping. The DEIS will evaluate the

Proposed Actions' impacts on natural resources, including those on small, contiguous lots. In addition, as noted in the Final Scope of Work, the area of "Plan Review Sites" would include all contiguous tracts of land under single ownership or control, including abutting zoning lots under the same ownership or control. As such, development of multiple adjacent parcels would likely entail development of a Plan Review Site. Per the proposed review structure, the development of Plan Review Sites would require general authorization and CPC review.

**Comment 31:** DCP should provide maps delineating aquatic resources and designated resource areas. [Rampulla 4]

**Response:** The Final Scope of Work has been updated in response to comments to specify that maps depicting areas with potential aquatic resources and designated resources areas will be provided in the DEIS. The designated resource area maps will delineate the proposed Resource Adjacent Areas and proposed Escarpment (steep slope) Areas. Resource Adjacent Areas include properties adjacent to designated natural resources (e.g., large parks and forests located on protected lands). The potential aquatic resource maps will not be based on field delineations but will act as a flag for properties that would need to confirm aquatic resources, similar to NYSDEC's freshwater wetland "checkzone" maps. Official ecological subarea maps will be provided in the Zoning Text Amendment.

**Comment 32:** Add curb cut specifications for residential uses to require a minimum of 25 feet of clearance from the intersection of any two street lines. DOT also requests that DOB be consulted regarding the misalignment of curb cut to the driveway. [Kasem 1]

**Response:** Comments noted. As noted in the Scope of Work, the Proposed Actions' impacts on transportation will be assessed in the DEIS. In the underlying zoning regulations, driveways are not required to be aligned with driveways. Any regulations pertaining to this and 25 feet minimum clearance from intersections should be addressed citywide if needed.

**Comment 33:** Commenters urge DCP to consider a number of feasible alternatives with respect to CPC review requirements; see New York Environmental Conservation Law (NY ECL) §8-0109(2)(d), (4); 6 New York Codes, Rules and Regulations (NYCRR) §617.9(b)(5). First, DCP should consider retaining CPC review requirements as is for all developments, while implementing the other proposed modifications. Second, DCP should consider a minimum site disturbance trigger for CPC review at 2,500 and/or 5,000 square feet. The review should apply for any new or modified development, including multiple developments on adjacent properties or those on properties under common ownership or control. [Dulong 3]

**Response** The DEIS will include an analysis of a reasonable and feasible alternatives to the Proposed Actions, in compliance with NY ECL §8-0109(2)(d) and 6 NYCRR §617.9(b)(5). The selection of alternatives will be based on the Proposed Actions' stated purpose and need, potential impacts, and the feasibility of potential alternatives. However, reducing the threshold for Plan Review Sites is not anticipated to be considered as an alternative in the DEIS. The suggested thresholds would not meet the goals and objectives of the Proposed Actions of creating a robust as-of-right framework. Additionally, CPC review is triggered at lower thresholds for Escarpment and Resource Adjacent Areas, sites with private

roads, or in historic districts – areas where there are less predictable outcomes that can be achieved through an as-of-right framework, and thus where CPC review can inform the process and outcomes.

### 3.3 Generic

**Comment 34:** Several commenters support the Proposed Actions and note that they will help protect habitat. The requirement for protecting a portion of existing habitat on sites larger than 1 acre will help absorb stormwater and act as a stepping stone for wildlife, such as pollinators. They also support the promotion of using native plantings, which will increase habitat connectivity. [Cullman 1, 3; LaPointe 1, 2, 4]

They support the requirement for establishing a buffer on properties adjacent to natural resources, which will enhance the quality of publicly held properties. [Cullman 2, LaPointe 3]

**Response:** Comments noted. As described in the Scope of Work, the Proposed Actions' impacts on natural resources will be evaluated in the DEIS.

**Comment 35:** Commenters would like to express our general support for the project and believe that the SNAD has preserved the character of the community. Thus, the proposed changes must be taken seriously and require a collaborative process. [Cohen 1, 3]

**Response:** Comment noted. The Proposed Actions' impacts on neighborhood character will be assessed in the DEIS.

**Comment 36:** Commenters support the Proposed Actions and the proposal's attempts to better define and preserve NYSDEC's 100-foot buffer and to increase protection of aquatic resources [Hagen 2, 3]

We support the proposed redefinition of a Critical Root Zone and tree credits and noted that, as a result, trees will be better protected during construction and that tree survival rate will increase. [Hagen 4]

We support the proposed protection of rock outcropping and erratic boulders and preservation of retaining walls. [Hagen 5, 6]

**Response:** Comments noted. The Proposed Actions' impacts on natural resources will be evaluated in the DEIS.

**Comment 37:** Multiple commenters support the No Action Alternative.

[Angeles 1; Anzalone 1; Brochin 1; Cagner 1; Capodarro 1; Carabella 1; Carlizo 1; Caruvana 2; Ciseneros 1; Cistone 1; C-Kaiser 1; Comeau-Raspanti 1; Conlon 1; Conner 1; Coppola 1; Croue 1; Cugno 1; DeAngelis 1; De Marco 1; Del Cuore 1; Donovan 1; Dugo 1; E-Loughlin 1; P-Loughlin 1; Esposito 1; Farruggio 1; Fauci 1; Gioia 1; Giura 1; G-Kaiser 1; GM-Kaiser 1; R-Loughlin 1; Hawkins 1; Herbert 1; Iacona 1; Kelly 1; Golden 1; Lalava 1; Ladley 1; Largo 1; Larsen 1; Lolla 1; Lombardo 1; Mannino 1; Mariano 1; D-Mattia 1; L-Mattia 1; Mazzola 1; McComiskey 1; McGough 2; Meaghan 1; Moran 1, 5; Narducci, 1; Palladino 2; Pane 1; Parsons 1; Pellizzi 1; Psomas 1; Raspanti 2; Ross 1; Ruck 1; Russo 1; SchianodiCola 1; Schantz 1; Smolka 1; Stasi 1; Susan 1; Sweeney 1; Tennant 1; Terrone 1; Tesoriero 1; Tomasetti 1; Unknown 2; Yanushefski 1]

**Response:** Comment noted. As outlined in the *CEQR Technical Manual* and described in the Alternatives Task of the Scope of Work, the No-Action Alternative will be provided and evaluated compared to the Proposed Actions. The purpose of the alternatives is to determine if an alternative would reduce or eliminate potential significant, adverse impacts while meeting the purpose and need of the Proposed Actions. DCP will refer the proposed zoning text amendment for public review, consistent with its responsibilities under the City charter.

**Comment 38:** Several commenters are opposed to the proposed loop and note concern about pedestrian safety and traffic around the proposed loop.

[Caruvana 1; Ciseneros 6, 7; Conner 6,7; Croue 6, 7; De Marco 2; DeAngelis 6, 7; Gioia 1; Lalava 6, 7; Pane 6, 7; Ross 6, 7; Schroder 1; Tesoriero 6, 7; Thompson 1; Unknown 1]

**Response:** Comments noted but appear to be for a different action that is unrelated to the Proposed Actions.

Appendix 4:  
Comments Received on the  
Draft Scope of Work

## Government Agencies



## Reints, Rebecca

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**From:** Kasem, Alia <akasem@dot.nyc.gov>  
**Sent:** Friday, January 11, 2019 1:20 PM  
**To:** 19DCP083Y\_DL; Stephanie Shellooe (DCP); Olga Abinader (DCP)  
**Cc:** Lorenz, Matthew R; Cocola, Tom; Rasheed, Naim; Monika Jain (DCP); Christopher Hadwin (DCP); Christopher Holme (DCP); Aleena Farishta (DCP); Marten, Peggy; Talisic Jr, Briccio; Barry Fisher (DCP); Quadrino, John  
**Subject:** DOT'S comments on Staten Island & Bronx, Special Districts Update Draft Scope of Work for an Environmental Impact Statement

As Per DOT'S review of the **Staten Island** & Bronx, Special Districts Update Draft Scope of Work for an Environmental Impact Statement the followings are DOT's comments:

- The driveway alignment/centerlines to be reviewed and waived in only certain circumstances. Please consult with DOB on the misalignment of curb cut to the driveway. Also, provide illustrations to the "Prototypical Analysis site," for the EIS review.
- DOT recommends adding curb cut specification/requirements for residential (special district) of minimum 25 ft. distance from the intersection of any two street lines

1

Thank you,  
*Alia Maher Kasem* /Borough Planner  
**Staten Island Borough Commissioner's Office**  
**NYC Department of Transportation**  
**212-839-2377**

## Community Organizations

## PROTECTORS OF PINE OAK WOODS



STATEN ISLAND'S  
LAND CONSERVATION  
ORGANIZATION

www.siprotectors.org

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Olga Abinader, Acting Director

NYC Dept. of City Planning

120 Broadway – 31 st fl.

NY, NY 10271

Re: CEQR # 19DCP083Y

Staten Island/ Bronx Special District Update Draft Scope of Work

Dear Ms. Abinader:

Protectors of Pine Oak Woods submit the following comments with regard to the proposed draft scope of work for CEQR# 19DCP083Y.

The Protectors of Pine Oak Woods, Staten Island's oldest volunteer environmental preservation organization, is proud to have participated in the Department of City Planning's (DCP) latest effort to bring transparency and accord to the zoning of our communities.

The proposed amendments to local zoning are comprehensive and designed to bring consistency to an unpredictable system of land use and development. Protectors of Pine Oak Woods applauds this effort and appreciates the difficult, comprehensive work of DCP.

Though Protectors is agreeable to many of the proposed changes, it is right that we should begin our comments with one proposed item with which we strongly disagree. DCP suggests that the Special South Richmond Development District be retitled as Special Natural Areas District and that development upon/within the NYC Park properties and EPA Bluebelt properties no longer require DCP oversight.

In the Public Notice of a Scoping Meeting Draft Environmental Impact Statement (CEQR No. 19DCP083Y) DCP writes,

The proposal would also remove CPC review for Bluebelt properties managed by the NYC Department of Environmental Protection (DEP) and NYC Parks properties as required in the existing SNAD regulations. Due to NYC Parks and NYC DEP goals of preserving natural resources as well as their own public review process and the Public Design Commission (PDC) public review process for any publicly owned property, the goals of the Proposed Action would be maintained without CPC review.



The South Richmond Development District was clear in its intent to set a high bar for preservation of open space on the south shore of Staten Island. Suggesting that DCP oversight is merely a redundancy is wrong. Each opportunity for public comment allows the community to gather, educate and advocate on behalf of or in opposition to development plans. Particularly important is the transparency afforded through DCP oversight and the opportunity for the public to comment on NYC Parks and EPA Bluebelt projects. There is unfortunate evidence in many Parks as to the unbridled, opaque system of Park development. Tot lots and dog runs in parks across Staten Island were designed, purchased, built and celebrated in campaign literature having had little or no community discussion. The Special South Richmond Development District is a necessary impediment to short-sighted, poorly motivated ideas taking root and sprouting in our parks and if any proposal is made to amend the oversight of Parks and EPA Bluebelts it should be to strengthen such oversight and to demand deeper scrutiny of such projects.

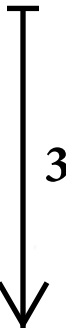
Protectors of Pine Oak Woods is glad for many of the proposed amendments which, we agree, will strengthen the preservation of natural resources across the island. There are plenty of provisions within the proposal which would greatly benefit the connectivity of our natural areas. Of particular interest is the proposal's attempt to better define and preserve DEC's impotent 100 foot buffer.



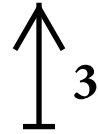
"The DEC's 100-foot adjacent area lacks any specific development or planting regulations and is generally guided by DEC best practices on a site by site basis. The proposed regulations for all properties, including small properties that are not "Plan Review Sites," would aim to preserve the quality of DEC regulated freshwater wetlands by requiring a planted buffer area within 60 feet of a wetland boundary to be planted with natural vegetation. Outside the planted buffer area and within 100 feet from the wetland boundary, the amount of lot coverage (15 percent) and impervious area (45 percent) would be limited. The lot area within wetlands and planted buffer areas would be excluded from minimum lot area calculations. A minimum 20-foot separation at the rear and a minimum five-foot separation at the side would need to be provided between planted buffer areas and residences to provide usable areas for access, maintenance and recreation, and to avoid encroachment into buffer areas."

Further,

"For "Plan Review Sites," all aquatic features, including streams, non-DEC wetlands, DEC freshwater and DEC tidal wetlands would need to be described and assessed as part of the general authorization process by the CPC. Properties that consist of non-DEC regulated wetlands would be subject to special zoning rules that aim to preserve these wetlands. A 30-foot planted buffer would be required for non-DEC wetlands and other aquatic features. Any disturbances to



these aquatic features and the associated buffer should be avoided, but if avoidance isn't feasible, as determined by the CPC through the authorization, then disturbance should be minimized, and protection of the aquatic resource should be provided. Similar lot coverage and impervious surface limitations that are described above for DEC regulated wetlands would apply to all aquatic features on Plan Review Sites."



Other changes which would greatly facilitate preserving the connectivity of our open spaces is the redefinition of Critical Root Zone and tree credits. With better protections, due to an increase in Critical Root Zone and an increase to tree credits, trees will be better protected during construction and there is sure to be increased rate of survival.



"Critical Root Zone: The critical root zone is an area around the tree that is critical to the tree's survival. It is calculated similarly as in existing rules (one-foot radial from the tree trunk for every inch of thickness of the tree trunk), except there would be no upper limit of 22 feet as in the existing rules. For instance, a 50" caliper tree will require 50 feet of critical root zone in the proposed regulations. Proposed regulations introduce the concept of a structural root zone which is a smaller portion of the critical root zone that should not be disturbed at all. Existing rules don't allow any impact to critical root zones of trees. These rules protect trees, but they may discourage their preservation since no credit accrues if development needs to occur within the area of the tree's critical root zone."

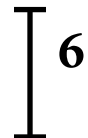
Protectors has found many of the proposed amendments to align well with our mission to preserve open space on Staten Island. Though a number of participants raised issue with erratics during the working group meetings, the proposal retains their importance and protection.



"Rock outcrops and erratic boulders would be protected through a set of rules that would function on an as-of-right basis. In the existing rules, any disturbance to such geologic features is only permitted through a CPC authorization and there are no limits to how much disturbance can be allowed by the CPC. In the proposed rules, rock outcrops within the front yard may not be disturbed, except to permit access to the property via a driveway, private road or walkway. Beyond the required front yard, no more than 50 percent of rock outcrops within the front portion of the lot would be permitted to be disturbed. Erratic boulders may be relocated, if necessary, to the front portion of the lot. These rules would provide robust and Staten Island and Bronx Special Districts Update November 9, 2018 40 predictable protections for these dramatic natural features that are an important aspect of the character of these communities."

DCP even addresses issues surrounding retaining walls and preservation in the Special Hillside Preservation District.

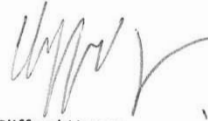
"In the existing rules, there are no limits to the height of retaining walls. Under the proposed rules, any retaining walls needed to manage slopes would be limited to an average height of six feet, with no point exceeding eight feet above adjacent final grade. Within 10 feet of a street, retaining walls need to be lower, with an average height of four feet, with no point above six feet to preserve neighborhood character."



Protectors of Pine Oak Woods is agreeable to many of the proposed changes herein. We stand ready to insist that these modifications of requirements be a final definition of what can and cannot be built. Protectors strongly suggests that DCP stress that our elected representatives make clear to our entire

community that the current Department of Buildings' system of waivers and tacit approvals will end immediately upon adoption of these proposals.

Respectfully submitted,



Clifford Hagen

7/10/19

President

Protectors of Pine Oak Woods

## Stephanie Shellooe (DCP)

---

**From:** Aleena Farishta (DCP)  
**Sent:** Friday, January 04, 2019 9:36 AM  
**To:** Stephanie Shellooe (DCP)  
**Cc:** Olivia Sullivan (DCP); Christopher Hadwin (DCP); Monika Jain (DCP); Claudia Herasme (DCP)  
**Subject:** FW: CEQR # 19DCP083Y, Staten Island/ Bronx Special District, Draft Scope of Work / Richmondtown & Clarke Ave. Civic Assoc.

More comments below.

**From:** tom0212353@aol.com [mailto:tom0212353@aol.com]  
**Sent:** Friday, January 04, 2019 9:30 AM  
**To:** Olga Abinader (DCP) <OABINAD@planning.nyc.gov>  
**Cc:** bdeblasio@cityhall.nyc.gov; James Oddo <joddo@stateninsula.com>; eburke@stateninsula.com; Steven Matteo <smatteo@council.nyc.gov>; dcarr@council.nyc.gov; alesane@council.nyc.gov; rkourani@council.nyc.gov; fcapelli@council.nyc.gov; borelli@council.nyc.gov; Derrico, Debra (CB) <dderrico@cb.nyc.gov>; CommunityBoard3 (CB) <sicb3@cb.nyc.gov>; Deborah Rose <drose@council.nyc.gov>; cjohnson@council.nyc.gov; CarrollJoseph <sicb1@si.rr.com>; Crosby, Lisa (CB) <lcrosby@cb.nyc.gov>; Maffeo, Linda (CB) <LMaffeo@cb.nyc.gov>; bomar@bronxbp.nyc.gov; district11@council.nyc.gov; D'Alaya@planning.nyc.gov; Christopher Hadwin (DCP) <CHadwin@planning.nyc.gov>; Aleena Farishta (DCP) <AFARISHTA@planning.nyc.gov>; Patandjohnsi@aol.com; pepdietz@verizon.net; kathleenmeaghan@yahoo.com; apsomas@si.rr.com; saab9178@gmail.com; dmap30@aol.com; moon686@msn.com; dmoran@dtcc.com; BX08@cb.nyc.gov (CB) <BX08@cb.nyc.gov>  
**Subject:** CEQR # 19DCP083Y, Staten Island/ Bronx Special District, Draft Scope of Work / Richmondtown & Clarke Ave. Civic Assoc.

Richmondtown and Clarke Avenue  
Civic Association, Inc.  
85 Clarke Avenue  
Staten Island, New York 10306  
718-667-4393

January 4, 2019

Olga Abinader, Acting Director  
NYC Dept. of City Planning  
120 Broadway – 31<sup>st</sup> floor  
New York, NY 10271

Re: **CEQR # 19DCP083Y**  
**Draft Scope of Work for Staten Island/ Bronx Special District**

Dear Ms. Abinader:

The proposals described in the draft scope of work for CEQR# 19DCP083Y would be seriously detrimental to Staten Island and the Bronx.

**The "No Action Condition" should be selected among the options in this study.**

At present, construction within NYC has seemed to place profits as a priority over community's safety (flooding issues in wetlands adjacent areas) and the overall ecological balance of wetlands and open space.

We do not see how the proposed actions could possibly support the goal described on page 15, to "Strengthen and rationalize natural resource preservation."

The proposed actions would potentially:

- create very crowded housing by allowing houses as small as 600 square feet and allow semi-detached houses; it would further exacerbate commuting nightmares, overcrowding issues in schools, and other infrastructure issues 2
- further weaken the already very weak protection by government agencies over wetlands areas (including the Bluebelt properties) which are vital for stormwater retention and maintaining environmentally sensitive areas' ecological balance, and would weaken hillside preservation, and protection of parkland and open space 3
- remove opportunities for public comment and review if fewer properties would be reviewed by City Planning 4
- place more responsibility in the hands of the NYC Buildings Department, which, in many individuals' experiences, does not provide rigorous review or investigation of construction projects 5

**There is a NEED TO SERIOUSLY CONSIDER CHANGING CITY PLANNING AND BUILDINGS DEPARTMENT REVIEW TO ANTICIPATE CLIMATE CHANGE**

The current review by State and local agencies of environmentally sensitive properties is weak, and in the public's eye, only bows to the interests of developers. A review of environmentally sensitive properties should not simply receive a broad brush, one-size-fits all thinking, which seems to only issue permits that fit the interests of developers but not the interest of the community or environment. The NYC area will be particularly vulnerable to climate change and sea level rising. 6

Other ecologically sensitive areas that require additional protection, such as areas where erosion control is an issue (Section 105), and in areas designated as "Forever Wild," should also have stronger protection. Such additional protection was advocated in the early 2000's, when a Special Natural Area District Task Force was created.

Therefore, a stronger enforcement, rather than streamlining, should be the intent. There should also be better training and educational requirements of the staff that reviews and enforces the regulations.

**Strong, local review should be instituted** that can override decisions that make profits a priority over community's safety (flooding issues), and the overall ecological balance of wetlands and open space. Procedures should be instituted for public review of proposed construction in the Special Resources Natural District. The Proposed Action gives many examples, of "streamlining" procedures, but does not speak about how the public would become aware of proposed projects, and be allowed sufficient time to make comments on proposals. The Buildings Department, at present, posts information on its website for individual properties. It does not have a section in its website to list proposed construction projects in date order, which would more clearly allow the public an opportunity to determine if there are upcoming proposed projects in one's area. It does not have a process in place to notify the public of large-scale development proposals.



As we review the Draft Scope of Work, we have already identified numerous issues.

**These proposals would literally throw out rules that contain and control development in ecologically sensitive areas. For example,**

- pages 6 -7: "...On larger sites (one acre or more)... the land use actions... permits necessary to facilitate development on a site may be changed or eliminated by the proposed regulations."
- page 42 Designated Open Space (DOS), paragraph 2 "permit building encroachment into DOS"
- page 43, Table 7 allowing construction of 1,200, 800, 700, and 600 square foot homes - would create houses out of character for many residential areas
- removing, or limiting, City Planning review pertaining to parkland or other public land, removes a needed review by specialists who should be trained to uphold the protection of parkland and other public land, before applications are submitted to the Buildings Department for review and processing.

The following are some specific comments to entries in the document:

**The Draft Scope of Work certainly seems to describe more opportunities to loosen regulations and reviews to allow denser housing.**

- Creating more opportunities for developers to go directly to the Buildings Department is a concern (pages 5 and 41). since communities have not had reassuring experiences with the Buildings Department. The intent of seeking "...clearer outcomes for development on small lots (less than 1 acre) would appear to only encourage developers to have lots subdivided into small lots so that reviews could go directly to the Buildings Department.
- While the following statements on page 6 might appear appropriate,
- "The Proposed Action would require special review by the CPC [City Planning Commission] for development on large properties (an acre or more), as well as development with new private roads or new buildings or subdivisions of a lot in historic districts. In areas of steep slope or ecological sensitivity (abutting designated natural resources), developments including four or more new lots or buildings will also require CPC review. All these developments have a greater potential of affecting the surrounding ecology, neighborhood character and the public realm,"

developers could circumvent City Planning Commission review by subdividing lots, or staging a large-scale project by creating multiple projects over time.

- pages 6 -7: "...On larger sites (one acre or more) ... the land use actions... permits necessary to facilitate development on a site may be changed or eliminated by the proposed regulations."
- page 42 Designated Open Space (DOS), paragraph 2 "permit building encroachment into DOS"
- page 43, Table 7 allowing construction of 1,200, 800, 700, and 600 square foot homes - would create houses out of character for many residential areas

Page 13 - **It has not been our community's experience to see thoughtful planning or preservation.** quote from page 13 "...Since their establishment, the Special Districts regulations have helped to guide thousands of

developments and have resulted in the tree-lined streets, preserved rock outcrops, old growth trees, wetlands, and forested parks that today exemplify these communities..." Our residents have experienced intense scrutiny of small homeowners' submissions to the Buildings Department, while observing an apparently laissez-faire approach to developers' projects. We have seen at the site of large developments tree removal that was apparently unauthorized, construction at night and on weekends, work being done where no permits were posted, and open trenches not fenced in.

Pages 26 -27 side yard and height requirements: We have seen developments approved that do violate the quote "...the proposed buildings will not have adverse effects upon the light, air and privacy of adjacent lots..."

Page 40 discusses plantings near buffer zones: Having plantings within 60' weakens the 100' buffer zone regulation. Thus, it encourages builders to have a 60' instead of 100' buffer zone. This shows inadequate regard for sensitive wetlands. **Section 18-39(5)(ii) of the NYC Watershed Regulations, which specifically states that the construction of a new individual residence in a subdivision within the limiting distance of 100 feet of a watercourse or wetland is prohibited. Also, the CEQR Manual explains:**

**from page 11-2:**

"...Freshwater wetlands are regulated by New York State in 6 NYCRR Parts 662-665. Under this regulation, freshwater wetlands of 12.4 acres or larger are protected, although smaller wetlands can also be protected if the NYSDEC commissioner has determined that they have unusual local importance. Wetlands smaller than 12.4 acres are often classified as "isolated wetlands," are the most common NYSDEC-regulated freshwater wetland system in the City, and have received increasing focus as contributors to local biodiversity and hydrology. In addition to the wetland itself, a buffer area of 100 feet around the freshwater wetland, called the "adjacent area," is also protected. The freshwater wetland "adjacent area" refers to the contiguous upland area that may affect conditions in the wetland. Sometimes, a larger wetland buffer is provided when critical hydrological, habitat, and other ecological functions related to the wetland are outside the 100-foot regulated adjacent area..."

Page 43 discusses Impervious Areas - properties adjacent to wetlands areas need clear regulations for construction that can withstand soil conditions in wetland adjacent areas. NYC DOT regulations at present do not identify construction requirements for the unique conditions in these areas.

The following proposals would further weaken protection of sensitive natural areas:

Page 45: "...Similarly, rear yards could be reduced from 30 feet to 20 feet in R2 and R3 Districts if a lot is highly constrained due to either being in a Resource Adjacent Area, an Escarpment Area, or contains steep slopes or nearby DEC wetlands and adjacent areas. In R1 through R6 Districts, rear yards could be reduced to 20 feet if a significant rock outcrop or one or more large trees of significant value [at least 12 tree credits] is protected in the front half of the lot.

Page 46 "Park street designations would be eliminated. Regulations for park streets became outdated when the City required street trees to be installed along the frontage of all new developments. Unlike arterials, existing rules for park streets do not include building setback requirements."

We question eliminating the "park street" designation, since the understanding is to limit vehicular traffic. A "park street" is a #street# designated as such in Section 107- 25 (Special Regulations Along Certain Streets or Railroads) and whose primary function is to provide connecting links for pedestrians and cyclists between portions of the #open space network# and to

which special provisions of this Chapter apply. #Park streets# shall be designated to provide limited vehicular access.)

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8

Page 47: doesn't this weaken the needed protection of habitat preservation area?  
"Plan Review Sites with DOS or areas required to be preserved as natural habitat may apply for modification of the boundaries of habitat preservation area, modification of permitted residential building types, or modification of bulk regulations."

Page 48: why eliminate certifications?  
"...Certifications for future subdivisions for any non-"Plan Review Sites" would [be] eliminated, ...See Appendix for a complete list of certifications being eliminated or modified under the proposal..."

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9

Page 48: further weakening protection of ecologically sensitive areas  
"All Plan Review Sites... Optional modifications applicable in the course of this review and as a part of the authorization itself include the ability to modify standards for private roads and parking areas, site planning requirements for Plan Review Sites. "  
"...Plan Review Sites with DOS or areas required to be preserved as natural habitat would be able to apply for various authorizations that permit the CPC to modify various zoning rules. The CPC would be empowered to modify the habitat preservation area standards to resolve site design conflicts, ...such as allowing semi-detached residences where normally only detached residences would be allowed..."

Page 49: Special permits to further weaken regulation?  
"...SPECIAL PERMITS A special permit would be required for modifying the boundaries of a previously approved and established habitat preservation area. This would be permitted only where unforeseen circumstances require the modification of the boundaries, and the boundary modification has been accommodated by establishment of a new area to be preserved, or enhancement of existing habitat..."

We disagree with the prediction that  
Page 52: "...The Proposed Action is not expected to change the rate of growth, which is controlled primarily by the supply of developable land and by the local supply of skilled professionals in the construction industry..."  
The proposals would allow much denser housing to be built, which would intensify the rate of growth.

In addition, if  
Page 52: "...53,434 properties in Staten Island could be potentially affected through changes in the special districts rules. Approximately, 136,156 properties may be affected by LDGMA changes. These properties would also include the properties affected by the special district rules in Staten Island..."  
If so many properties are being affected, potentially, then tighter review, not weaker review, is needed.

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10

**The assumptions on Page 53 are not logical**  
**Page 53: As part of F. Analytical Framework - the percentages are being based on previous regulations and restrictions. The new proposal would eliminate those restrictions, and thus allow for denser construction.**

Page 53: lots over 1 acre are excluded from Analysis, F. Analytic Framework. Shouldn't they be included?

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11

**ENVIRONMENTAL ASSESSMENT STATEMENT(EAS)**

The fact that the draft scope of work uses very vague language in many instances, only intensifies concerns that the EAS states there would potentially be significant adverse impacts in each Impact Category. Also, we question the following:

page 5, 1. (a) a "No" response to "Would the proposed project result in change in land use different from surrounding land uses?" We would see proposed changes as significant changes in how land would be used, in terms of much denser housing being allowed, environmentally sensitive areas having much weaker regulation, etc.

1. (b) a "Yes" response to " Would the proposed project result in change in zoning different from the surrounding area?" This is a serious concern for homeowners who do not want protections they thought were in place to be removed for the benefit of developers.

**1. (e) calls for a PlaNYC assessment since this is a publicly sponsored project. We request to receive a copy of the assessment.**

#### 4. Open Space

(a) asks if the proposal would change or eliminate existing open space. We do not agree with the "No" response. Please refer to the concerns we have stated throughout this letter.

Who would conduct the environmental analysis for discretionary actions? City Planning, DEP, Buildings Department?

Pg 54 – 55: “ Conceptual Analysis for discretionary actions - conceptual analysis will be provided to understand how the new discretionary actions could be utilized and to generically assess the potential environmental impacts that could result. However, all potential significant adverse impacts related to these future discretionary actions would be disclosed through environmental review at the time of application...”

We are very concerned that the proposals will not, in any way, help protect environmentally sensitive areas, or show consideration for homeowners in the affected areas. The proposals will hinder, not help us.

Sincerely,

Carol Donovan  
President

12

13



January 14, 2019

**Via electronic mail to 19DCP083Y\_DL@planning.nyc.gov**

Olga Abinader  
Acting Director  
New York City Department of City Planning  
120 Broadway, 31st Floor  
New York, New York 10271

Hilary Semel  
Director  
Mayor's Office of Environmental Coordination  
253 Broadway, 14th Floor  
New York, New York 10007

**Re: Comments on proposed textual amendments  
of the Staten Island and Bronx Special  
Districts Zoning: Draft Scope of Work for  
an Environmental Impact Statement;  
CEQR No. 19DCP083Y**

Dear Ms. Abinader and Ms. Semel:

Riverkeeper, Inc. (“Riverkeeper”) respectfully submits the following comments on the draft scoping documents that, when finalized, will guide the preparation of a Draft Environmental Impact Statement (“DEIS”) on the Department of City Planning’s (“DCP”) proposed textual amendment of the Staten Island and Bronx Special Districts Zoning maps, CEQR No. 19DCP083Y (“Special Districts Rezoning”).<sup>1</sup> To the extent updates to the zoning maps could serve to further protect the ecological resources of the affected areas, Riverkeeper would support such changes. However, Riverkeeper is concerned that some elements of the Special Districts Rezoning could relax restrictions and allow widespread development in areas previously determined ecologically sensitive. We seek to prevent urban sprawl from further impacting these already-jeopardized resources.

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<sup>1</sup> N.Y. City Dep’t of City Planning, Scoping Documents, Public Scoping Meeting on the Staten Island & Bronx Special Districts Update, <https://www1.nyc.gov/site/planning/applicants/scoping-documents.page#snad> (last accessed Jan. 14, 2019).

If implemented as proposed, the Special Districts Rezoning would modify the protected status of Special Natural Area District (Article X, Chapter 5), Special South Richmond District (Article X, Chapter 7), and Special Hillside Preservation District (Article XI, Chapter 9) by combining the regions into one special district with a consistent zoning scheme. The Special Districts Rezoning would also modify provisions in the Lower Density Growth Management Area. In most circumstances, the Special Districts Rezoning would allow development on properties of less than one acre in affected areas to avoid City Planning Commission (“CPC”) review and the public participation which it entails. Instead, only Department of Buildings approval—and no public input—would be required.

By DCP’s own summation, the current special districts regulations have left a legacy of smart development as they “helped to guide thousands of developments and have resulted in the tree-lined streets, preserved rock outcrops, old growth trees, wetlands, and forested parks that today exemplify these communities.”<sup>2</sup> The existing districts were established “to balance development with environmental protections in areas with significant natural features, such as aquatic, botanic, biologic, geologic and topographic features, having ecological and conservation values.”<sup>3</sup> One of the key protections of the regulations is simply exposing development projects to public scrutiny, which alone deters bad practices.

Riverkeeper objects to the DCP’s proposal to forego City Planning Commission (“CPC”) review for development on properties of less than one acre.<sup>4</sup> This would thwart the public’s ability to participate in the site plan approval process for these properties. It also may create an incentive for developers to subdivide properties and develop them in a piecemeal fashion, so as to avoid CPC review, undermining the holistic planning approach that DCP seeks to achieve.

As part of the City Environmental Quality Review (“CEQR”) process for the Special Districts Rezoning, we urge DCP to consider a number of feasible alternatives with respect to CPC review requirements. *See* N.Y. E.C.L. §§ 8-0109(2)(d), (4); 6 N.Y.C.R.R. § 617.9(b)(5). First, DCP should consider retaining CPC review requirements as is for all developments, while implementing the other proposed modifications. Second, DCP should consider a minimum site disturbance trigger for CPC review at 2,500 and/or 5,000 square feet. The review should apply for any new or modified development, including multiple developments on adjacent properties or those on properties under common ownership or control. This latter alternative would allow most homeowners to develop their properties without CPC review, while largescale and subdivided developments would be subject to CPC—and public—scrutiny.

Riverkeeper also opposes the proposed allowance of construction of impervious surfaces within 100 feet of aquatic resources.<sup>5</sup> Wetland buffers separate the wetland from human activity

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<sup>2</sup> Environmental Assessment Statement, Special Districts and Lower Density Growth Management Update, at part II, page 2 (Nov. 9, 2018) [hereinafter EAS]

<sup>3</sup> N.Y. City Dep’t of City Planning, Staten Island & Bronx Special Districts Update: Scope of Work for an Environmental Impact Statement at 5 (Nov. 9, 2018) [hereinafter Scope of Work]

<sup>4</sup> EAS at part II, Page 2.

<sup>5</sup> Scope of Work at 40.

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and other encroachment associated with development. Siting impervious surfaces and lawns within buffers can impair buffer function by clearing trees, altering existing wetland hydrology, and increasing thermal impacts.<sup>6</sup> Grass lawns and landscaped areas can hamper infiltration, increase stormwater runoff velocity and, due to residential and/or commercial fertilizer use, dramatically increase nutrient loading to wetlands and waters. For these reasons, the disturbance of 100-foot buffers must be avoided. Moreover, development should be similarly set back from steep slopes, rock outcroppings, and other sensitive natural features. DCP should likewise consider these setbacks as alternatives to the existing proposal for the sake of CEQR.

Finally, we request that New York City Departments of Parks and Environmental Protection continue to undergo CPC review for developments in these special districts. DCP proposes to remove CPC review for “Bluebelt properties managed by NYC Department of Environmental Protection (DEP) and NYC Parks properties.”<sup>7</sup> The disturbance created by these developments is no less impactful even though the agencies are sensitive to the potential harms. That said, given the strong planning and design talent held by agency staff, these developments should pass through CPC review without much opposition.

\* \* \*

Thank you for your consideration of our comments. We look forward to continuing to work with DCP and New York City community members to protect the important aquatic and ecological resources in our City. If you would like to discuss any of the issues discussed above, please contact me 914.422.4133 or email me at mdulong@riverkeeper.org.

Respectfully yours,



Michael P. Dulong  
Senior Attorney

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<sup>6</sup> R. FISCHER, AND J. FISCHENICH, DESIGN RECOMMENDATIONS FOR RIPARIAN CORRIDORS AND VEGETATED BUFFER STRIPS, US ARMY ENGINEER RESEARCH AND DEVELOPMENT CENTER 6 (2000).

<sup>7</sup> Scope of Work at 6.



Interested Public



## Reints, Rebecca

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**From:** Angela Thompson <angelat723@yahoo.com>  
**Sent:** Monday, January 7, 2019 8:58 AM  
**To:** Olga Abinader (DCP)  
**Subject:** St. Patrick Parish, SI, NY "NO ACTION CONDITION" for CEQR # 19DCP083Y

Ms. Olga Abinader  
Acting Director  
NYC City Planning  
20 Broadway - 31st Floor  
New York, NY 1027

Dear Ms. Abinader:

It is imperative to our community that you do not resurrect the Loop. Traffic is horrible as it is with the fairs, etc. in Richmondtown.

Thank you.

Angela Thompson

1

**Reints, Rebecca**

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**From:** Ed Brochin <ebrochin@fransight.com>  
**Sent:** Sunday, January 6, 2019 5:48 AM  
**To:** Olga Abinader (DCP)  
**Subject:** NO ACTION CONDITION for CEQR # 19DCP083Y

**NO ACTION CONDITION for CEQR # 19DCP083Y**

Ed Brochin  
292 Park Street  
Staten Island, NY 10306

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## Stephanie Shellooe (DCP)

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**From:** Olga Abinader (DCP)  
**Sent:** Thursday, January 03, 2019 10:54 AM  
**To:** Stephanie Shellooe (DCP)  
**Cc:** Christopher Lee (DCP); Aleena Farishta (DCP)  
**Subject:** FW: No Action Condition for CEQR # 19DCP083Y

Forwarding this to you, Stephanie. Thanks!

**From:** julieschantz@aol.com [mailto:julieschantz@aol.com]  
**Sent:** Thursday, January 03, 2019 10:39 AM  
**To:** Olga Abinader (DCP) <OABINAD@planning.nyc.gov>; Christopher Hadwin (DCP) <CHadwin@planning.nyc.gov>; Aleena Farishta (DCP) <AFARISHTA@planning.nyc.gov>  
**Subject:** No Action Condition for CEQR # 19DCP083Y

We demand the No Action Condition for CEQR # 19DCP083Y. We do not want an environmental disaster in our area.

Julie Schantz  
58 Morton St  
S.I., N.Y. 10306

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## Stephanie Shellooe (DCP)

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**From:** Aleena Farishta (DCP)  
**Sent:** Wednesday, January 02, 2019 9:57 AM  
**To:** Stephanie Shellooe (DCP)  
**Cc:** Monika Jain (DCP)  
**Subject:** FW: CEQR # 19DCP083Y

Another request.

---

**From:** bellanyc2001 [mailto:bellanyc2001@aol.com]  
**Sent:** Friday, December 28, 2018 12:12 AM  
**To:** Aleena Farishta (DCP) <AFARISHTA@planning.nyc.gov>  
**Subject:** CEQR # 19DCP083Y

PLEASE NOTE,  
I demand the "NO ACTION CONDITION" FOR CEQR# 19DCP083Y.

Sincerely,

Lisa Mattia, RN, BSN, PHN

Sent from my Verizon, Samsung Galaxy smartphone

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## Reints, Rebecca

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**From:** bellanyc2001 <bellanyc2001@aol.com>  
**Sent:** Thursday, December 27, 2018 10:06 PM  
**To:** Olga Abinader (DCP)  
**Subject:** CEQR#19DCP083Y

Hello Ms. Abinader,

I demand the "NO ACTION CONDITION" FOR CEQR# 19DCP083Y.

PLEASE...

Sincerely,

Lisa Mattia

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Sent from my Verizon, Samsung Galaxy smartphone

## Stephanie Shellooe (DCP)

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**From:** Aleena Farishta (DCP)  
**Sent:** Wednesday, January 02, 2019 9:47 AM  
**To:** Stephanie Shellooe (DCP)  
**Cc:** Olga Abinader (DCP); Christopher Hadwin (DCP); Monika Jain (DCP)  
**Subject:** FW: No Action Condition

Hi Stephanie,

Forwarding on the below request, let me know if it would be helpful for me to respond.

-Aleena

**From:** Lisa M [mailto:damien.mattia@gmail.com]  
**Sent:** Saturday, December 29, 2018 2:19 PM  
**To:** Olga Abinader (DCP) <OABINAD@planning.nyc.gov>; Christopher Hadwin (DCP) <CHadwin@planning.nyc.gov>; Aleena Farishta (DCP) <AFARISHTA@planning.nyc.gov>  
**Subject:** No Action Condition

To Whom it May Conern,

I am writing to express my interest in the NO ACTION CONDITION for CEQR # 19DCP083Y Staten Island special District update draft scope of work.

I do not want high density housing in the area or to disrupt the integrity of the current state or our neighborhood.

Thank you for your time the consideration,

Damien Mattia

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## Stephanie Shellooe (DCP)

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**From:** Aleena Farishta (DCP)  
**Sent:** Wednesday, January 02, 2019 10:04 AM  
**To:** Stephanie Shellooe (DCP)  
**Cc:** Monika Jain (DCP)  
**Subject:** FW: CEQR#19DCP083Y

And another request...

-----Original Message-----

**From:** Tracey Hawkins [mailto:trahawk@verizon.net]  
**Sent:** Thursday, December 27, 2018 1:15 PM  
**To:** Olga Abinader (DCP) <OABINAD@planning.nyc.gov>  
**Cc:** Christopher Hadwin (DCP) <CHadwin@planning.nyc.gov>  
**Subject:** CEQR#19DCP083Y

This is in reference to the above mentioned SI/Bronx Special District Update Draft Scope of Work. We, as homeowners, demand the "no action condition".

Sincerely,  
Tracey Hawkins  
73 west Cedarview Ave SINY 10306

1

Sent from my iPhone

## Aleena Farishta (DCP)

---

**From:** Suada Lolovic <llolla123@yahoo.com>  
**Sent:** Wednesday, January 02, 2019 11:28 AM  
**To:** Olga Abinader (DCP); Christopher Hadwin (DCP); Aleena Farishta (DCP)  
**Subject:** I DEMAND THE "NO ACTION CONDITION" for CEQR # 19DCP083Y

I 1

Hamit and Suada Llolla  
141 Saint George Road  
Staten Island, NY 10306



Reints, Rebecca

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**From:** John Ladley <john.ladley@verizon.net>  
**Sent:** Friday, January 4, 2019 2:54 PM  
**To:** Olga Abinader (DCP)  
**Subject:** "NO ACTION CONDITION" for CEQR # 19DCP083Y

We thought that this outrageous proposal was dead. Please see that it is! We are life-long residents of the area, and know that it's passage would be disastrous!

Respectfully, John & Karen Ladley 90 Beacon Avenue, S.I. , NY 10306

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## Stephanie Shellooe (DCP)

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**From:** Aleena Farishta (DCP)  
**Sent:** Wednesday, January 02, 2019 10:26 AM  
**To:** Stephanie Shellooe (DCP)  
**Subject:** (SNAD no action) FW: High Density Housing

Another request.

**From:** Ronald Terrone [mailto:terroneon@gmail.com]  
**Sent:** Thursday, December 27, 2018 11:49 AM  
**To:** Aleena Farishta (DCP) <AFARISHTA@planning.nyc.gov>  
**Subject:** High Density Housing

I am opposed to the addition of high density housing to my alreadyt over creoded neighborhood. I demand the NO ACTION CONDITION for CEQR # 19DCP083Y, Staten Island/Bronx Special District Update - Draft scope of Work

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Sincerely,

Ron Terrone

**Reints, Rebecca**

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**From:** Olga Abinader (DCP)  
**Sent:** Tuesday, January 15, 2019 7:26 AM  
**To:** Stephanie Shellooe (DCP)  
**Subject:** Fwd: CEQR19DCP083Y

Begin forwarded message:

**From:** Kurt Schroder <[kpschroder@icloud.com](mailto:kpschroder@icloud.com)>  
**Date:** January 15, 2019 at 9:20:20 AM EST  
**To:** <[oabinad@planning.nyc.gov](mailto:oabinad@planning.nyc.gov)>  
**Subject:** CEQR19DCP083Y

Dear Ms. Abinader,

I am in opposition to the zoning changes that would allow for the LOOP.

Sincerely,  
Kurt Schroder  
43 W.Cedarview Ave.  
S.I.N.Y.

Sent from my iPad

1

Reints, Rebecca

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**From:** Anthony Caruvana <ascaruvana@gmail.com>  
**Sent:** Sunday, January 6, 2019 6:47 AM  
**To:** Olga Abinader (DCP)  
**Subject:** The loop & St. Patricks Church

Dear Ms. Olga Abinader,  
I have been a member of St. Patricks Church for 45 years.  
This issue of a loop in front of St. Patricks church I thought was settled.  
Now that former pastor, Msgr. McCarthy, is no longer at this church, the  
issue has raised its ugly head.  
The burden of settling traffic problems in this area is being placed on the  
shoulders of this church. Not fair.  
I am for "No action condition" for CEQR#19DCP0834.  
M/M Anthony Caruvana, Richmondtown

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Reints, Rebecca

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**From:** Catwengryn@yahoo.com  
**Sent:** Friday, January 4, 2019 3:53 PM  
**To:** Olga Abinader (DCP)  
**Subject:** Fwd: Zoning Changes Richmondtown Staten Island, New York

Sent from my iPhone

Begin forwarded message:

**From:** "St. Patrick's Parish, Staten Island" <[mail@flocknote.com](mailto:mail@flocknote.com)>  
**Date:** January 4, 2019 at 4:46:47 PM EST  
**To:** [catwengryn@yahoo.com](mailto:catwengryn@yahoo.com)  
**Subject:** Zoning Changes Richmondtown Staten Island, New York  
**Reply-To:** "St. Patrick's Parish, Staten Island"  
<[2955124.b2a12bc82be8fce4ea1705e91b79d572c50952505183f90599@reply.flocknote.com](mailto:2955124.b2a12bc82be8fce4ea1705e91b79d572c50952505183f90599@reply.flocknote.com)>

**IMPORTANT INFORMATION FOR RESIDENTS  
FROM THE RICHMONDTOWN & CLARKE AVENUE CIVIC  
ASSOCIATION**

The New York City Planning Board has proposed significant zoning changes for Staten Island.

Please write to Olga Abinader, Acting Dir, NYC City Planning, 120 Broadway 31st Fl., New York, NY 10271 or even better, e-mail her at: [oabinad@planning.nyc.g...](mailto:oabinad@planning.nyc.g...) **to express opposition to the zoning changes that would allow for the LOOP or use the letter attached for your convenience.**

The way to make know your opposition is to write: **"NO ACTION CONDITION" for CEQR # 19DCP083Y**

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(CEQR# is the number of the proposal that would resurrect “The Loop”)

If we don't want intolerable traffic moving in front of our Church, weakening the foundation of our 157 year old building, and making it impossible to park on Sundays and Holy Days, for funerals and weddings, and clogging all the streets of Richmondtown we need to speak up and make sure that this doesn't happen.

**DEADLINE IS JANUARY 14, 2019**



City Planning Special Districts - Sample letter.docx



Sent by Suzanne Bruno



Reply

Replies to this email can only be seen by admins. Click the Reply button above to leave a public reply.  
Email me when people reply to this note



my info • unsubscribe

53 St. Patrick's Place, Staten Island, NY 10306 • [stpatrickssi.org](http://stpatrickssi.org)



**Reints, Rebecca**

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**From:** Susan <pallrone@yahoo.com>  
**Sent:** Saturday, December 29, 2018 8:21 AM  
**To:** Olga Abinader (DCP)  
**Subject:** DON'T WANT HIGH DENSITY. 600 SQ. FT. HOUSING

As a lifelong staten Island resident I DEMAND THE "NO ACTION CONDITION" FOR CEQR 3 19DCPO83Y Staten Island/Bronx Special District Update Draft Scope of Work

DON'T WANT HIGH DENSITY, 600 SQ. FT. HOUSING

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## Stephanie Shellooe (DCP)

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**From:** Aleena Farishta (DCP)  
**Sent:** Wednesday, January 02, 2019 9:49 AM  
**To:** Stephanie Shellooe (DCP)  
**Cc:** Monika Jain (DCP)  
**Subject:** (Special Districts no action)FW: Don't want HIGH DENSITY 600 Sq. Dt. Housing

Hi Stephanie,

Another request below, not sure if these are "comments" or just requests for info.

-Aleena

-----Original Message-----

From: Susan [mailto:pallrone@yahoo.com]  
Sent: Saturday, December 29, 2018 10:29 AM  
To: Aleena Farishta (DCP) <AFARISHTA@planning.nyc.gov>  
Subject: Don't want HIGH DENSITY 600 Sq. Dt. Housing

As a life long Staten Island resident I demand the "NO ACTION CONDITION" FOR CEQR # 19DCP083Y STATEN ISLAND/BRONX SPECIAL DISTRICT UPDATE DRAFT SCOPE OF WORK

SUSAN & JOSEPH PALLADINO  
453 ST. ANDREWS ROAD  
SI NT 10306

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**Reints, Rebecca**

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**From:** michael raspanti <m.raspanti@icloud.com>  
**Sent:** Friday, January 4, 2019 3:11 PM  
**To:** Olga Abinader (DCP)  
**Subject:** NO ACTION CONDITION" for CEQR # 19DCP083Y

Please do not bring this up again the community is adamantly against this and has not changed their stance.

This is one of the few last remaining neighborhoods on the Island that is still desirable. The fact that builders were given free rain to over build and develop every square inch of this island is a travesty.

M. Raspanti

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**Reints, Rebecca**

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**From:** michael raspanti <michaelraspanti@yahoo.com>  
**Sent:** Friday, January 4, 2019 3:03 PM  
**To:** Olga Abinader (DCP)  
**Subject:** NO ACTION CONDITION" for CEQR # 19DCP083Y

> Please do not destroy one of the last nice neighborhoods in Staten Island. Haven't you done enough damage to this island allowing for the overbuilding and overcrowding that currently exists.

Michael Raspanti

Please excuse any typos as this message is sent from my iPhone.

1

Reints, Rebecca

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**From:** Christopher Hadwin (DCP)  
**Sent:** Tuesday, January 8, 2019 9:10 AM  
**To:** Stephanie Shellooe (DCP); Olga Abinader (DCP)  
**Cc:** Aleena Farishta (DCP); Monika Jain (DCP)  
**Subject:** FW: Proposed planning and building changes for RICHMONDTOWN S.I.

I think this is for SNAD?

**From:** Harold Mcgough [mailto:hjmcgough@verizon.net]  
**Sent:** Tuesday, January 08, 2019 10:56 AM  
**To:** Christopher Hadwin (DCP) <CHadwin@planning.nyc.gov>  
**Subject:** Proposed planning and building changes for RICHMONDTOWN S.I.

I would like the city planning commission to stop making changes to rules and regulation that affect the area of Staten Island in which I live. The department of transportation HAD a mapped street (Thomas Street) bordering my home and property for over 60 years, Then a builder bought 30 feet of a 60 foot mapped street next to my house, and proceeded to build a 20 foot wide house on a 30 foot parcel of MAPPED STREET now that house 5 feet from the property line, and the mapped street. According to the building code structures must be 12 feet from the property line. This one isn't, it's 5 feet from the street, I believe that the dwelling should be about 20 feet from the property line when it is within bordering a street. Well obviously that ruling was good for about 60 years but the some one saw fit to amend that rule, probably because some one befriended an individual within our illustrious city government, and an agreement was reached to circumvent these rules. Therefore I request that no action be take on CEQR# 19DCP083Y

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I  
Remain  
Harold E  
McGough  
207 Wolverine  
Street  
Staten Island, N.Y. 10306

**Reints, Rebecca**

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**From:** John Moran <celticten@aol.com>  
**Sent:** Friday, January 4, 2019 5:10 PM  
**To:** Olga Abinader (DCP); Jack Moran; nomaur2@aol.com  
**Subject:** Very much against any change

I just found out about the change about Richmond town. I AM VERY MUCH AGAINST your change. I thought this scam was finished years ago. Where is the the meeting about a change?

I 5  
I 6

I would like to have a reply  
John j Moran 7 Hitchcock Abe 10306

Psomas

25 Natick Street  
Staten island, NY 10306

December 27, 2018

Olga Abinader, Acting Director  
NYC Dept of City Planning  
120 Broadway - 31st Floor  
New York, NY 10271

Dear MS Abinader.

I am contacting you to express my recommendation for a "NO ACTION CONDITION" FOR

CEQR #19DCP083Y Staten Island/ Bronx Special District Update- Draft Scope of work. I, and many of my neighbors have severe reservations around the proposal's modifications and changes in zoning.

Regards,



Alexander J. Psomas, CFA

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Reints, Rebecca

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**From:** Maggie <mtwin1@aol.com>  
**Sent:** Friday, January 4, 2019 6:35 PM  
**To:** Olga Abinader (DCP)  
**Subject:** No Loop

**"NO ACTION CONDITION" for CEQR # 19DCP083Y**  
**Margaret Narducci**  
**38 Barbara Street**  
**Staten Island NY 10306**  
**917 301 6144**

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**Juliana Yanushefski**  
3592 Richmond Road  
Staten Island, New York 10306  
(718) 979-0526

**Yanushefski**

December 24, 2018

Ms. Olga Abinader  
Acting Director  
NYC Department of City Planning  
120 Broadway, 31<sup>st</sup> Floor  
New York, New York 10271

Dear Ms. Abinader;

I am writing to urge a "No Action Condition" for CEQR # 19DCP083Y (Staten Island/Bronx Special District Update Draft Scope of Work). If I understand the proposal correctly, you are proposing to reduce the zoning in Special Districts in order to reduce the amount of permeable land that will be needed to build a structure in those areas. I have been living in one of those areas for forty years. I live in the vicinity of Richmond Creek and I know only too well how much the current zoning is needed to protect both the environment and the community. When the Bluebelt was designed to manage storm water, the current zoning was used in the development of the Watersheds and the BMP's. Changing the zoning now would threaten the effectiveness of the Bluebelt and present a danger to the environment and the community.

1

During 2018, across the country, we have witnessed so many communities destroyed by natural disasters. If the zoning and Wetlands buffer zones are decreased for the Special Districts of Staten Island, City Planning may actually be planning to add some Staten Island communities to the list of communities destroyed by natural disasters.

2

I am sure that the proposal is considered by some misguided people to be a financial benefit to New York City. However, if one considers what the cost of just one natural disaster would be in terms of dollars and environmental impact, it is easy to see that the harm far outweighs any short-term economic benefit.

Thanks for your consideration. I pray that you make the right choice.

Sincerely,



Juliana Yanushefski

Reints, Rebecca

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**From:** Rosalie DeMarco <rdsophdom553@gmail.com>  
**Sent:** Sunday, January 6, 2019 12:58 PM  
**To:** Olga Abinader (DCP)  
**Subject:** Stop the "Loop"

**"NO ACTION CONDITION" for CEQR # 19DCP083Y**

Staten Island's Richmondtown and St Patrick's Parish would be destroyed if you continue with this plan.

The church is over 100 years old, the streets are small. The school children need to be safe. Worshipers need to be safe.

Richmondtown Historical development is very important to the history of Staten Island and would be decimated if the loop would be allowed.

City officials sit in their ivory towers and make rules for streets and communities for which they have not a clue!

Rosalie De Marco  
[rdsophdom553@gmail.com](mailto:rdsophdom553@gmail.com)

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Reints, Rebecca

From: Christopher Hadwin (DCP)
Sent: Monday, January 7, 2019 12:14 PM
To: Olga Abinader (DCP); Stephanie Shellooe (DCP); Aleena Farishta (DCP); Monika Jain (DCP)
Subject: FW: Zoning Changes Richmondtown Staten Island, New York

And another about the Loop. A DOT process seems to be getting confused with ours.

-----Original Message-----

From: HENRY GIOIA [mailto:henry.gioia@verizon.net]
Sent: Monday, January 07, 2019 2:01 PM
To: Christopher Hadwin (DCP) <CHadwin@planning.nyc.gov>
Subject: Fw: Zoning Changes Richmondtown Staten Island, New York

No action condition for clear 19dcp0834 . Please cancel any idea of putting the loop into action. We in the area does not need the loop. Spend money on paving the roads, locking up drug dealers, and sending certified to go to schools to stop bullying. I never have problems traveling in my area. There is no reason for the loop. No loop no loop!!

--- On Fri, 1/4/19, St. Patrick's Parish, Staten Island <mail@flocknote.com> wrote:

> From: St. Patrick's Parish, Staten Island <mail@flocknote.com>
> Subject: Zoning Changes Richmondtown Staten Island, New York
> To: henry.gioia@verizon.net
> Date: Friday, January 4, 2019, 4:46 PM

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> !important;display:block !important;}
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Mannino

BY REGULAR MAIL and/or EMAIL

Olga Abinader, Acting Director  
NYC Dept. of City Planning  
120 Broadway – 31<sup>st</sup> fl.  
New York, NY 10271

'19 JAN 18 PM 12:54

Re: CEQR # 19DCP083Y  
Staten Island/ Bronx Special District Update Draft Scope of Work

Dear Ms. Abinader:

The proposed draft scope of work for CEQR# 19DCP083Y would have enormous deleterious effects on the communities and environment in Staten Island and the Bronx.

**The "No Action Condition" should be selected among the options in this study.**

City Planning's proposals, which would involve creation of a new Special District, would potentially:

- create very crowded housing by allowing houses as small as 600 square feet; it would further exacerbate commuting nightmares, overcrowding issues in schools, and other infrastructure issues
- further weaken the already very weak protection by government agencies over wetlands areas ( including the Bluebelt properties) which are vital for stormwater retention and maintaining environmentally sensitive areas' ecological balance, weaken hillside preservation, and preservation of open space and parkland
- remove opportunities for public comment and review if fewer properties would be reviewed by City Planning
- place more responsibility in the hands of the NYC Buildings Department, which, in many individuals' experiences, does not provide rigorous review or investigation of construction projects

Sincerely,

Name Vincent Mannino

Address 28 Elie Court

Date 1-13-19

By Email to: [oabinad@planning.nyc.gov](mailto:oabinad@planning.nyc.gov); [CHadwin@planning.nyc.gov](mailto:CHadwin@planning.nyc.gov);  
[AFARISHTA@planning.nyc.gov](mailto:AFARISHTA@planning.nyc.gov)

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**IMPORTANT INFORMATION FOR RESIDENTS  
FROM THE RICHMONDTOWN & CLARKE AVENUE CIVIC ASSOCIATION**

The New York City Planning Board has proposed significant zoning changes for Staten Island. Please write to Olga Abinader, Acting Dir, NYC City Planning, 120 Broadway 31<sup>st</sup> Fl., New York, NY 10271 or even better, e-mail her at: [oabinad@planning.nyc.gov](mailto:oabinad@planning.nyc.gov) **to express opposition to the zoning changes that would allow for the LOOP or use the letter on reverse of this flyer for your convenience.**

6

The way to make know your opposition is to write:  
**"NO ACTION CONDITION" for CEQR # 19DCP083Y**  
(CEQR# is the number of the proposal that would resurrect "The Loop")

If we don't want intolerable traffic moving in front of our Church, weakening the foundation of our 157 year old building, and making it impossible to park on Sundays and Holy Days, for funerals and weddings, and clogging all the streets of Richmondtown we need to speak up and make sure that this doesn't happen.

7

**DEADLINE IS JANUARY 14, 2019**

## Reints, Rebecca

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**From:** Joseph Tesoriero <joseph.tesoriero@gmail.com>  
**Sent:** Sunday, January 6, 2019 7:24 AM  
**To:** Olga Abinader (DCP)  
**Subject:** NO ACTION CONDITION CEQR# 19DCP083Y  
**Attachments:** City Planning Special Districts - Sample letter (2).pages

**Tesoriero**

BY REGULAR MAIL and/or EMAIL

Olga Abinader, Acting Director  
NYC Dept. of City Planning  
120 Broadway – 31<sup>st</sup> fl.  
New York, NY 10271

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Sincerely,

Name Elizabeth Tesoriero

---

Address 189 W Cedarview Ave Staten Island, NY 10306

---

Date \_\_January 6, 2019

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By Email to: [oabinad@planning.nyc.gov](mailto:oabinad@planning.nyc.gov); [CHadwin@planning.nyc.gov](mailto:CHadwin@planning.nyc.gov);  
[AFARISHTA@planning.nyc.gov](mailto:AFARISHTA@planning.nyc.gov)

BY REGULAR MAIL and/or EMAIL

Olga Abinader, Acting Director  
NYC Dept. of City Planning  
120 Broadway – 31<sup>st</sup> fl.  
New York, NY 10271

'19 JAN 18 PM 12:54

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Sincerely,

Name ROSEANN & JOHN CROUE

Address 123-TANGLEWOODS DRIVE

Date JANUARY 12, 2019

By Email to: oabinad@planning.nyc.gov; CHadwin@planning.nyc.gov;  
AFARISHTA@planning.nyc.gov



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**DEADLINE IS JANUARY 14, 2019**

**Golden**

BY REGULAR MAIL and/or EMAIL

Olga Abinader, Acting Director  
NYC Dept. of City Planning  
120 Broadway – 31<sup>st</sup> fl.  
New York, NY 10271

'19 JAN 18 PM 12:54

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Staten Island/ Bronx Special District Update Draft Scope of Work

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Sincerely,

Name Mr. Timothy Golden  
Address 56 Woburn Street - Staten Island, N.Y. 10306  
Date 1-13-2019

By Email to: [oabinad@planning.nyc.gov](mailto:oabinad@planning.nyc.gov); [CHadwin@planning.nyc.gov](mailto:CHadwin@planning.nyc.gov);  
[AFARISHTA@planning.nyc.gov](mailto:AFARISHTA@planning.nyc.gov)

Conner

BY REGULAR MAIL and/or EMAIL

Olga Abinader, Acting Director  
NYC Dept. of City Planning  
120 Broadway – 31<sup>st</sup> fl.  
New York, NY 10271

'19 JAN 18 PM 12:54

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Sincerely,

Name Maddene Conner

Address 351-Orchley St. S.I. N.Y. 10306

Date Jan-16-2019

By Email to: [oabinad@planning.nyc.gov](mailto:oabinad@planning.nyc.gov); [CHadwin@planning.nyc.gov](mailto:CHadwin@planning.nyc.gov);  
[AFARISHTA@planning.nyc.gov](mailto:AFARISHTA@planning.nyc.gov)





**IMPORTANT INFORMATION FOR RESIDENTS  
FROM THE RICHMONDTOWN & CLARKE AVENUE CIVIC ASSOCIATION**

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**DEADLINE IS JANUARY 14, 2019**

DeAngelis

BY REGULAR MAIL and/or EMAIL

Olga Abinader, Acting Director  
NYC Dept. of City Planning  
120 Broadway – 31<sup>st</sup> fl.  
New York, NY 10271

'19 JAN 18 PM 12:54

Re: CEQR # 19DCP083Y  
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Sincerely,

Name Gordon & Rosemarie DeAngelis

Address 219 Center St. S.I. NY 10306

Date Jan. 13, 2019

By Email to: [oabinad@planning.nyc.gov](mailto:oabinad@planning.nyc.gov); [CHadwin@planning.nyc.gov](mailto:CHadwin@planning.nyc.gov);  
[AFARISHTA@planning.nyc.gov](mailto:AFARISHTA@planning.nyc.gov)



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**DEADLINE IS JANUARY 14, 2019**

**Lalava**

BY REGULAR MAIL and/or EMAIL

Olga Abinader, Acting Director  
NYC Dept. of City Planning  
120 Broadway – 31<sup>st</sup> fl.  
New York, NY 10271

'19 JAN 18 PM 12:54

Re: CEQR # 19DCP083Y  
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Dear Ms. Abinader:

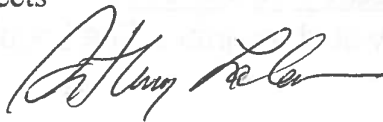
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- place more responsibility in the hands of the NYC Buildings Department, which, in many individuals' experiences, does not provide rigorous review or investigation of construction projects

Sincerely,



Name

ANTHONY LALAVA

Address

44 Meeker St. SI N.Y. 10306

Date

1/12/19

By Email to: [oabinad@planning.nyc.gov](mailto:oabinad@planning.nyc.gov); [CHadwin@planning.nyc.gov](mailto:CHadwin@planning.nyc.gov);  
[AFARISHTA@planning.nyc.gov](mailto:AFARISHTA@planning.nyc.gov)



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**DEADLINE IS JANUARY 14, 2019**

Ross

BY REGULAR MAIL and/or EMAIL

Olga Abinader, Acting Director  
NYC Dept. of City Planning  
120 Broadway – 31<sup>st</sup> fl.  
New York, NY 10271

'19 JAN 17 PM 1:02

Re: CEQR # 19DCP083Y  
Staten Island/ Bronx Special District Update Draft Scope of Work

Dear Ms. Abinader:

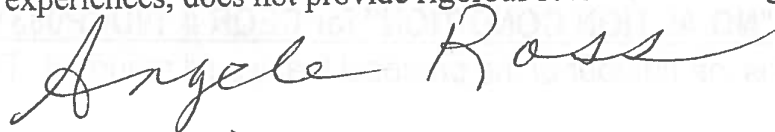
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Sincerely,



Name

Angele Ross

Address

258 Ardsley St. Staten Island N.Y. 10306

Date

1/13/19

By Email to: [oabinad@planning.nyc.gov](mailto:oabinad@planning.nyc.gov); [CHadwin@planning.nyc.gov](mailto:CHadwin@planning.nyc.gov);  
[AFARISHTA@planning.nyc.gov](mailto:AFARISHTA@planning.nyc.gov)



**IMPORTANT INFORMATION FOR RESIDENTS  
FROM THE RICHMONDTOWN & CLARKE AVENUE CIVIC ASSOCIATION**

The New York City Planning Board has proposed significant zoning changes for Staten Island. Please write to Olga Abinader, Acting Dir, NYC City Planning, 120 Broadway 31<sup>st</sup> Fl., New York, NY 10271 or even better, e-mail her at: [oabinad@planning.nyc.gov](mailto:oabinad@planning.nyc.gov) **to express opposition to the zoning changes that would allow for the LOOP or use the letter on reverse of this flyer for your convenience.**

The way to make know your opposition is to write:  
**"NO ACTION CONDITION" for CEQR # 19DCP083Y**  
(CEQR# is the number of the proposal that would resurrect "The Loop")

If we don't want intolerable traffic moving in front of our Church, weakening the foundation of our 157 year old building, and making it impossible to park on Sundays and Holy Days, for funerals and weddings, and clogging all the streets of Richmondtown we need to speak up and make sure that this doesn't happen.

**DEADLINE IS JANUARY 14, 2019**

Largo

BY REGULAR MAIL and/or EMAIL

Olga Abinader, Acting Director  
NYC Dept. of City Planning  
120 Broadway – 31<sup>st</sup> fl.  
New York, NY 10271

'19 JAN 17 PM 1:02

Re: CEQR # 19DCP083Y  
Staten Island/ Bronx Special District Update Draft Scope of Work

Dear Ms. Abinader:

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Sincerely,

Name CONSTANCE LARGO  
Address 29 DONNA COURT SI NY 10314  
Date 1/13/19

By Email to: [oabinad@planning.nyc.gov](mailto:oabinad@planning.nyc.gov); [CHadwin@planning.nyc.gov](mailto:CHadwin@planning.nyc.gov);  
[AFARISHTA@planning.nyc.gov](mailto:AFARISHTA@planning.nyc.gov)





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**DEADLINE IS JANUARY 14, 2019**

Smolka

BY REGULAR MAIL and/or EMAIL  
Olga Abinader, Acting Director  
NYC Dept. of City Planning  
120 Broadway – 31<sup>st</sup> fl.  
New York, NY 10271

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Sincerely,

Name Bruce H. Smolka

Address 444 CORBIN AVE 10308

Date 1/12/19

By Email to: [oabinad@planning.nyc.gov](mailto:oabinad@planning.nyc.gov); [CHadwin@planning.nyc.gov](mailto:CHadwin@planning.nyc.gov); [AFARISHTA@planning.nyc.gov](mailto:AFARISHTA@planning.nyc.gov)

Ciseneros

BY REGULAR MAIL and/or EMAIL

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NYC Dept. of City Planning  
120 Broadway – 31<sup>st</sup> fl.  
New York, NY 10271

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Sincerely,

Name

Address

Date

*Jacques Ciseneros*  
*144 W. Caribbean Ave*  
*Staten Island, NY 10310*  
*1/11*

By Email to: [oabinad@planning.nyc.gov](mailto:oabinad@planning.nyc.gov); [CHadwin@planning.nyc.gov](mailto:CHadwin@planning.nyc.gov);  
[AFARISHTA@planning.nyc.gov](mailto:AFARISHTA@planning.nyc.gov)



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**DEADLINE IS JANUARY 14, 2019**

*And our Restoration*

LET FROM JAMES  
CHadwin@planning.nyc.gov  
AFARISHTA@planning.nyc.gov

Cugno

Olga Abinader, Acting Director  
NYC Dept. of City Planning  
120 Broadway – 31<sup>st</sup> fl.  
NY, NY 10271

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Sincerely,

Name

*Louis Cugno*

Address

*20 Natick St, S.I., NY 10306*

Date

*1/7/2019*

oabinad@planning.nyc.gov  
CHadwin@planning.nyc.gov  
AFARISHTA@planning.nyc.gov

Anzalone

Olga Abinader, Acting Director  
NYC Dept. of City Planning  
120 Broadway – 31<sup>st</sup> fl.  
NY, NY 10271

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Sincerely,

Name Christopher Anzalone

Address 458 St. George Rd., Staten Island, NY 10306

Date 1/10/2019

oabinad@planning.nyc.gov  
CHadwin@planning.nyc.gov  
AFARISHTA@planning.nyc.gov

Larsen

Olga Abinader, Acting Director  
NYC Dept. of City Planning  
120 Broadway – 31<sup>st</sup> fl.  
NY, NY 10271

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Sincerely,

Name

Marjorie Larsen

Address

404 ST George Rd 10306

Date

1/1/19

oabinad@planning.nyc.gov  
CHadwin@planning.nyc.gov  
AFARISHTA@planning.nyc.gov

Conlon

Olga Abinader, Acting Director  
NYC Dept. of City Planning  
120 Broadway – 31<sup>st</sup> fl.  
NY, NY 10271

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Sincerely,

Name

Susan E. Conlon

Address

465 St. George Rd. Staten Island, NY 10314

Date

1/10/19



AFARISHTA@planning.nyc.gov

Cagner

Olga Abinader, Acting Director  
NYC Dept. of City Planning  
120 Broadway – 31<sup>st</sup> fl.  
NY, NY 10271

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Sincerely,

Name

*Stacia Cagner*

Address

*20 Nateck St., Sd, N.Y. 10305*

Date

*1/7/2019*

oabinad@planning.nyc.gov  
CHadwin@planning.nyc.gov  
AFARISHTA@planning.nyc.gov

**Carlizo**

Olga Abinader, Acting Director  
NYC Dept. of City Planning  
120 Broadway – 31<sup>st</sup> fl.  
NY, NY 10271

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Sincerely,

Name

*Barbara Carlizo*

Address

*16 P. Newwood Ave. S.I. 10306*

Date

*1/19/19*

oabinad@planning.nyc.gov  
CHadwin@planning.nyc.gov  
AFARISHTA@planning.nyc.gov

**Mazzola**

Olga Abinader, Acting Director  
NYC Dept. of City Planning  
120 Broadway – 31<sup>st</sup> fl.  
NY, NY 10271

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Sincerely,

Name JACK MAZZOLA

Address 337- St. George Road - SI NY 10306

Date 1/10/19

BY REGULAR MAIL and/or EMAIL

Olga Abinader, Acting Director  
NYC Dept. of City Planning  
120 Broadway – 31<sup>st</sup> fl.  
New York, NY 10271

'19 JAN 14 PM2:57

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Sincerely,

Name Eleanor Del Cuore

Address 99 W. Cedarview Ave SI NY 10306

Date 1-8-19

By Email to: [oabinad@planning.nyc.gov](mailto:oabinad@planning.nyc.gov); [CHadwin@planning.nyc.gov](mailto:CHadwin@planning.nyc.gov);  
[AFARISHTA@planning.nyc.gov](mailto:AFARISHTA@planning.nyc.gov)

Angeles

BY REGULAR MAIL and/or EMAIL

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NYC Dept. of City Planning  
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New York, NY 10271

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Sincerely,

Name Eduardo Angeles  
Address 46 Saturn Lane, Staten Island, NY 10314  
Date 1/9/19

By Email to: [oabinad@planning.nyc.gov](mailto:oabinad@planning.nyc.gov); [CHadwin@planning.nyc.gov](mailto:CHadwin@planning.nyc.gov);  
[AFARISHTA@planning.nyc.gov](mailto:AFARISHTA@planning.nyc.gov)

[oabinad@planning.nyc.gov](mailto:oabinad@planning.nyc.gov)  
[CHadwin@planning.nyc.gov](mailto:CHadwin@planning.nyc.gov)

AFARISHTA@planning.nyc.gov

**Ruck**

'19 JAN 11 AM 10:08

Olga Abinader, Acting Director  
NYC Dept. of City Planning  
120 Broadway – 31<sup>st</sup> fl.  
NY, NY 10271

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Sincerely,

Name Diame + Edward Ruck

Address 462 Lighthouse Ave Staten Island, N.Y. 10306

Date 1/8/19

Capodarro

BY REGULAR MAIL and/or EMAIL

19 JAN 11 AM 10:08

Olga Abinader, Acting Director  
NYC Dept. of City Planning  
120 Broadway – 31<sup>st</sup> fl.  
New York, NY 10271

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Sincerely,

*no zoning changes that would allow for the "LOOP" near St Patrick's Church Richmond Ave.*

Name Marie Capodarro

Address 39 Joel Pl. S.I. NY 10306

Date January 7, 2019

By Email to: [oabinad@planning.nyc.gov](mailto:oabinad@planning.nyc.gov); [CHadwin@planning.nyc.gov](mailto:CHadwin@planning.nyc.gov);  
[AFARISHTA@planning.nyc.gov](mailto:AFARISHTA@planning.nyc.gov)

**Tesoriero**

BY REGULAR MAIL and/or EMAIL

Olga Abinader, Acting Director  
NYC Dept. of City Planning  
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New York, NY 10271

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Sincerely,

Name Elizabeth Tesoriero

---

Address 189 W Cedarview Ave Staten Island, NY 10306

---

Date \_\_ January 6, 2019

---



By Email to: [oabinad@planning.nyc.gov](mailto:oabinad@planning.nyc.gov); [CHadwin@planning.nyc.gov](mailto:CHadwin@planning.nyc.gov);  
[AFARISHTA@planning.nyc.gov](mailto:AFARISHTA@planning.nyc.gov)

**Sweeney**  
'19 JAN 11 AM 10:08

BY REGULAR MAIL and/or EMAIL

Olga Abinader, Acting Director  
NYC Dept. of City Planning  
120 Broadway – 31<sup>st</sup> fl.  
New York, NY 10271

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Sincerely,

Name Francis J. Sweeney

Address 61 Natick St., A.S., N.Y. 10306

Date Jan. 5, 2019

By Email to: [oabinad@planning.nyc.gov](mailto:oabinad@planning.nyc.gov); [CHadwin@planning.nyc.gov](mailto:CHadwin@planning.nyc.gov);  
[AFARISHTA@planning.nyc.gov](mailto:AFARISHTA@planning.nyc.gov)

Moran

'19 JAN 11 AM 10:08

BY REGULAR MAIL and/or EMAIL

Olga Abinader, Acting Director  
NYC Dept. of City Planning  
120 Broadway – 31<sup>st</sup> fl.  
New York, NY 10271

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Dear Ms. Abinader:

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**The "No Action Condition" should be selected among the options in this study.**

City Planning's proposals, which would involve creation of a new Special District, would potentially:

- create very crowded housing by allowing houses as small as 600 square feet; it would further exacerbate commuting nightmares, overcrowding issues in schools, and other infrastructure issues
- further weaken the already very weak protection by government agencies over wetlands areas (including the Bluebelt properties) which are vital for stormwater retention and maintaining environmentally sensitive areas' ecological balance, weaken hillside preservation, and preservation of open space and parkland
- remove opportunities for public comment and review if fewer properties would be reviewed by City Planning
- place more responsibility in the hands of the NYC Buildings Department, which, in many individuals' experiences, does not provide rigorous review or investigation of construction projects

Sincerely,

Name John Moran

Address 717 TCHOCOC AVE ST 10308

Date 1/8/19

By Email to: [oabinad@planning.nyc.gov](mailto:oabinad@planning.nyc.gov); [CHadwin@planning.nyc.gov](mailto:CHadwin@planning.nyc.gov);  
[AFARISHTA@planning.nyc.gov](mailto:AFARISHTA@planning.nyc.gov)

memo

Tennant

11/3/2019

OLGA ABINADER, ACTING DIRECTOR  
N.Y.C. DEPT. OF CITY PLANNING  
120 BROADWAY - 31ST FLOOR  
NEW YORK, N.Y. 10271

'19 JAN 8 AM 10:43

RE: CEQR #19 DCP 083Y  
STATEN ISLAND / BRONX SPECIAL DISTRICTS UPDATE  
DRAFT SCOPE OF WORK

THE PROPOSED DRAFT SCOPE OF WORK FOR CEQR #19 DCP 083Y WOULD HAVE ENORMOUS DELETERIOUS EFFECTS ON THE COMMUNITIES AND ENVIRONMENT IN STATEN ISLAND AND THE BRONX. THE NO ACTION CONDITION SHOULD BE SELECTED AMONG THE OPTIONS IN THIS STUDY. CITY PLANNING'S PROPOSALS, WHICH WOULD INVOLVE CREATION OF A NEW SPECIAL DISTRICT, WOULD POTENTIALLY CREATE VERY CROWDED HOUSING BY ALLOWING HOUSES AS SMALL AS 600 SQUARE FEET, IT WOULD FURTHER EXACERBATE COMMUTING NIGHTMARES, OVERCROWDING IN SCHOOLS, AND OTHER INFRASTRUCTURE ISSUES; FURTHER WEAKEN THE ALREADY VERY WEAK PROTECTION BY GOVERNMENT AGENCIES OVER WETLANDS AREAS (INCLUDING THE BLUE BELT PROPERTIES) WHICH ARE VITAL FOR STORM WATER RETENTION AND MAINTAINING ENVIRONMENTALLY SENSITIVE AREAS' ECOLOGICAL BALANCE, WEAKEN HILLSIDE PRESERVATION, AND PRESERVATION OF OPEN SPACE AND PARKLAND; REMOVE OPPORTUNITIES FOR PUBLIC COMMENT AND REVIEW IF FEWER PROPERTIES WOULD BE REVIEWED BY CITY PLANNING; PLACE MORE RESPONSIBILITY IN THE HANDS OF THE NEW YORK CITY BUILDINGS DEPARTMENT, WHICH IN MANY INDIVIDUALS' EXPERIENCES, DOES NOT PROVIDE RIGOROUS REVIEW OR INVESTIGATION OF CONSTRUCTION PROJECTS.

SINCERELY,

Edward Tennant

**GM-Kaiser**

Olga Abinader, Acting Director  
NYC Dept. of City Planning  
120 Broadway – 31<sup>st</sup> fl.  
NY, NY 10271

'19 JAN 8 AM 10:42

Re: CEQR # 19DCP083Y  
Staten Island/ Bronx Special District Update Draft

Scope of Work

Dear Ms. Abinader:

The proposed draft scope of work for CEQR# 19DCP083Y would have enormous deleterious effects on the communities and environment in Staten Island and the Bronx.

**The "No Action Condition" should be selected among the options in this study.**

City Planning's proposals, which would involve creation of a new Special District, would potentially:

- create very crowded housing by allowing houses as small as 600 square feet; it would further exacerbate commuting nightmares, overcrowding issues in schools, and other infrastructure issues
- further weaken the already very weak protection by government agencies over wetlands areas ( including the Bluebelt properties) which are vital for stormwater retention and maintaining environmentally sensitive areas' ecological balance, weaken hillside preservation, and preservation of open space and parkland
- remove opportunities for public comment and review if fewer properties would be reviewed by City Planning
- place more responsibility in the hands of the NYC Buildings Department, which, in many individuals' experiences, does not provide rigorous review or investigation of construction projects

Sincerely,

Name

Grace May Kaiser

Address

62 Wilder Ave. Staten Island NY 10306

C-Kaiser

Olga Abinader, Acting Director  
NYC Dept. of City Planning  
120 Broadway – 31<sup>st</sup> fl.  
NY, NY 10271

'19 JAN 8 am 10:43

Re: CEQR # 19DCP083Y  
Staten Island/ Bronx Special District Update Draft

Scope of Work

Dear Ms. Abinader:

The proposed draft scope of work for CEQR# 19DCP083Y would have enormous deleterious effects on the communities and environment in Staten Island and the Bronx.

**The "No Action Condition" should be selected among the options in this study.**

City Planning's proposals, which would involve creation of a new Special District, would potentially:

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- place more responsibility in the hands of the NYC Buildings Department, which, in many individuals' experiences, does not provide rigorous review or investigation of construction projects

- This agency is often deleted in review of projects.

Sincerely,

Name Cheryl Lucwa Kaiser  
Address 62 Wilder Avenue, SI NY 10306

**G-Kaiser**

Olga Abinader, Acting Director  
NYC Dept. of City Planning  
120 Broadway – 31<sup>st</sup> fl.  
NY, NY 10271

'19 JAN 8 AM 10:42

Re: CEQR # 19DCP083Y  
Staten Island/ Bronx Special District Update Draft

Scope of Work

Dear Ms. Abinader:

The proposed draft scope of work for CEQR# 19DCP083Y would have enormous deleterious effects on the communities and environment in Staten Island and the Bronx.

**The "No Action Condition" should be selected among the options in this study.**

City Planning's proposals, which would involve creation of a new Special District, would potentially:

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- place more responsibility in the hands of the NYC Buildings Department, which, in many individuals' experiences, does not provide rigorous review or investigation of construction projects

Sincerely,

Name *Glen Kaiser*

Address *62 Wilder Av. SI, NY 10306*

Meaghan

Kathleen C. Meaghan  
Donald J. Ullstrom  
307 Nugent Street  
Staten Island, NY 10306  
(917) 365-9530

'19 JAN 8 AM 10:42

January 4, 2019

Olga Abinader, Acting Director  
NYC Dept. of City Planning  
120 Broadway – 31<sup>st</sup> floor  
New York, NY 10271

Re: CEQR # 19DCP083Y  
Staten Island/ Bronx Special District Update Draft Scope of Work

Dear Ms. Abinader:

We are residents of the SNAD in the Lighthouse Hill section of Staten Island. We are very concerned that the changes will directly affect our property and create hazardous conditions, including mudslides. APPROXIMATELY TWENTY YEARS AGO, A PORTION OF THE HILLSIDE TWO HOUSES AWAY FROM OURS GAVE WAY ONTO THE STREET BELOW AFTER A RESIDENT REMOVED THE FLORA.

We urge you to protect this designated special area so that in fact retain its special characteristics.

The proposed draft scope of work for CEQR# 19DCP083Y would have enormous deleterious effects on the communities and environment in Staten Island and the Bronx.

**The "No Action Condition" should be selected among the options in this study.**

City Planning's proposals, which would involve creation of a new Special District, would potentially:



- create very crowded housing by allowing houses as small as 600 square feet; it would further exacerbate commuting nightmares, overcrowding issues in schools, and other infrastructure issues
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- place more responsibility in the hands of the NYC Buildings Department, which, in many individuals' experiences, does not provide rigorous review or investigation of construction projects

Sincerely,

*Madison C. Neuman*  
*Donald Ulbrich*

Aleena Farishta (DCP)

---

**From:** Emily Loughlin <emloughlin61@gmail.com>  
**Sent:** Monday, January 07, 2019 5:33 PM  
**To:** Aleena Farishta (DCP); Christopher Hadwin (DCP); Olga Abinader (DCP)  
**Subject:** CEQR # 19DCP083Y Staten Island/ Bronx Special District Update Draft Scope of Work

BY REGULAR MAIL and/or EMAIL

Olga Abinader, Acting Director  
NYC Dept. of City Planning  
120 Broadway – 31<sup>st</sup> fl.  
New York, NY 10271

Re: CEQR # 19DCP083Y  
Staten Island/ Bronx Special District Update Draft Scope of Work

Dear Ms. Abinader:

The proposed draft scope of work for CEQR# 19DCP083Y would have enormous deleterious effects on the communities and environment in Staten Island and the Bronx.

**The "No Action Condition" should be selected among the options in this study.**

City Planning's proposals, which would involve creation of a new Special District, would potentially:

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- place more responsibility in the hands of the NYC Buildings Department, which, in many individuals' experiences, does not provide rigorous review or investigation of construction projects

Sincerely,  
Emily Loughlin  
345 Edinboro Road  
Staten Island, NY 10306

**From:** Tricia Loughlin  
**To:** Aleena Farishta (DCP); Christopher Hadwin (DCP); Olga Abinader (DCP)  
**Subject:** CEQR # 19DCP083Y Staten Island/ Bronx Special District Update Draft Scope of Work  
**Date:** Monday, January 07, 2019 5:28:35 PM

---

**BY REGULAR MAIL and/or EMAIL**

Olga Abinader, Acting Director  
NYC Dept. of City Planning  
120 Broadway – 31<sup>st</sup> fl.  
New York, NY 10271

Re: CEQR # 19DCP083Y  
Staten Island/ Bronx Special District Update Draft Scope of Work

Dear Ms. Abinader:

The proposed draft scope of work for CEQR# 19DCP083Y would have enormous deleterious effects on the communities and environment in Staten Island and the Bronx.

**The "No Action Condition" should be selected among the options in this study.**

City Planning's proposals, which would involve creation of a new Special District, would potentially:

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- remove opportunities for public comment and review if fewer properties would be reviewed by City Planning
- place more responsibility in the hands of the NYC Buildings Department, which, in many individuals' experiences, does not provide rigorous review or investigation of construction projects

Sincerely, Patricia  
Loughlin 345 Edinboro  
Road  
Staten Island, NY 10306

## Stephanie Shellooe (DCP)

---

**From:** Olga Abinader (DCP)  
**Sent:** Thursday, January 03, 2019 11:53 AM  
**To:** 'diane.carabella@ubs.com'  
**Cc:** Christopher Hadwin (DCP); Aleena Farishta (DCP); Stephanie Shellooe (DCP)  
**Subject:** RE: CEQR # 19DCP083Y

Ms. Carabella,  
Thank you for your comments. We will review them and incorporate into the record for this application.  
Best,  
Olga Abinader

Olga Abinader  
ACTING DIRECTOR • ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

NYC DEPT. OF CITY PLANNING  
120 BROADWAY, 31<sup>ST</sup> FLOOR • NEW YORK, NY 10271  
212-720-3493 | [oabinad@planning.nyc.gov](mailto:oabinad@planning.nyc.gov)

Follow us on Twitter [@NYCPlanning](https://twitter.com/NYCPlanning)  
<http://www.nyc.gov/planning>

---

**From:** diane.carabella@ubs.com [mailto:diane.carabella@ubs.com]  
**Sent:** Thursday, January 03, 2019 11:37 AM  
**To:** Olga Abinader (DCP) <OABINAD@planning.nyc.gov>; Christopher Hadwin (DCP) <CHadwin@planning.nyc.gov>; Aleena Farishta (DCP) <AFARISHTA@planning.nyc.gov>  
**Subject:** Re: CEQR # 19DCP083Y

NYC Dept. of City Planning  
120 Broadway – 31st fl.  
NY, NY 10271

Staten Island/ Bronx Special  
District Update    Draft Scope of Work

Dear All,

The proposed draft scope of work for CEQR# 19DCP083Y would have enormous deleterious effects on the communities and environment in Staten Island and the Bronx.

The "**No Action Condition**" should be selected among the options in this study.

City Planning's proposals, which would involve creation of a new Special District, would potentially: create very crowded housing by allowing houses as small as 600 square feet; it would further exacerbate commuting nightmares, overcrowding issues in schools, and other infrastructure issues further weaken the already very weak protection by government agencies over wetlands areas (including the Blue belt properties) which are vital for storm water retention and maintaining environmentally sensitive areas' ecological balance, weaken hillside preservation, and preservation of open space and parkland remove opportunities for public comment and review if fewer

properties would be reviewed by City Planning place more responsibility in the hands of the NYC Buildings Department, which, in many individuals' experiences, does not provide rigorous review or investigation of construction projects

Sincerely,

Diane Carabella  
391 Saint George Road  
Staten Island, NY 10306

January 6, 2019

Olga Ibinader, Acting Director  
 NYC Dept. of City Planning  
 120 Broadway, 31<sup>st</sup> floor  
 New York, N.Y. 10271

Re: CEQR #19DCP083Y  
 Staten Island/Brooklyn Special  
 District Update Draft Scope of Work

Dear Ms. Ibinader:

The proposed draft of work for CEQR #19DCP083Y would have enormous deleterious effects on the communities and environment in Staten Island and the Bronx.

THE "NO ACTION CONDITION" should be selected among the options in this study.

City Planning's proposals, which would involve creation of a new Special District, would potentially:

- create very crowded housing - exacerbate commuting nightmares, overcrowding in schools, and other infrastructure issues
- weaken the already weak protection by government agencies over wetlands areas
- remove opportunities for public comment
- place more responsibility in hands of NYC Bldgs Dept. which does not provide rigorous investigation of construction projects

Sincerely,  
 Carol Ann Cistone  
 124 Thomas St., S.I. N.Y. 10306

**Reints, Rebecca**

---

**From:** AOL <jcomeau2001@aol.com>  
**Sent:** Friday, January 4, 2019 3:04 PM  
**To:** Olga Abinader (DCP)  
**Subject:** NO ACTION CONDITION for CEQR # 19DCP083Y

Dear Ms. Abinader:

The proposed draft scope of work for CEQR# 19DCP083Y would have enormous deleterious effects on the communities and environment in Staten Island and the Bronx.

**The "No Action Condition" should be selected among the options in this study.**

City Planning's proposals, which would involve creation of a new Special District, would potentially:

- create very crowded housing by allowing houses as small as 600 square feet; it would further exacerbate commuting nightmares, overcrowding issues in schools, and other infrastructure issues
- further weaken the already very weak protection by government agencies over wetlands areas ( including the Bluebelt properties) which are vital for stormwater retention and maintaining environmentally sensitive areas' ecological balance, weaken hillside preservation, and preservation of open space and parkland
- remove opportunities for public comment and review if fewer properties would be reviewed by City Planning
- place more responsibility in the hands of the NYC Buildings Department, which, in many individuals' experiences, does not provide rigorous review or investigation of construction projects

Sincerely,

Jacqueline Comeau-Raspanti  
233 Natick Street  
Staten Island, NY 10306

January 3, 2019

Sent from my iPhone

Coppola

BY REGULAR MAIL and/or EMAIL

Olga Abinader, Acting Director  
NYC Dept. of City Planning  
120 Broadway – 31<sup>st</sup> fl.  
New York, NY 10271

Re: CEQR # 19DCP083Y  
Staten Island/ Bronx Special District Update Draft Scope of Work

Dear Ms. Abinader:

The proposed draft scope of work for CEQR# 19DCP083Y would have enormous deleterious effects on the communities and environment in Staten Island and the Bronx.

**The "No Action Condition" should be selected among the options in this study.**

City Planning's proposals, which would involve creation of a new Special District, would potentially:

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Sincerely,

Name Mr & Mrs. J. Coppola

Address 248 Aronley St., ST, NY 10306

Date 1/7/19

By Email to: [oabinad@planning.nyc.gov](mailto:oabinad@planning.nyc.gov); [CHadwin@planning.nyc.gov](mailto:CHadwin@planning.nyc.gov);  
[AFARISHTA@planning.nyc.gov](mailto:AFARISHTA@planning.nyc.gov)



**From:** janet dugo  
**To:** [Olga Abinader \(DCP\)](#); [Christopher Hadwin \(DCP\)](#); [Aleena Farishta \(DCP\)](#)  
**Subject:** "NO ACTION CONDITION" for CEQR # 19DCP083Y  
**Date:** Monday, January 07, 2019 3:20:07 PM

---

Ms. Olga Abinader  
Acting Director, NYC Dept. of City Planning  
120 Broadway – 31st Floor  
New York, NY 10271

Re: CEQR # 19DCP083Y Staten Island/ Bronx Special District Update Draft Scope of Work

Dear Ms. Abinader:

The proposed draft scope of work for CEQR# 19DCP083Y would have enormous deleterious effects on the communities and environment in Staten Island and the Bronx. The "No Action Condition" should be selected among the options in this study.

City Planning's proposals, which would involve creation of a new Special District, would potentially:

- create very crowded housing by allowing houses as small as 600 square feet; it would further exacerbate commuting nightmares, overcrowding issues in schools, and other infrastructure issues
- further weaken the already very weak protection by government agencies over: wetlands areas (including the Bluebelt properties) which are vital for stormwater retention and maintaining environmentally sensitive areas' ecological balance; hillside preservation; and preservation of open space and parkland
- remove opportunities for public comment and review if fewer properties would be reviewed by City Planning
- place more responsibility in the hands of the NYC Buildings Department, which, in many individuals' experiences, does not provide rigorous review or investigation of construction projects

Thank you for your attention to this matter.

Sincerely,

Janet W. Dugo

67 Cranford Court  
Staten Island, NY 10306  
January 7, 2019

BY REGULAR MAIL and/or EMAIL

Olga Abinader, Acting Director  
NYC Dept. of City Planning  
120 Broadway – 31<sup>st</sup> fl.  
New York, NY 10271

Re: CEQR # 19DCP083Y  
Staten Island/ Bronx Special District Update Draft Scope of Work

Dear Ms. Abinader:

The proposed draft scope of work for CEQR# 19DCP083Y would have enormous deleterious effects on the communities and environment in Staten Island and the Bronx.

**The "No Action Condition" should be selected among the options in this study.**

City Planning's proposals, which would involve creation of a new Special District, would potentially:

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Sincerely,



Name: Louis Esposito

---

Address: 152 Ardsley Street, Staten Island, New York 10306

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Date January 5, 2019

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By Email to: [oabinad@planning.nyc.gov](mailto:oabinad@planning.nyc.gov); [CHadwin@planning.nyc.gov](mailto:CHadwin@planning.nyc.gov);  
[AFARISHITA@planning.nyc.gov](mailto:AFARISHITA@planning.nyc.gov)

---

**From:** John Farruggio  
**To:** [Olga Abinader \(DCP\)](#); [Christopher Hadwin \(DCP\)](#); [Aleena Farishta \(DCP\)](#)  
**Subject:** CEQR # 19DCP083Y Staten Island/ Bronx Special District Update Draft Scope of Work  
**Date:** Friday, January 04, 2019 7:25:32 PM

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Olga Abinader, Acting Director  
NYC Dept. of City Planning  
120 Broadway – 31<sup>st</sup> fl.  
New York, NY 10271

Re: CEQR # 19DCP083Y  
Staten Island/ Bronx Special District Update Draft Scope of Work

Dear Ms. Abinader:

The proposed draft scope of work for CEQR# 19DCP083Y would have enormous deleterious effects on the communities and environment in Staten Island and the Bronx.

**The "No Action Condition" should be selected among the options in this study.**

City Planning's proposals, which would involve creation of a new Special District, would potentially:

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Sincerely,

John Farruggio  
251 Carteret Street  
Staten Island, NY 10307

**Reints, Rebecca**

---

**From:** Frances Fauci <frala217@gmail.com>  
**Sent:** Friday, January 4, 2019 3:07 PM  
**To:** Olga Abinader (DCP); Christopher Hadwin (DCP); Aleena Farishta (DCP)  
**Subject:** Voting No to Zoning Changes

BY REGULAR MAIL and/or EMAIL

Olga Abinader, Acting Director  
NYC Dept. of City Planning  
120 Broadway – 31<sup>st</sup> fl.  
New York, NY 10271

Re: CEQR # 19DCP083Y  
Staten Island/ Bronx Special District Update Draft Scope of Work

Dear Ms. Abinader:

The proposed draft scope of work for CEQR# 19DCP083Y would have enormous deleterious effects on the communities and environment in Staten Island and the Bronx.

**The "No Action Condition" should be selected among the options in this study.**

City Planning's proposals, which would involve creation of a new Special District, would potentially:

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- remove opportunities for public comment and review if fewer properties would be reviewed by City Planning
- place more responsibility in the hands of the NYC Buildings Department, which, in many individuals' experiences, does not provide rigorous review or investigation of construction projects

Sincerely,

Name : Mr. & Mrs. Lawrence Fauci  
Address : 172 W. Cedarview Avenue, Staten Is., NY 10306  
Date : January 4, 2019

By Email to: [oabinad@planning.nyc.gov](mailto:oabinad@planning.nyc.gov); [CHadwin@planning.nyc.gov](mailto:CHadwin@planning.nyc.gov);  
[AFARISHTA@planning.nyc.gov](mailto:AFARISHTA@planning.nyc.gov)

Reints, Rebecca

---

**From:** Maria Giura <mariagiura@yahoo.com>  
**Sent:** Saturday, January 5, 2019 3:02 PM  
**To:** Olga Abinader (DCP)  
**Subject:** "NO ACTION CONDITION" for CEQR # 19DCP083Y

Olga Abinader, Acting Director

NYC Dept. of City Planning

120 Broadway – 31<sup>st</sup> fl.

New York, NY 10271

Re: CEQR # 19DCP083Y

Staten Island/ Bronx Special District Update Draft Scope of Work

Dear Ms. Abinader:

The proposed draft scope of work for CEQR# 19DCP083Y would have enormous deleterious effects on the communities and environment in Staten Island and the Bronx.

**The "No Action Condition" should be selected among the options in this study.**

City Planning's proposals, which would involve creation of a new Special District, would potentially:

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- remove opportunities for public comment and review if fewer properties would be reviewed by City Planning





## Reints, Rebecca

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**From:** Olga Abinader (DCP)  
**Sent:** Wednesday, January 9, 2019 3:58 PM  
**To:** Stephanie Shellooe (DCP)  
**Subject:** FW: CEQR #19DCPO83Y - Staten Island/Bronx Special District Update Draft Scope of Workl

**From:** patandjohnsi@aol.com [mailto:patandjohnsi@aol.com]  
**Sent:** Wednesday, January 09, 2019 5:57 PM  
**To:** Olga Abinader (DCP) <OABINAD@planning.nyc.gov>  
**Subject:** CEQR #19DCPO83Y - Staten Island/Bronx Special District Update Draft Scope of Workl

Jan. 9th, 2019

Dear Ms. Abinader:

The proposed draft scope of work for CEQR #19DCPO83Y would have enormous deleterious effects on the communities and environment in Staten Island and the Bronx.

(THE 'NO ACTION CONDITION' )SHOULD BE SELECTED AMONG THE OPTIONS IN THIS STUDY...

City Planning's proposals,which would involve creation of a new Special District, would potentially;

- \* Create very crowded housing by allowing houses as small as 600 square feet; it would further exacerbate commuting nightmares, overcrowding issues in schools, and other infrastructure issues..
- \* Further weaken the already very weak protection by government agencies over wetlands areas (including the Bluebelt properties) which are VITAL for stormwater retention and maintaining environmentally sensitive areas' ecological balance, weaken hillside preservation,and preservation of open space and parkland..
- \* Remove opportunities for public comment and review if fewer properties would be reviewed by City Planning...
- \* Place more responsibility in the hands of the NYC Buildings Dept, which, in many individuals' experiences, does not provide rigorous review or investigation of construction projects...

Sincerely,

Patricia & John Herbert  
85 Clarke Ave  
S.I. N.Y

**Iacona**

Date: January 5, 2019

Michael Iacona  
234 Center St.  
Staten Island, NY 10306

TO:  
Olga Abinader, Acting Director  
oabinad@planning.nyc.gov  
NYC Dept. of City Planning  
120 Broadway – 31<sup>st</sup> fl.  
New York, NY 10271

CC:  
Christopher Hadwin, Acting Director, chadwin@planning.nyc.gov;  
Aleena Farishta, Team Leader/Senior Planner, afarishta@planning.nyc.gov

Re: CEQR # 19DCP083Y  
Staten Island/ Bronx Special District Update Draft Scope of Work

Dear Ms. Abinader:

The proposed draft scope of work for CEQR# 19DCP083Y would have enormous deleterious effects on the communities and environment in Staten Island and the Bronx.

**The "No Action Condition" should be selected among the options in this study.**

City Planning's proposals, which would involve creation of a new Special District, would potentially:

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- Remove opportunities for public comment and review if fewer properties would be reviewed by City Planning.
- Place more responsibility in the hands of the NYC Buildings Department, which, in many individuals' experiences, does not provide rigorous review or investigation of construction projects.

Sincerely,



Michael Iacona

**Kelly**

BY REGULAR MAIL and/or EMAIL

Olga Abinader, Acting Director  
NYC Dept. of City Planning  
120 Broadway – 31<sup>st</sup> fl.  
New York, NY 10271

Re: CEQR # 19DCP083Y  
Staten Island/ Bronx Special District Update Draft Scope of Work

Dear Ms. Abinader:

The proposed draft scope of work for CEQR# 19DCP083Y would have enormous deleterious effects on the communities and environment in Staten Island and the Bronx.

**The "No Action Condition" should be selected among the options in this study.**

City Planning's proposals, which would involve creation of a new Special District, would potentially:

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- place more responsibility in the hands of the NYC Buildings Department, which, in many individuals' experiences, does not provide rigorous review or investigation of construction projects

Sincerely,

Name Tara Kelly

Address 99 Nugent St, SI NY

Date 1/7/19

By Email to: [oabinad@planning.nyc.gov](mailto:oabinad@planning.nyc.gov); [CHadwin@planning.nyc.gov](mailto:CHadwin@planning.nyc.gov);  
[AFARISHTA@planning.nyc.gov](mailto:AFARISHTA@planning.nyc.gov)

120 Broadway - 31<sup>st</sup> fl.  
New York, NY 10271

**Lombardo**

Re: CEQR # 19DCP083Y  
Staten Island/ Bronx Special District Update Draft Scope of Work

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Sincerely,

Name Mr. & Mrs. Louis J. Lombardo

Address 449 Lighthouse Ave. S.D. 10306

Date 1-14

By Email to: [oabinad@planning.nyc.gov](mailto:oabinad@planning.nyc.gov); [CHadwin@planning.nyc.gov](mailto:CHadwin@planning.nyc.gov);  
[AFARISHTA@planning.nyc.gov](mailto:AFARISHTA@planning.nyc.gov)

**From:** marianom@MSKCC.ORG  
**To:** [Olga Abinader \(DCP\)](#); [Christopher Hadwin \(DCP\)](#); [Aleena Farishta \(DCP\)](#)  
**Subject:** CEQR # 19DCP083Y  
**Date:** Friday, January 04, 2019 4:55:31 PM

---

Dear Ms. Abinader:

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Sincerely,

Maria Corazon S. Mariano

75 Essex Drive Apt.

Staten Island, NY 10314

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Please note that this e-mail and any files transmitted from Memorial Sloan Kettering Cancer Center may be privileged, confidential, and protected from disclosure under applicable law. If the reader of this message is not the intended recipient, or an employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any reading, dissemination, distribution, copying, or other use of this communication or any of its attachments is strictly prohibited. If you have received this communication in

error, please notify the sender immediately by replying to this message and deleting this message, any attachments, and all copies and backups from your computer.

**Reints, Rebecca**

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**From:** Betty McComiskey <betmcc30@gmail.com>  
**Sent:** Monday, January 7, 2019 8:18 AM  
**To:** Olga Abinader (DCP); Christopher Hadwin (DCP); Aleena Farishta (DCP)  
**Subject:** CEQR # 19DCP083Y Staten Island/ Bronx Special District Update Draft Scope of Work

Olga Abinader, Acting Director  
NYC Dept. of City Planning  
120 Broadway – 31<sup>st</sup> fl.  
New York, NY 10271

Re: CEQR # 19DCP083Y Staten Island/ Bronx Special District Update Draft Scope of Work

Dear Ms. Abinader:

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Sincerely,  
Elizabeth McComiskey  
180 Tanglewood Drive  
Staten Island, NY 10308  
January 7, 2019

Pane

BY REGULAR MAIL and/or EMAIL

Olga Abinader, Acting Director  
NYC Dept. of City Planning  
120 Broadway – 31<sup>st</sup> fl.  
New York, NY 10271

Re: CEQR # 19DCP083Y  
Staten Island/ Bronx Special District Update Draft Scope of Work

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- place more responsibility in the hands of the NYC Buildings Department, which, in many individuals' experiences, does not provide rigorous review or investigation of construction projects

Sincerely,

Name Joseph PANE

Address 33 ETLA MOT ST SI NY 10312

Date 1/14/19

By Email to: [oabinad@planning.nyc.gov](mailto:oabinad@planning.nyc.gov); [CHadwin@planning.nyc.gov](mailto:CHadwin@planning.nyc.gov);  
[AFARISHTA@planning.nyc.gov](mailto:AFARISHTA@planning.nyc.gov)





**IMPORTANT INFORMATION FOR RESIDENTS  
FROM THE RICHMONDTOWN & CLARKE AVENUE CIVIC ASSOCIATION**

The New York City Planning Board has proposed significant zoning changes for Staten Island. Please write to Olga Abinader, Acting Dir, NYC City Planning, 120 Broadway 31<sup>st</sup> Fl., New York, NY 10271 or even better, e-mail her at: [oabinad@planning.nyc.gov](mailto:oabinad@planning.nyc.gov) **to express opposition to the zoning changes that would allow for the LOOP or use the letter on reverse of this flyer for your convenience.**

The way to make know your opposition is to write:  
**"NO ACTION CONDITION" for CEQR # 19DCP083Y**  
(CEQR# is the number of the proposal that would resurrect "The Loop")

If we don't want intolerable traffic moving in front of our Church, weakening the foundation of our 157 year old building, and making it impossible to park on Sundays and Holy Days, for funerals and weddings, and clogging all the streets of Richmondtown we need to speak up and make sure that this doesn't happen.

**DEADLINE IS JANUARY 14, 2019**

oabinad@planning.nyc.gov  
CHadwin@planning.nyc.gov  
AFARISHTA@planning.nyc.gov

**Parsons**

Olga Abinader, Acting Director  
NYC Dept. of City Planning  
120 Broadway – 31<sup>st</sup> fl.  
NY, NY 10271

Re: CEQR # 19DCP083Y  
Staten Island/ Bronx Special District Update Draft Scope of Work

Dear Ms. Abinader:

The proposed draft scope of work for CEQR# 19DCP083Y would have enormous deleterious effects on the communities and environment in Staten Island and the Bronx.

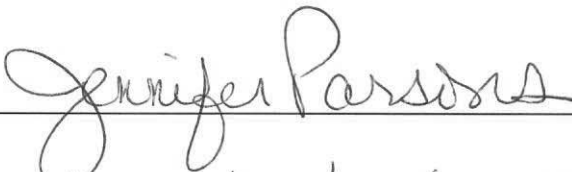
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Sincerely,

Name

Jennifer Parsons 

Address

227 Park Street Staten Island, NY 10306

Date

1/7/19

**Reints, Rebecca**

---

**From:** Michael <captainmike56@msn.com>  
**Sent:** Friday, January 4, 2019 4:17 PM  
**To:** Olga Abinader (DCP)  
**Subject:** CEQR # 19DCP083Y

Olga Abinader, Acting Director  
NYC Dept. of City Planning  
120 Broadway – 31<sup>st</sup> fl.  
New York, NY 10271

Re: CEQR # 19DCP083Y  
Staten Island/ Bronx Special District Update Draft Scope of Work

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Sincerely,

Michael Pellizzi  
3531 Richmond Road  
Staten Island, NY 10306  
1/4/18

**From:** rodgerloughlin ffcenergy.com  
**To:** Aleena Farishta (DCP); Christopher Hadwin (DCP); Olga Abinader (DCP)  
**Subject:** CEQR # 19DCP083Y Staten Island/ Bronx Special District Update Draft Scope of Work  
**Date:** Monday, January 07, 2019 5:25:01 PM

---

**BY REGULAR MAIL and/or EMAIL**

Olga Abinader, Acting Director  
NYC Dept. of City Planning  
120 Broadway – 31<sup>st</sup> fl.  
New York, NY 10271

Re: CEQR # 19DCP083Y  
Staten Island/ Bronx Special District Update Draft Scope of Work

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Sincerely,  
Rodger Loughlin  
345 Edinboro Road  
Staten Island, NY 10306

--

Rodger Loughlin, Jr.

President, CEO

**Ferrantino Fuel Corp. / FFC Energy**

180 9th Street

Brooklyn, NY 11215

phone: [718.832.6700](tel:718.832.6700)

mobile: [646.235.9742](tel:646.235.9742)

facsimile: [718.832.6277](tel:718.832.6277)

e-mail: [rloughlin@ffcenergy.com](mailto:rloughlin@ffcenergy.com)

web: [www.FFCenergy.com](http://www.FFCenergy.com)

**"YOUR COMPLETE ENERGY COMPANY"**

Heating Oil, Natural Gas, Electricity, Diesel Fuels, Bio-Fuels & Solar Energy

Reints, Rebecca

---

**From:** Lisa Russo <lisa@millenniumtravel.net>  
**Sent:** Friday, January 11, 2019 2:38 PM  
**To:** Olga Abinader (DCP); Christopher Hadwin (DCP); Aleena Farishta (DCP)  
**Cc:** Lisa Russo  
**Subject:** CEQR # 19DCP083Y Staten Island/ Bronx Special District Update Draft Scope of Work

CEQR # 19DCP083Y

Dear Ms. Abinader:

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Sincerely,

Lisa Russo

Name \_\_\_\_\_

99 Connor Ave Staten Island NY 10306

Address \_\_\_\_\_

January 11, 2019

Date \_\_\_\_\_

Lisa Russo  
Millennium Travel

895 Huguenot Ave  
Staten Island NY 10312  
718-984-2000  
Lisa@millenniumtravel.net



*Did you know...*

**Beginning on Jan 22, 2018** TSA will enforce the Federally mandated REAL ID requirements on all domestic travel. For US states that have not been granted an extension, travelers 18 and over are required to present a passport, or other REAL ID compliant forms of identification before boarding a federally regulated commercial aircraft.

**For details by state please visit:**

<https://www.dhs.gov/real-id>

Please follow us @

<https://www.facebook.com/pages/Millennium-Travel/100329347456>

Instagram @ #millenniumtravelsiny

**Reints, Rebecca**

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**From:** Christopher Hadwin (DCP)  
**Sent:** Friday, January 4, 2019 7:51 AM  
**To:** Olga Abinader (DCP); Stephanie Shellooe (DCP)  
**Cc:** Aleena Farishta (DCP); Monika Jain (DCP); Claudia Herasme (DCP)  
**Subject:** FW: CEQR# 19DCP083Y

FYI

**From:** eljj76 [mailto:eljj76@aol.com]  
**Sent:** Wednesday, January 02, 2019 4:28 PM  
**To:** Christopher Hadwin (DCP) <CHadwin@planning.nyc.gov>  
**Subject:** CEQR# 19DCP083Y

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Sincerely,

Name Dr. & Mrs. Joseph and Rosalyn SchianodiCola

Address 218 Center Street, Staten Island NY 10306



**From:** Annette Stasi  
**To:** Aleena Farishta (DCP)  
**Subject:** Zoning Changes  
**Date:** Friday, January 04, 2019 4:59:58 PM

---

BY REGULAR MAIL and/or EMAIL

Olga Abinader, Acting Director  
NYC Dept. of City Planning  
120 Broadway – 31<sup>st</sup> fl.  
New York, NY 10271

Re: CEQR # 19DCP083Y  
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Sincerely,

Name - Antoinette & Robert Stasi

Address -185 Barbara Street, Staten Island, NY. 10306

Date January 4th, 2019

**Tomasetti**

BY REGULAR MAIL and/or EMAIL

Olga Abinader, Acting Director  
NYC Dept. of City Planning  
120 Broadway – 31<sup>st</sup> fl.  
New York, NY 10271

Re: CEQR # 19DCP083Y  
Staten Island/ Bronx Special District Update Draft Scope of Work

Dear Ms. Abinader:


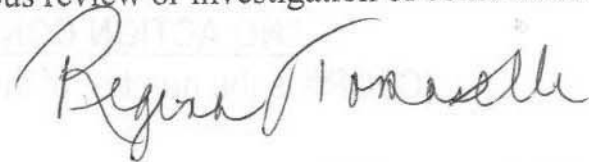
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Sincerely,

Name Angelo Tomasetti - Regina Tomasetti

Address 203 Park St, Staten Island, N.Y. 10306

Date 1/13/19

By Email to: [oabinad@planning.nyc.gov](mailto:oabinad@planning.nyc.gov); [CHadwin@planning.nyc.gov](mailto:CHadwin@planning.nyc.gov);  
[AFARISHTA@planning.nyc.gov](mailto:AFARISHTA@planning.nyc.gov)

## Public Meeting Transcripts

NYC - Department of City Planning  
December 10, 2018

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NYC DEPARTMENT OF CITY PLANNING  
STATEN ISLAND & BRONX SPECIAL DISTRICTS UPDATE  
CEQR APPLICATION No.: 19DCP083Y  
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1 Campus Road  
Staten Island, New York  
Monday, December 10, 2018  
4:19 p.m.

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APPEARANCES

NYC DEPARTMENT OF CITY PLANNING

OLGA ABINADER  
Acting Director  
Environmental Assessment and Review Division

STEPHANIE SHELLOOE  
Environmental Review Project Manager

CHRISTOPHER HARDWIN  
Acting Director  
DCP Staten Island

MONIKA JAIN  
Senior Planner  
Urban Design Office

ALEENA FARISHTA  
Project Manager  
DCP Staten Island

1 MS. ABINADER: Good afternoon,  
2 everyone. Thank you all for coming.  
3 Welcome, this is the Public Scoping  
4 Meeting for the Staten Island and Bronx  
5 Special Districts Update. For the  
6 record, let me note that the City  
7 Environmental Quality Review, or CEQR,  
8 application number for this project is  
9 19DCP083Y. Today's date is December 10,  
10 2018, and the time is approximately  
11 4:20 p.m.

12 My name is Olga Abinader, and I'm  
13 the Acting Director of the Environmental  
14 Assessment and Review Division at the  
15 New York City Department of City  
16 Planning. I will be chairing today's  
17 scoping meeting. The Department of City  
18 Planning is acting on behalf of the City  
19 Planning Commission as the lead agency  
20 for this proposal's environmental  
21 review. As lead agency, the Department  
22 will be responsible for overseeing the  
23 preparation and the completion of the  
24 proposal's Environmental Impact  
25 Statement, or EIS.

1           Joining me today are several of my  
2           colleagues from the Department of City  
3           Planning. To my far left is Chris  
4           Hadwin, Acting Director of the Staten  
5           Island Office of City Planning.  
6           Stephanie Shellooe, to my left, is the  
7           Environmental Review Project Manager for  
8           this project. Monika Jain is the Senior  
9           Planner in the Department's Urban Design  
10          Office, to my right, and Aleena Farishta  
11          is the Project Manager in the  
12          Department's Staten Island Office for  
13          this proposal.

14           I would also like to note that this  
15          is the first of two public scoping  
16          meetings organized for this proposal.  
17          The second public scoping meeting will  
18          be held this Thursday, December 13th at  
19          around 4 p.m. at the Ethical Culture  
20          Fieldston School, Student Commons Room,  
21          located at 3901 Fieldston Road in the  
22          Bronx.

23           So, onto the purpose of this  
24          meeting; together we are here to receive  
25          your comments on the draft scope of work

1 for the Staten Island and Bronx Special  
2 Districts Update. The job scope of work  
3 identifies the subjects to be analyzed  
4 in the upcoming Draft Environmental  
5 Impact Statement, or DEIS, and describes  
6 the methodologies that will be used in  
7 those analyses. Copies of the draft  
8 scope of work and protocol for today's  
9 scoping meeting should be available at  
10 the desk outside of this auditorium, and  
11 it will also be available on the  
12 Department of City Planning's website.

13 The purpose of this public scoping  
14 meeting is to allow for public  
15 participation in the preparation of the  
16 Draft Environmental Impact Statement at  
17 the earliest stage possible in the  
18 environmental review process.  
19 Specifically, scoping allows the public  
20 to shape the DEIS before it is prepared  
21 and written. Toward that end, the  
22 Department, as lead agency, will receive  
23 oral testimony, or your comments, on the  
24 draft scope of work from government  
25 agencies, elected officials, the local



1 community board and the general public.

2 I would also like to note that today  
3 marks the beginning of the written  
4 public comment period on the draft scope  
5 of work. The written comment period  
6 will end on Monday, January 14, 2019.  
7 After the close of the comment period,  
8 the Department will consider all of the  
9 comments received, including everything  
10 that we hear today, as well as all of  
11 the written comments received by  
12 January 14th. The Department then  
13 decides what changes are needed to the  
14 draft scope of work and issues a final  
15 scope of work. It is the final scope of  
16 work that serves as the basis for  
17 preparing the Draft Environmental Impact  
18 Statement.

19 Moving on to the format of today's  
20 scoping meeting; today's meeting will be  
21 divided into three parts. During the  
22 first part, my colleagues at the  
23 Department of City Planning will make a  
24 brief presentation describing the  
25 proposal. Following that, the

1 consultants on behalf of the Department  
2 will summarize the environmental review  
3 and draft scope of work.

4 The second part of the meeting  
5 involves the Department hearing comments  
6 from government agencies, elected  
7 officials and community board  
8 representatives. During the third and  
9 final part of the scoping meeting, we  
10 will be receiving comments from members  
11 of the general public.

12 Please note a few logistics; if you  
13 wish to speak, we ask that you please  
14 fill out one of these speaker cards  
15 available up front (indicating). The  
16 speaker cards are available, again, at  
17 the desk outside of this auditorium.  
18 For members of the public, speaking is  
19 limited to three minutes of speaking  
20 time.

21 We will let you know when your  
22 speaking time has expired by ringing  
23 this bell (demonstrating). So, we do  
24 ask that you please limit your comments  
25 on the draft scope of work and the

1 environmental review. We also encourage  
2 you to let us know which subjects you'd  
3 like to see studied in the Draft EIS,  
4 and to let us know how you would like  
5 the studies to be conducted. This is  
6 not, however, a public hearing on the  
7 project itself. The subject of the  
8 meeting, again, is the project's  
9 environmental review and draft scope of  
10 work.

11 Now we will move on to the first  
12 part of the public scoping meeting.  
13 Now, my colleagues from the Department  
14 of City Planning will make a  
15 presentation related to the proposal,  
16 followed by a presentation from the  
17 environmental consultants, who will  
18 summarize the draft scope of work.

19 MS. JAIN: Thank you, Olga. So, as  
20 Olga already went through the purpose  
21 and protocol of this meeting, Aleena  
22 Farishta and I will be going through the  
23 proposal overview. But before that, we  
24 have a video that gives an overview of  
25 why we are doing this update and

1 contextualizes the natural areas for the  
2 people here.

3 (Ms. Jain begins video  
4 presentation.)

5 We interact with the natural  
6 environment of New York City every day  
7 in countless ways; from the air we  
8 breathe and the water we drink, to the  
9 sights and sounds of our daily lives.  
10 Our relationship with the natural world  
11 is especially strong in certain  
12 neighborhoods of Staten Island and the  
13 Bronx, where regulations have insured  
14 that development is balanced with  
15 nature.

16 The Department of City Planning is  
17 proposing an update to the rules and  
18 processes that guide development in  
19 these neighborhoods. The initiative is  
20 called, "The Staten Island and Bronx  
21 Special Districts Update." It is a  
22 comprehensive, collaborative effort to  
23 re-vamp and streamline our approach to  
24 natural resource preservation and  
25 neighborhood development.

1 Today, the review and approval  
2 process can result in unpredictable  
3 development outcomes and impose  
4 additional costs and time burden,  
5 especially for people making modest  
6 additions to their homes. The proposed  
7 update seeks to create more predictable  
8 development outcomes while simplifying  
9 the process for people to build or  
10 enlarge their homes. The proposal  
11 strengthens and clarifies standards for  
12 public review for properties larger than  
13 an acre and removes the City Planning  
14 Commission review requirements for small  
15 properties.

16 We have much to celebrate on how  
17 these pioneering special districts rules  
18 have created the framework for some of  
19 today's cherished areas of beautiful  
20 tree-lined neighborhoods that  
21 incorporate diverse, natural landscapes,  
22 such as the Blue Belt System in Staten  
23 Island. The Blue Belt System is an  
24 ecologically rich network of streams,  
25 ponds, and wetlands that serve as a

1 storm-water drainage system throughout  
2 these neighborhoods.

3 In the Bronx, neighborhoods like  
4 Fieldston and Riverdale have unique rock  
5 outcrops. In Staten Island,  
6 neighborhoods like Todt Hill and  
7 Lighthouse Hill with extensive forests  
8 are all in a special natural area  
9 district established in the mid-70s.

10 In the late 80s, neighborhoods from  
11 Silver Lake to Tompkinsville with their  
12 unique escarpment geography from the  
13 serpentine ridge were designated as the  
14 Special Hillside's Preservation  
15 District. Currently, in these two  
16 special districts, a City Planning  
17 Commission Review is typically needed to  
18 build or enlarge a home or for site  
19 alterations.

20 Established in the mid-70s,  
21 neighborhoods from Tottenville to Arden  
22 Heights consisting of forests and  
23 wetlands are within the Special South  
24 Richmond Development District.  
25 Developments in this district require a

1 City Planning Commission Review in some  
2 cases, such as tree removal and changes  
3 to topography.

4 The proposal seeks to rationalize  
5 and establish a consistent approach  
6 towards natural resource preservation  
7 across these special districts. The  
8 past forty years have helped us identify  
9 the best practices, as well as the  
10 challenges with the current regulatory  
11 framework. The current rules focus on  
12 preserving each natural feature  
13 individually, such as steep slopes,  
14 individual trees and rock outcrops on a  
15 site-by-site basis and do not provide  
16 clear guidelines for preservation of  
17 habitat on larger sites.

18 Building upon and staying consistent  
19 with the original goals of the special  
20 districts, the proposal recognizes the  
21 higher value of larger natural areas and  
22 highlights the importance of ecological  
23 connectivity with neighborhood sites  
24 while also including clear guidelines  
25 for development.

1           The proposed regulations are  
2           structured around the following  
3           principles: identify the location of  
4           public lands with protected natural  
5           resources which contain habitat with the  
6           most ecological value; create a planted  
7           buffer or transition area between  
8           private property and protected lands to  
9           preserve habitat.

10           Also, limit encroachment on steep  
11           slopes and rock outcrops in order to  
12           minimize erosion; protect existing  
13           habitat on sites of one acre or more in  
14           order to provide connectivity between  
15           larger natural resources; maintain and  
16           create ecological corridors through  
17           biodiversity gardens with native plants,  
18           trees, shrubs and ground cover. These  
19           will provide food and shelter for  
20           wildlife and pollinators.

21           Continue to preserve trees, which  
22           enhance neighborhood character and serve  
23           as sponges by soaking in rain water;  
24           create a permeability requirement for  
25           all properties so rain water can flow



1 into the water shed protecting the  
2 natural balance of surface water and  
3 ground water that sustains the streams  
4 and wetlands of these areas.

5 Establish different procedures for  
6 the review and approval of properties  
7 smaller or larger than one acre, allow  
8 small properties to go directly to the  
9 Department of Buildings for project  
10 review and permits; require properties  
11 of an acre or more to go to the City  
12 Planning Commission for public review.

13 To sum up, the Staten Island and  
14 Bronx Special Districts Update will  
15 provide a clear, consistent framework  
16 with a streamlined process for natural  
17 resource preservation that balances  
18 neighborhood development and ecological  
19 goals. They will enhance the local and  
20 regional ecosystem services; such as  
21 temperature regulation, purification of  
22 the air and water, storm water  
23 management and flood mitigation, and  
24 preserve the neighborhood character for  
25 future generations.

1 (End of presentation.)

2 MS. JAIN: So, I hope the video gave  
3 a good overview of why we are doing this  
4 update and what is special about these  
5 areas.

6 So, just re-emphasizing about how  
7 the current regulatory framework works  
8 today; it looks at individual natural  
9 features on a side-by-side basis, and it  
10 does not consider the different size of  
11 sites or the different kinds of natural  
12 features there are on different  
13 properties.

14 So, it is not prioritizing the  
15 different natural features. The current  
16 framework regulates both the  
17 development, as well as the natural  
18 features, and everything has to come for  
19 a City Planning Commission review if any  
20 of the natural features are being  
21 disturbed.

22 So, in the proposed framework, as in  
23 the video we mentioned, we are combining  
24 the three special districts that are in  
25 Staten Island and in the Bronx area and

1 calling it the Special Natural Resources  
2 District. It is really to emphasize on  
3 strengthening the natural resource  
4 preservation and creating a consistent  
5 approach towards natural resource  
6 preservation.

7 This proposed action would include  
8 both the zoning text amendments and the  
9 zoning map amendments. The goal of this  
10 update is to create clearer regulations  
11 that are homeowner-friendly, and also  
12 focuses on prioritizing or creating  
13 opportunities where natural features can  
14 be preserved on larger sites. And it  
15 would allow the Department of City  
16 Planning to focus their review on larger  
17 sites and ecologically-sensitive sites.

18 You saw this diagram in the video as  
19 well (indicating). So, the darker green  
20 areas are the larger natural resources  
21 based on help from the Department of  
22 Parks and other agencies that look at  
23 these resources. We have mapped these  
24 ecologically-rich areas. They are  
25 mostly on public protected lands, and

1           these are called designated natural  
2           resources and are the most important  
3           assets to preserve.

4           We have created a broader ecological  
5           strategy that looks at these natural  
6           resources and protects other and bigger  
7           natural areas in the private properties.  
8           So, the dark green are the designated  
9           natural resources. The areas that lie  
10          around these designated natural  
11          resources, within one-hundred feet, are  
12          called resource-adjacent areas.

13          Then, if you look on the left-hand  
14          side of the slide, we will also create  
15          regulations that look at habitats on  
16          private properties whether it's forested  
17          habitats or aquatic resources, such as  
18          wetlands. So, as in the previous slide,  
19          there were three ecological areas that  
20          are being created, resource-adjacent  
21          areas, which is right adjacent and  
22          abutting the designated natural  
23          resources.

24          There will be regulations that  
25          require a planted buffer on the adjacent

1 lot line that is adjacent to the  
2 designated natural resource. That helps  
3 protect the natural resources on the  
4 protected lands. Also, these areas  
5 would have stricter regulations in terms  
6 of the lot coverage and how much impact  
7 is created within the first hundred feet  
8 of the property. So, there will be  
9 limits on lot coverage and how much  
10 paved surfaces you have on the property.

11 In the escarpment areas, or the  
12 steep slopes that usually you see in the  
13 serpentine ridge of the Staten Island  
14 area, we would have regulations that  
15 reduce the impact on the steep slopes  
16 and minimize the erosion. So, for  
17 instance, there will be encouragement to  
18 locate your building on flatter portions  
19 of the site by giving more lot coverage.

20 Also, the lot coverage will be  
21 dependent on where you locate your  
22 building; whether it's on the steeper  
23 part, it will be lesser lot coverage.  
24 There will be regulations regarding  
25 retaining walls and cut and fill, that

1 would also address the limiting of the  
2 erosion control. And there will be, in  
3 escarpment areas, a requirement of  
4 larger lot areas so that you are  
5 minimizing the impact of the steep  
6 slopes.

7 All the other areas that are not  
8 resource-adjacent or escarpment would be  
9 called a base protection area, but  
10 everything actually contributes to the  
11 enhancement of the natural area in these  
12 special districts, and they will have  
13 varied regulations for lot coverage and  
14 for base area tree and ground cover  
15 plantings. In the base protection  
16 areas, the regulations will be less  
17 strict than what you saw in resource  
18 adjacent and escarpment, but it will  
19 provide consistent regulations for the  
20 development and preservation all across  
21 the special districts.

22 MS. FARISHTA: So, as indicated  
23 before, currently, the rules work by  
24 looking at each site in isolation,  
25 rather than considering the broader

1 ecological context. Also, the current  
2 zoning could create barriers onto the  
3 site plan that achieves the goal of  
4 balancing presentation with neighborhood  
5 development.

6 The proposed action would update and  
7 refine this approach to natural resource  
8 preservation by prioritizing these more  
9 significant ecological assets on  
10 publicly-owned land. Through this, the  
11 larger properties of greater than one  
12 acre and other more sensitive sites that  
13 affect the public realm would require  
14 Commission review under this proposal.

15 By moving to an as-of-right  
16 framework for most properties under one  
17 acre, the process would be streamlined  
18 and eliminate Commission review. The  
19 smaller properties would still be  
20 subject to the proposed special district  
21 rules that we've just walked through,  
22 which aim to provide more clear  
23 standards and guidelines for preserving  
24 natural features.

25 So, as stated earlier, this project

1 warrants an Environmental Impact  
2 Statement. Since the proposed changes  
3 apply to a more broader area, generic  
4 article examples were used in the draft  
5 scope of work to compare the future  
6 under the no-action scenario, which is  
7 under the existing special district  
8 rules, with the with-action scenario.  
9 So, that's the proposed rules.

10 So, development scenarios that are  
11 as-of-right, or require certification  
12 under the current rules, were considered  
13 in the no-action. The scoping document  
14 included various different prototypes,  
15 but for today's meeting, we are just  
16 going to walk through one example.

17 Let's walk through a typical example  
18 of a single-family home in an R-12  
19 Zoning District in the existing special  
20 natural area district. Let's say that  
21 an existing home wishes to complete an  
22 enlargement, such as adding a kitchen to  
23 the house.

24 Under current rules in the special  
25 natural area district, there are very



1 limited scenarios where these modest  
2 types of additions could be made under  
3 an as-of-right framework, or without  
4 Commission review, if the lot is less  
5 than ten-thousand square feet.

6 So, as long as the homeowner follows  
7 the rules for planting and preservation,  
8 a review is not triggered by the City  
9 Planning Commission. So, more often  
10 than not, properties in the special area  
11 district today do not meet this  
12 threshold for as-of-right development  
13 and require Commission review.

14 Under the proposed rules, we are  
15 adjusting the way tree credits are  
16 calculated to encourage preservation of  
17 larger trees and older-growth trees.  
18 And we are introducing lot coverage and  
19 impervious area regulations to guide  
20 development according to the best  
21 practices learned.

22 Under the proposed action, there  
23 would be enough flexibility to allow the  
24 modest types of enlargements and  
25 additions of amenities without

1 Commission review while also achieving  
2 improved outcomes aligned with the  
3 special district goals; such as  
4 preserving the natural features,  
5 allowing for some site-plan flexibility  
6 allowing for adequate spaces for planted  
7 areas, increasing the provision of open  
8 space and enhancing storm water  
9 management.

10 Now we will also walk through a  
11 conceptual review example. So, this is  
12 where we are looking at sites. For  
13 example, that would go under  
14 discretionary review under the proposed  
15 rules; so, for sites that are greater  
16 than one acre or smaller, more sensitive  
17 sites. So, current rules do not  
18 distinguish between small or large  
19 properties or treat significant habitat  
20 or natural features in a special way.  
21 Multiple environmental reviews could be  
22 required for every proposed development  
23 or enlargement on a large site.

24 Or in some cases, such as in the  
25 Special South Richmond Development

1 District, or in the Hillside District,  
2 larger sites may not even require  
3 Commission review today. The proposed  
4 rules would require Commission review  
5 for these sites. Larger sites with  
6 habitat require a portion to be  
7 preserved.

8 As noted in the video, the habitats  
9 on these larger sites have a high level  
10 of biodiversity and consist of more  
11 species of plants and animals, and they  
12 form an integral part of the larger  
13 ecosystem. The rules that we're  
14 proposing aim to reduce encroachment to  
15 these areas and maintain ecological  
16 connectivity with the surrounding  
17 habitat and protected, publicly-owned  
18 land. The conceptual site plan, shown  
19 here on this slide, indicates how  
20 development and preservation would be  
21 guided in a more predictable manner.

22 For sites over an acre with aquatic  
23 resources, such as wetlands, there would  
24 be rules for a requirement of a planted  
25 buffer to reduce encroachment on that

1 habitat. There will also be an option  
2 to cluster buildings on these sites in  
3 order to preserve natural habitat while  
4 maintaining roughly the same development  
5 potential for the entire site.

6 Also under the current rules, as I  
7 mentioned, there isn't really a  
8 mechanism to do more of the long-term  
9 development planning. And under our  
10 proposal, we aim to encourage that. So,  
11 there will be an option for a site, a  
12 larger campus, for example, or an  
13 institution that can come in at one time  
14 and propose different areas for future  
15 potential development, thereby allowing  
16 for community input upfront and also  
17 streamlining the environmental review  
18 process and discretionary review process  
19 in the future.

20 So, with that, if someone came back  
21 in the future to do the enlargements  
22 that were indicated on the initial  
23 approved plan, it would not be a  
24 proposed discretionary review process.

25 So, now, we will be handing it over

1 to our environmental consultant to  
2 discuss more of the Environmental Impact  
3 Statement.

4 MR. CAREY: Thank you, Aleena. Hi,  
5 everyone. My name is Jonathan Carey,  
6 and I'm here representing Louis Berger.  
7 Louis Berger is preparing the  
8 Environmental Impact Statement for this  
9 project. We are joined by the firm  
10 Philip Habib & Associates. They are  
11 serving as sub-consultant for the  
12 project. And it's myself, as well as  
13 the individuals in the back of the room  
14 up there.

15 We are in the CEQR Process, that's  
16 City Environmental Quality Review. This  
17 diagram represents that process from  
18 start to finish very, very generally.  
19 So, starting on the lower left is where  
20 we start. Then, we move up to see  
21 whether this process is required. This  
22 zoning text amendment and map amendment  
23 covers most of Staten Island, as well as  
24 a portion of the Bronx. So, that means  
25 it qualifies and City Environmental

1 Quality Review is required here.

2 So, then, we prepare, with City  
3 Planning an Environmental Assessment  
4 Statement. This is a checklist-format  
5 document that goes through,  
6 category-by-category, environmental  
7 impacts, and at a very high level  
8 assesses whether there might be impacts;  
9 just quickly a yes-or-no,  
10 back-of-the-envelope type of review.  
11 That document is here, it's outside of  
12 the room at the sign-in table.

13 City Planning has completed that  
14 document and determined that there is a  
15 potential for impacts with this project.  
16 So, once that is completed, they issue a  
17 positive declaration and they issue a  
18 draft scope of work. The draft scope of  
19 work lays out how each of these  
20 categories, and I will list them in a  
21 minute, are going to be analyzed in the  
22 Environmental Impact Statement.

23 So, we are up here right now on the  
24 top left (indicating). We've started at  
25 the lower left, and we've gone up.

1           Then, we've gone to the right, and now  
2           we are in that orange bubble, "Public  
3           Scoping, December 10th and 13th." After  
4           we complete this public scoping, we will  
5           prepare a final scope of work. This  
6           takes in any input that you hear today,  
7           as well as anybody sending letters  
8           regarding the scope of work of the  
9           document.

10           We incorporate that input and issue  
11           a final scope of work. Then, the  
12           analysis is prepared. It's prepared and  
13           issued in what's called a Draft  
14           Environmental Impact Statement. Once  
15           that is issued, again, there is a public  
16           input process, people can comment on the  
17           environmental analysis. And then,  
18           finally, a final Environmental Impact  
19           Statement is issued.

20           So, as Aleena was discussing, this  
21           is a high-level project. There's a  
22           prototypical development that she walked  
23           through, as well as fifteen other  
24           prototypical sites. The purpose of  
25           these prototypes are to try to get a

1 handle on what the impacts would be on  
2 an individual lot basis. However, we  
3 are not looking at any individual lot  
4 here. As you saw on the map earlier,  
5 it's a large swab of Staten Island and a  
6 portion of the Bronx.

7 So, in this case, we are preparing  
8 what's called a generic Environmental  
9 Impact Statement. These documents are  
10 more appropriate when the action applies  
11 to a larger geographic area. So, I  
12 covered the Environmental Assessment  
13 Statement, that was the form, that  
14 checklist form that is sitting outside.  
15 Also sitting outside is the draft scope  
16 of work. It was issued on November 9th,  
17 and it analyzes the approach; it  
18 describes the approach to analysis for  
19 each project.

20 The analysis year here is 2029.  
21 Earlier, Aleena was talking about the  
22 no-action condition versus the  
23 with-action condition. Those are our  
24 two bases of comparison. So, we are  
25 saying no action in 2029 is assuming the



1 existing special district regulations  
2 are kept. Then, with action in 2029 is  
3 assuming that these revisions are  
4 adopted, and what would be the increment  
5 between the two, and would that  
6 increment result in environmental  
7 impacts.

8 So, this is a list of all of the  
9 chapters that will be in the  
10 Environmental Impact Statement. It is  
11 pretty standard. We follow the CEQR  
12 Technical Manual, which is the City's  
13 guidance for preparing these documents,  
14 and it lays out a recommended approach  
15 for how to analyze impacts in each of  
16 these categories. Some categories might  
17 require a more-detailed analysis, while  
18 others might be able to be screened out  
19 with just a high-level analysis.

20 Here we've just highlighted a few to  
21 give you an example. For example,  
22 shadows, some of those prototypical  
23 sites might allow buildings that could  
24 be slightly higher or slightly bulkier  
25 than are currently allowed. And if

1           that's the case, we have to analyze,  
2           would that shadow land on a natural  
3           resource or other protected feature.

4                         Similarly, these developments could  
5           occur in areas where there are  
6           archeological resources or there's known  
7           archeological sensitivity. They could  
8           occur in areas where sites are  
9           contaminated by hazardous materials or  
10          in sites that are adjacent to wetlands,  
11          as was previously discussed.

12                        So, the Environmental Impact  
13          Statement will analyze the potential for  
14          each of these prototypical sites, as  
15          well as the conceptual sites to result  
16          in environmental impacts. I will turn  
17          it over to Olga to finish up.

18                        MS. ABINADER: Thank you. We will  
19          now move on to the second part of the  
20          public scoping meeting. Now I will  
21          welcome comments from elected officials,  
22          community board representatives and  
23          government agencies.

24                        I have one speaker card from that  
25          group. Our first, and currently only,

1 speaker from this group is Jeremy  
2 LaPointe from Parks. If you could,  
3 please come up to the podium and speak  
4 directly into the microphone. Thank  
5 you.

6 MR. LaPOINTE: Good afternoon.

7 MS. ABINADER: Do you want to try  
8 that again?

9 MR. LaPOINTE: Good afternoon. Can  
10 you hear me?

11 MS. ABINADER: Just one moment.

12 MR. LaPOINTE: Good afternoon.

13 MS. ABINADER: Much better.

14 MR. LaPOINTE: This statement comes  
15 through Forestry, Horticulture and  
16 Natural Resources with New York City  
17 Parks. I'm just going to read a  
18 statement here from them and from  
19 myself.

20 Staten Island is home to some of the  
21 most special natural resource areas in  
22 New York City. From Conference House  
23 Park through the Green Belt to Jones  
24 Woods, Staten Island is more than a  
25 borough of parks. It is a borough of

1 natural areas. In fact, more than  
2 one-third of all the natural areas  
3 managed by New York City Parks are found  
4 in Staten Island.

**LaPointe**

5 These are critical infrastructure  
6 for the City where people can enjoy  
7 respite from city life and from which  
8 many benefits flow; including flood  
9 protection, thermal regulation. These  
10 areas are also critical for migratory  
11 and resident wildlife; including  
12 diamondback terrapins, ospreys, leopard  
13 frogs, monarch; monarch butterflies,  
14 wood thrush and many more.

**1**

15 The natural habitat that are found  
16 beyond Parks' borders still face  
17 threats. For example, in a five-year  
18 period from 2004 to 2009 impervious  
19 surfaces, like parking lots, in New York  
20 City increased by 26,000 acres, often at  
21 the expense of natural habitats.

22 The proposed zoning amendment will  
23 help to mitigate these threats. We at  
24 New York City Parks are proud of the  
25 work that we are doing to safeguard



1 these natural resources so that they can  
2 continue to provide exceptional  
3 recreational and educational  
4 opportunity; filtering the air our  
5 children breathe, providing shade and  
6 temperature regulation, help protect  
7 homes by absorbing and storing flood  
8 waters and offer respite from the noise  
9 and the pace of New York City for all of  
10 our residents and visitors.

11 The proposed updates for the special  
12 areas district will enhance these  
13 benefits and better secure the  
14 provisions in the into future. We would  
15 like to express our support for the  
16 proposed amendment in general and to  
17 call attention to three features of the  
18 proposed update that are particularly  
19 important for the protection and  
20 enhancement of the benefits of these  
21 natural resources.

22 The first is the requirement to  
23 protect a portion of existing habitats  
24 that are on sites larger than one acre.  
25 The patches of habitat that remain

1

2

1 following development will be critical  
2 stepping stones for wildlife, like  
3 native pollinators while also serving to  
4 absorb storm water. Research has shown **2**  
5 that small patches a quarter-acre in  
6 size can significantly improve  
7 connectivity across the landscape and  
8 contribute to the bolstering of  
9 populations.

10 The second part of the proposed  
11 amendment, for which we would like to  
12 highlight our support of, is the  
13 requirement to establish buffers in  
14 properties adjacent to natural areas. **3**  
15 These buffers help to enhance the  
16 quality of public-held habitat. They  
17 also serve to enhance the park-like  
18 neighborhood and character. Finally,  
19 they can also moderate negative impacts  
20 flowing from private properties that  
21 adjoin publicly-held natural areas.

22 Third, we would like to express our  
23 support for promotion of native  
24 plantings in the zoning text. Native **4**  
25 plants provide many benefits to the





4

1 environment and to the landowner. They  
2 aid in water-saving over conventional  
3 gardens. They lower maintenance costs.  
4 They reduce noise pollution from  
5 traditional mowing. They also provide  
6 connectivity for nature services; such  
7 as, pollination, water retention and  
8 wildlife habitat.

9 The proposed update zoning text will  
10 ensure that future generations of New  
11 Yorkers will be able to enjoy the myriad  
12 of benefits of a healthy environment;  
13 clean water, clean air, flood mitigation  
14 and natural recreation, while also  
15 maintaining a wild species of plants and  
16 animals that can be found today on  
17 Staten Island. Thank you.

18 MS. ABINADER: Thank you for your  
19 comments. Are there any other  
20 representatives from the community  
21 board, elected officials or  
22 representatives from government agencies  
23 who wish to speak in front of the  
24 record?

25 (No response.)

1 MS. ABINADER: Seeing that there are  
2 none, we are now going to proceed to the  
3 third part of the public scoping meeting  
4 where members of the public will be able  
5 to speak for about three minutes.  
6 Please remember that after the three  
7 minutes have passed, we will ring a bell  
8 and you will be asked to conclude your  
9 comments. Our first speaker is Dennis  
10 Dellangelo.

11 MR. DELLANGELO: My name is Dennis  
12 Dellangelo. I've lived on Staten Island  
13 all of my life. I'm an architect in  
14 private practice. I'm here today as the  
15 Zoning and Land Use Coordinator for the  
16 Staten Island Taxpayers Association.  
17 I'm also vice president of the Pleasant  
18 Plains, Princess Bay, Richmond Valley  
19 Civic Association on the south shore.  
20 Staten Island Taxpayers is an  
21 island-wide organization.

22 I would like to speak today on the  
23 school seat situation, which has been in  
24 South Richmond since 1975. School seats  
25 are required for new development.



1           Modifying the text now, -- we have held  
2           in the past, we have presented this  
3           proposal on several occasions -- we  
4           would like to possibly get it into your  
5           thoughts.

6           The proposal would modify the  
7           provision of the school seat  
8           certification provisions of the Special  
9           South Richmond District, which would be  
10          a subdistrict now. And it could be  
11          considered for all of Staten Island as  
12          the growth management district, or it  
13          could be considered for all of the  
14          natural area districts and hillsides.

15          Presently, any new residential  
16          development in the Special South  
17          Richmond District that is not located in  
18          a predominantly built-up area that's  
19          four acres, less over seventy-five  
20          percent developed does not have to  
21          provide the school seats. But any other  
22          development on tax blocks over four  
23          acres must receive certification from  
24          the chairperson of the City Planning  
25          Commission that sufficient school

1 capacity exists to accommodate the  
2 anticipated primary and intermediate  
3 school children of the development.

4 We are proposing that sufficient  
5 school capacity right now is deemed to  
6 exist if such capacity is available in  
7 existing schools. They were using all  
8 of the schools on Staten Island for a  
9 while. Then, they were using all of the  
10 schools in South Richmond, irregardless  
11 of where the development was located.

12 We are proposing that in order to  
13 regulate the growth of new development  
14 in areas where schools are over  
15 capacity, it is proposed to consider the  
16 capacity of the school attendance zone,  
17 which contains the proposed development  
18 when issuing a school seat  
19 certification. The south shore has seen  
20 most of its properties developed, and it  
21 was brought up prior that we are not  
22 looking at large development parcels any  
23 longer.

24 However, I would like to point out  
25 to this Board, and to the folks who are

**Dellangelo**

**1**



1           doing this, in light of Mount Maresa;  
2           which you may be familiar with, that  
3           development does not require school  
4           seats. It's not in South Richmond, and  
5           it's not a special district. However,  
6           we have Notre Dame Academy here on the  
7           North Shore. St. Peter's Girls' High  
8           was just sold off. We've got over  
9           three-hundred acres of Mount Loretto on  
10          the South Shore.

11                        (Warning bell.)

12           MR. DELLANGELO: We think that our  
13           neighbors on the North Shore, with the  
14           development that is going on and being  
15           proposed, that school seats should be  
16           connected to this development in a  
17           manner that would solve some of the  
18           problems that we have. Thank you.

19           MS. ABINADER: Thank you for your  
20           comments. You may submit them in  
21           writing as well in addition to what's  
22           been submitted today.

23           MR. DELLANGELO: Yes, I gave a copy  
24           to you.

25           MS. ABINADER: Thank you. Our next

1 speaker is Phil Rampulla.

2 MR. RAMPULLA: Good afternoon. My  
3 name is Philip Rampulla.

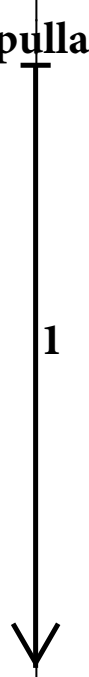
4 MS. ABINADER: Good afternoon.

5 MR. RAMPULLA: I'm an urban planner  
6 in the private sector. I'm currently  
7 the Co-Chair of the City Planning  
8 Committee for the Staten Island American  
9 Institute of Architects and the Co-Chair  
10 of the City Planning Committee for the  
11 Building Industry Association of New  
12 York City. So, I would ask as the  
13 co-chair of both that my speaking be  
14 extended to more than three minutes.

15 That being said, I have specific **Rampulla**  
16 comments. The BIA strongly objects to  
17 the proposed Section 23-32 where the  
18 area of a private road would be excluded  
19 from floor area calculations. What that  
20 would do is it would set up a private  
21 road to be its own tax lot; which is  
22 problematic because if the HOA fails,  
23 that tax lot will go into REM and become  
24 problematic.

25 Also, we consider -- even if the

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road is subdivided to the center line of the street, we also consider this to be a taking because it is the taking of property without compensation.

My next comment has to do with Section 26-27, Waiver of Bulk Regulations with Unimproved Streets. You are currently asking us to file with the City Planning Commission after going to the Board of Standards and Appeals under the General City Law 35. We believe that this section should be eliminated.

The BSA, when this is considered a GCL-35 case, should mandate yard and bulk regulations when reviewing the site plan. This was the case before Section 26-27 was written, but that has since been lost in the weeds, so to speak. I believe the jurisdiction of the BSA to consider yards and bulk should prevail.

The next Section is 105-01 and goes to the definitions. In 105-01, we believe that "slopes," in the definition of area of existing slopes, that slopes

1 with less than a twenty percent slope  
2 should be excluded from area  
3 calculations; not less than ten percent,  
4 less than twenty.

5 We also would like to point out what  
6 we have pointed out before; under the  
7 definition of an "arterial street," you  
8 referred to the maps for Amboy Road,  
9 Arthur Kill Road, Huguenot Avenue, Hylan  
10 Boulevard and Paige Avenue, et cetera.  
11 I've always said that this was  
12 problematic because in the zoning  
13 resolution, the text takes precedent  
14 over maps.

15 So, we have a stretch of Amboy Road  
16 that the maps show that it's not  
17 arterial, but the text, if pushed, would  
18 mandate that all of Amboy Road is an  
19 arterial street unless there is specific  
20 language substituting that on the  
21 definitions.

22 Under definitions, "designated  
23 aquatic resources," we hold comment on  
24 that because in our working sessions we  
25 need to see the maps in order to

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1 comment. Otherwise, it is ridiculous to  
2 even consider what is a designated  
3 aquatic resource and what isn't. The  
4 same goes for "designated resource  
5 area;" we would need to see the maps in  
6 order to comment.

7 Then, we go to the definition of  
8 "impervious area." We believe that the  
9 definition as currently written is far  
10 too restrictive. And that the area that  
11 includes driveways, private roads,  
12 walkways, patios, decks, swimming pools,  
13 retaining walls, other paved or  
14 impervious surfaces; including pavers,  
15 and areas that are viewed directly from  
16 above, would be covered by a building or  
17 any part of a building is an impervious  
18 area.

19 We believe that the resolution, the  
20 text, should allow for porous pavement  
21 and allow for porous pervious pavers,  
22 which is consistent with the New York  
23 City Department of Environmental  
24 Protection Guidelines for pervious  
25 services. We believe that a house that

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1 is cantilevered; that is, more than  
2 seven feet above grade, should not count  
3 as an impervious area because it's  
4 cantilevered at a certain height.

5 We also believe if there are  
6 finished materials for paving for joints  
7 that are a quarter of an inch or more,  
8 that they are open joints and they  
9 should be allowed to be considered a  
10 pervious area.

11 (Warning bell.)

12 In addition, I caution you under the  
13 definition of "plan review site," where  
14 you say, "any plan review site for which  
15 an application is needed for an  
16 authorization of special permit needs to  
17 be signed by the owner or holder of a  
18 written option to purchase." Be advised  
19 that elements in a vendee contract  
20 include not taking ownership until a  
21 discretionary approval, such as City  
22 Planning Approval, is granted.

23 So, a lot of times, land deals are  
24 struck that it is not necessarily taken  
25 by contract until such time that a



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1 discretionary approval is granted.

2 MS. ABINADER: Thank you,  
3 Mr. Rampulla. We have allotted some  
4 extra time for your testimony. But at  
5 this point, we would like to receive it  
6 in writing, if there is a lot of extra  
7 information that will be submitted for  
8 the record.

9 MR. RAMPULLA: I would beg to allow  
10 one of my colleagues to give me a minute  
11 of their time.

12 MS. MASTER: You can have all my  
13 minutes; Susan Master.

14 MR. RAMPULLA: Well, thank you.  
15 Thank you, Susan.

16 MS. ABINADER: I'm sorry. But we do  
17 still need to be able to move on with  
18 the remainder of meeting. What we can  
19 do is we can allot you three more  
20 minutes, if you would like to continue.  
21 But after that, we want to allow for  
22 other voices to be heard.

23 MR. RAMPULLA: Well, seeing that  
24 there is not a very large crowd here to  
25 speak and that we've been working on

1           this for the past four years, I  
2           respectfully request that I can finish  
3           as a representative of two different  
4           organizations.

5           MS. ABINADER:   Okay.   You may  
6           finish.

7           MR. RAMPULLA:   Thank you.   Under the  
8           definition of "site alteration," it says  
9           that a site alteration is an alteration  
10          of any track of land, "including an  
11          improvement in a street or other public  
12          right of way," which means that if there  
13          are mapped city streets that have not  
14          improved that we have to go to you, to  
15          City Planning, instead of going to DOT.

16          We believe that this Section is in  
17          direct conflict with the City Charter  
18          empowering the DOT to allow for the  
19          improvements and maintenance of streets.  
20          And that it should not have a double  
21          review from City Planning unless you  
22          change the City Charter.

23          We believe on under Section 105-02,  
24          General Provisions, that wherever you  
25          talk about "special regulations for plan

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1 review sites shall require  
2 authorizations," should be changed to  
3 "certifications" in lieu of  
4 authorizations. The reason we say that  
5 is, there are authorizations allowed now  
6 in all three districts to cluster or to  
7 change a site plan. But what happens  
8 is, as we all know, authorizations will  
9 trigger a CEQR Review.

10 So, the smaller developer who is  
11 doing five, six, eight houses, which is  
12 a relatively small development, is not  
13 going to take on the burden of a CEQR  
14 and EIS to do such a project. I don't  
15 believe that City Planning has any  
16 special permits or authorizations for  
17 clustering since 1975, when these  
18 regulations were originally written.  
19 The cost for an environmental review for  
20 a small, eight or ten unit job could  
21 possibly exceed \$250,000. And that's  
22 why smaller builders will not opt for  
23 that.

24 Under the Section of 105-022,  
25 Boundary Adjustments of Designated Open

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1           Space, you're saying that A, B and C are  
2           not findings, but they are findings.  
3           So, the next generation of planners will  
4           enforce this as findings and not just  
5           comments. This Section should either be  
6           eliminated or reduced.

7                       We believe that under 105-022(c),  
8           "that such adjustments will provide an  
9           equivalent area replacement for the  
10          repair to be removed from the designated  
11          open space, a one foot to one foot  
12          replacement of DOS should be changed to  
13          encourage additional mitigating factors;  
14          such as creating BMP in the designated  
15          open space."

16                      Under 105-023, Applications to the  
17          City Planning Commission prior to the  
18          Date of Adoption, we believe you should  
19          also include minor modification of  
20          amendments to the existing certs,  
21          authorizations and special permits.

22                      Under Section 105-04, Subdistricts  
23          in Ecological Areas, you say that  
24          resource-adjacent areas that are  
25          designated on those portions of land

1 with one-hundred feet and directly  
2 adjacent to the designated resource  
3 area. We were previously presented with  
4 a thirty foot. I believe you made that  
5 change in the slide, but I'm not sure.

6 This is a 105-122, Retaining Wall  
7 Standard, where you say that the average  
8 height of a retaining wall cannot exceed  
9 six feet from adjacent grade, at no  
10 point shall be eight feet and that you  
11 want the retaining walls broken up.

12 That is setting up developments for  
13 failure, in terms of the height of  
14 retaining walls. It is appropriate to  
15 have higher retaining walls behind the  
16 building that are not seen in the public  
17 realm. We understand your concern of  
18 seeing high retaining walls from the  
19 street and the public realm, but you  
20 can't dictate the height of a retaining  
21 wall and how they are broken up on an  
22 across-the-board level.

23 I think you need more experienced  
24 planners in the office to push back  
25 against applicants when they see that

10

1 retaining walls are too high and to  
2 negotiate a good site plan. People like  
3 Riselle Leader (phonetic) are excellent  
4 in doing that.

5 MS. ABINADER: Mr. Rampulla, do any  
6 of the remaining comments that you have  
7 actually pertain to the Environmental  
8 Review? We would be open to hearing  
9 those. I believe that the comments so  
10 far are really related mostly to the  
11 proposed text amendment than the actual  
12 zoning proposal.

13 Do you have any  
14 environmental-review-related comments  
15 that you would like to share here?

16 MR. RAMPULLA: Well, I think that  
17 they are all related to the environment,  
18 but I will try to cut to the quick. In  
19 terms of your environmental review, when  
20 you do a site assessment, you are saying  
21 that it could only be from a certain  
22 category of people who do that; licensed  
23 arborists. We believe that a  
24 professional engineer who has studied in  
25 that field should be able to do it.

1 I hate being rushed, Olga. My final  
2 comment is on Section 105-341 Minimum  
3 Lot Area for Zoning Lots Containing  
4 Wetlands. So, what you are proposing  
5 is, if you have a zoning lot, let's say  
6 it's a hundred by a hundred and part of  
7 it contains wetland or wetland-adjacent  
8 area, that we cannot include the wetland  
9 in our minimum lot area requirement.

10 We are strongly opposed to that.  
11 That becomes a taking without just  
12 compensation. It is very similar to  
13 having designated open space in South  
14 Richmond on your site, or even  
15 designated open space, counted as lot  
16 area. I thank you for your time.

17 MS. ABINADER: Thank you very much,  
18 Mr. Rampulla.

19 MR. RAMPULLA: You're welcome.

20 MS. ABINADER: Our next speaker is  
21 Mike Sanna.

22 MR. SANNA: I've given my three to  
23 Phil.

24 MS. ABINADER: That's all right.  
25 We'll give it right back to you. You've

1 got it again, so please come join us.  
2 We want to make sure that all voices are  
3 heard that are signed up to speak here.  
4 We also understand that some people may  
5 need to leave very soon. So, we want to  
6 make sure whoever signed up is able to  
7 speak. Thank you.

8 MR SANNA: Good afternoon. My name  
9 is Michael Sanna. I'm a registered  
10 architect for a private practice, as  
11 well as part of the working group for  
12 the text amendment changes.

13 Phil has pretty much covered a great  
14 deal of what the group had discussed.  
15 But one of the things that I was very  
16 concerned with was the area of a private  
17 road being excluded from the lot area.

18 When we are designing and we were  
19 providing these private roads, we are  
20 very concerned that that area being  
21 removed will now take away development  
22 rights from the owner of the property,  
23 especially on parcels of one acre or  
24 larger where some of these developments  
25 would occur.

**Sanna**

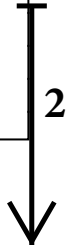
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1           It's always been, and in fact, many,  
2           many years ago, they used to take the  
3           position of excluding the private road  
4           and it was created as a separate tax  
5           lot. That process went through, then  
6           there was a lot of repercussions with  
7           the fact that the tax lot would now be  
8           left in REM. No taxes were paid on it,  
9           and now, all of a sudden, the City has  
10          this lot, which was a private road.

11          So, they stopped doing that in order  
12          to run the center of the property line  
13          to the middle of the private road so  
14          taxes are being accrued and end up being  
15          paid by the property owner. I strongly  
16          suggest that that remain, and I  
17          understand that maybe there's some kind  
18          of position to further regulate the size  
19          of the net properties. But at the end  
20          of the day, the entire property should  
21          be looked at and development rights  
22          should still stand for the middle, or  
23          the center of the street; Item One.

24          Item Two is with regard to South  
25          Richmond where we have this wonderful



1 network of open space that we have lived  
2 with for some time. And I'm concerned  
3 that where that open space is, that you  
4 are looking to increase the size of the  
5 open space by going to adjoining  
6 properties and requiring these buffers  
7 or zones.

8 And I don't quite understand what  
9 the nature of that is if we have this  
10 beautiful, open-space network. If you  
11 want to have a larger habitat, then I  
12 think that the open space network should  
13 be enlarged. Because the only way to  
14 protect and accentuate the park is to  
15 increase the size of the park.

16 So, requiring that development  
17 rights or restrictions be placed on  
18 neighboring properties I think is  
19 counterproductive to that, and it's,  
20 again, another issue of removing  
21 development rights for individuals or  
22 landowners. Thank you.

23 MS. ABINADER: Thank you very much,  
24 Mr. Sanna. Our next speaker is Susan  
25 Master.

1 (No response.)

2 MS. ABINADER: Susan Master?

3 AUDIENCE MEMBER: She just stepped  
4 out.

5 MS. ABINADER: All right. We will  
6 just come back to Susan Master when she  
7 returns. Our next speaker is Robert  
8 Kelley.

9 (Whereupon, Ms. Master approaches  
10 the podium.)

11 MS. ABINADER: Ms. Susan Master?

12 MS. MASTER: I have a very quick  
13 comment.

14 MS. ABINADER: Yes, of course.

15 MS. MASTER: As an elderly person  
16 who lives on Staten Island, I saw about  
17 this meeting, so I came. It doesn't  
18 affect me; I live at Bay Street Landing.

19 But I went out into the corridor to  
20 say, how does my Aunt Jeanette, who's  
21 lived on Staten Island in Annadale since  
22 1960, know about what is happening; that  
23 she can't put a couple of pavers in her  
24 backyard? And they were all like, "You  
25 can go to the City Planning website."

1           How many properties are impacted by  
2           this, and how many people are in this  
3           room? And believe me, not too many  
4           Staten Islanders are going to the Bronx  
5           to the second one. The outreach, the  
6           information is not reaching people who  
7           are affected, the individual people who  
8           are affected. That's my comment.

9           MS. ABINADER: We thank you for your  
10          comment. We will keep that in our  
11          consideration. Our next speaker is  
12          Robert Kelley.

13          MR. KELLEY: Good afternoon.

14          MS. ABINADER: Good afternoon.

15          MR. KELLEY: What I would like to  
16          have you focus on for my three minutes  
17          is just try to keep in mind the stream  
18          effect that these changes will have on  
19          private property rights. Just keep that  
20          in mind, I want to talk about two  
21          things.

22                 The first being the twenty-five  
23          percent conservation easement that would  
24          be triggered after one acre. This would  
25          be focused mainly on South Richmond,

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**Kelley**

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1 which is where most of the larger lots  
2 currently exist, and as Susan Master  
3 said, there are a lot of families that  
4 have owned properties for generations  
5 that have not done anything to develop  
6 them, and these changes will drastically  
7 affect the value of these properties.

8 Just to run through a scenario we've  
9 gone through before; if you take an acre  
10 of land on Staten Island in the South  
11 Richmond District, it's currently valued  
12 at about \$100 a square foot. If you ask  
13 the property owner to, -- whether you  
14 want to use the word "donate," or -- set  
15 aside twenty-five percent of that,  
16 that's a million dollars.

17 Again, a lot of these properties go  
18 back generations; they've paid taxes,  
19 insurance, using the property. But at  
20 some point, they're going to want to  
21 sell it. So, please, keep that in mind.  
22 That's a real number.

23 Secondly, I would like to talk about  
24 something that wasn't mentioned, which  
25 is the idea of City Wetlands. I'm

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1           assuming that's still part of the  
2           proposal, to create city wetlands under  
3           twelve acres.

4           MR. HADWIN: That proposal is still  
5           being developed.

6           MR. KELLEY: So, I'd like to speak  
7           to that. So, I've been in the real  
8           estate business over thirty years. In  
9           about 1986, New York State created about  
10          1,300 acres of freshwater wetlands.  
11          We've been using that playbook for over  
12          thirty years. Many parcels have been  
13          purchased in the last thirty years based  
14          on that playbook that the State  
15          Environmental Conservation created.

16          Ironically, a lot of those parcels  
17          were sold by the City of New York. If  
18          you are going to go back and create more  
19          wetlands, smaller wetlands, there are  
20          thousands of small property owners that  
21          are going to be affected.

22          And I'm assuming, just like the  
23          State did it, there will be no money to  
24          compensate these property owners. And  
25          as Phil said, that is a taking. That is

1 a taking without compensation.

2 I'll leave you with one last  
3 thought. When they did the open space  
4 networks and the storm water management  
5 systems, most of those were private  
6 properties or City properties that the  
7 City then donated for the Blue Belt, or  
8 for the storm water management. All of  
9 the private property was condemned, and  
10 then people were reimbursed for the  
11 property.

12 They were given an appraisal. They  
13 were given an opportunity to fight the  
14 value. But ultimately, they were paid.  
15 These proposals don't talk about paying  
16 anyone for these easements or these new  
17 City wetlands. Again, please try and  
18 keep private property rights in mind  
19 when you go forward. Thank you.

20 MS. ABINADER: We thank you for your  
21 comments, Mr. Kelley. I would now like  
22 to open the opportunity for anyone else  
23 who has not signed up to speak to fill  
24 out a speaker card. You will have the  
25 opportunity to speak and include your

1           comments into the record.

2           Is there anyone else who hasn't  
3 spoken at this time who wishes to sign  
4 up to speak?

5           MR. KREBUSHEVSKI: Yes, I would.

6           MS. ABINADER: Can someone help him  
7 fill out a speaker card very quickly?

8           MR. KREBUSHEVSKI: No more cards  
9 down here?

10          MS. ABINADER: Not down here. Why  
11 don't you come down and we can introduce  
12 you? We can have that speaker card  
13 filled out a little bit later.

14          MR. KREBUSHEVSKI: Not a problem.

15          Hello, my name is Stan Krebushevski.  
16 I'm an architect here on Staten Island.  
17 I've lived here for the last fifty  
18 years, and I've been practicing since  
19 1990. I'm very familiar with the  
20 Special South Richmond, Hillside and  
21 Natural Area District Regulations. I  
22 also participate on the DCP Committee  
23 for BIA and AIA, and I am on the working  
24 group as well.

25          Phil and Mike covered a lot of



1 areas. I'd like to speak generally  
2 about my involvement and my  
3 understanding of the process for this  
4 particular text revision. In my  
5 opinion, I think there are significant  
6 issues with property rights. I think  
7 there are significant issues with the  
8 thresholds that are being created for  
9 one acre, for buildings, for houses.

10 I think that there are parameters  
11 and criteria that are being created with  
12 concepts that have never been looked at  
13 before by City Planning regarding  
14 ecological systems, aquatic ecosystems,  
15 and the people that are supposed to be **1**  
16 from the private sector controlling this  
17 or representing owners; such as  
18 certified biologists, certified wildlife  
19 scientists.

20 These are concepts and professions  
21 that aren't even on the DCP staff. How  
22 can they write laws about this without  
23 having definitions for these items?

24 I've spoke about City wetlands. We've  
25 been dealing, since 1983, with

1 parameters that were established by the  
2 State under the Environmental  
3 Conservation Laws of what actual  
4 wetlands are. There's no definition  
5 that categorizes how to determine  
6 wetlands under this proposal.

7 The farce about how these  
8 regulations are going to make things  
9 predictable and allow the small property  
10 owner for small projects to be completed  
11 without having to go through a rigorous  
12 process, that should have been in  
13 today's regulations. You are fixing a  
14 mistake that should have been under the  
15 current regulation.

16 The current regulations are very, in  
17 fact, onerous at this point in terms of  
18 controlling development within natural  
19 areas, steep slopes. And as Phil had  
20 pointed out, for clustering homes to  
21 create more open space, but the onerous  
22 process of time, money, the  
23 environmental assessment fee. The  
24 gentleman who spoke before that showed  
25 you that chart, that's what the private

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2

1 homeowner would have to go through for  
2 two or three years before they could get  
3 something approved by this agency.

4 And now, these regulations are  
5 taking ten percent of these properties  
6 within these areas, and ninety percent  
7 of them will have to go through that  
8 process of authorizations and  
9 certifications by this agency to  
10 oversee. It won't happen. They don't  
11 happen. The good things that are in the  
12 regulations today don't happen because  
13 they're onerous. Now, they're going to  
14 be even more onerous and nothing is  
15 going to happen.

16 And what does that basically spell?  
17 It's about having no development.  
18 That's what's going to occur under these  
19 regulations. The arbitrary setbacks to  
20 so-called defined wetlands and natural  
21 areas are exactly that. They're  
22 arbitrary, they're capricious. They  
23 have no basis, and they don't have the  
24 staff that even has the experience to  
25 quantify or qualify these natural areas.

2

1           The one-acre thresholds, again, are  
2           too small. We have regulations to  
3           protect steep slopes, we can maintain  
4           those regulations. South Richmond is  
5           not Hillside and Natural Area even under  
6           the guise of a subdistrict, they should  
7           be separate regulations for these very,  
8           very different natural areas. The  
9           examples that are shown are adding a  
10          kitchen and adding a pool being more  
11          predictable. Yes, they should be more  
12          predictable because you should be able  
13          to do that on a small site.

14          But what's flawed in their  
15          calculations, when they go through all  
16          of the properties and all of the lots,  
17          is that not all of these tax lots are  
18          individually owned. Some of them could  
19          be owned by three or four people that  
20          pushed that homeowner into that  
21          over-one-acre category. Then, all of a  
22          sudden, boom. They're into an EAS;  
23          they're into a quarter million dollars  
24          and two- or three-year process to  
25          develop maybe four homes on a site.

3

1           What will happen? It just won't  
2 happen. It's just too much process, too  
3 much time, too much cost, too much  
4 overseeing by an agency for a person to  
5 develop their private property.

6           (Warning bell.)

7           MR. KREBUSHEVSKI: And it's going  
8 to, essentially, in my opinion, it's  
9 going to fall flat on its face. They  
10 are involving the building department  
11 and other agencies, forcing them to  
12 review applications about a so-called  
13 as-of-right.

14           I don't see it happening  
15 appropriately, and I think we do need  
16 more people to realize that that  
17 property that they've been sitting on  
18 for generations after generations, that  
19 it maybe today is worth four or five  
20 million dollars, is worth nothing  
21 because you have to go to this agency  
22 for any type of approval. Thank you.

23           MS. ABINADER: Thank you for your  
24 comments. Is there anyone else who has  
25 not yet spoken who would like to have

1           their voice heard with regard to this  
2           project and this proposal's  
3           environmental review at this time?

4                       (No response.)

5           MS. ABINADER:   The time is  
6           approximately 5:30 p.m. We are going to  
7           have a five-minute pause to allow for  
8           others who haven't yet come in to come  
9           in and sign in and have the speaker card  
10          filled out so that they may have their  
11          voices heard.

12                       So, we are going to have a brief  
13          pause, and we thank everyone who has  
14          spoken thus far. Thank you.

15                       (A brief recess was taken from  
16          5:34 p.m. to 5:45 p.m.)

17           MS. ABINADER:   All right, everyone.  
18          We are going to resume. Once again,  
19          good afternoon and welcome to the public  
20          scoping meeting for the Staten Island  
21          and Bronx Special Districts Update. The  
22          time is approximately 5:45 p.m. we are  
23          on part three of the public scoping  
24          meeting where we are taking comments  
25          from the public.

1 I do note that we have one  
2 additional speaker who has signed up to  
3 speak at this time. That is Daniel  
4 Switzer.

5 MR. SWITZER: Good evening.

6 MS. ABINADER: Good evening.

7 MR. SWITZER: My name is Daniel  
8 Switzer. I am here representing Wagner  
9 College as the Director of Campus  
10 Facilities.

**Switzer**

11 I'm commenting on the suggested  
12 submission of a master plan for sites  
13 like ours at Wagner College that are  
14 over one acre. We fear that even though  
15 it's suggested, the language gets  
16 submitted and it could evolve into a  
17 requirement at some point in the future.  
18 Which, facilities like ours, our revenue  
19 is ninety percent tuition-driven. So,  
20 for development projects and renovations  
21 and stuff, we rely on donations.

22 So, if we were required to submit a  
23 master plan, we fear it could hinder our  
24 ability to get donors because projects  
25 would already be laid out in a master

**1**



1 plan. So, sometimes people pass away  
2 and leave their fortunes, their  
3 inheritance, to us and they kind of tell  
4 us what they want it used for and they  
5 designate it.

6 So, if we have a master plan that  
7 didn't involve that, they may not want  
8 to become a donor. That's our biggest  
9 fear, and that's it. I would like to  
10 give the rest of my time to Phil. Thank  
11 you.

12 MS. ABINADER: We thank you for your  
13 comments.

14 MR. SWITZER: Thank you.

15 MS. ABINADER: Is there anyone else  
16 who is here who wishes to speak at this  
17 time?

18 (No response.)

19 MS. ABINADER: Seeing that no one  
20 has raised their hand, if no one else  
21 wishes to speak at this time, we will  
22 proceed with closing the public scoping  
23 meeting.

24 As a reminder, anyone who wishes to  
25 do so may submit their comments in



1 writing through the close of business on  
2 Monday, January 14, 2019. The e-mail  
3 address where those comments may be sent  
4 is projected above me. I believe  
5 everyone could see that.

6 Also as a reminder, a second public  
7 scoping meeting on this proposal will be  
8 held in the Bronx this Thursday,  
9 December 13th in the Student Commons  
10 Room at the Ethical Culture Fieldston  
11 School. That is located at  
12 3901 Fieldston Road in the Bronx. The  
13 meeting is anticipated to begin  
14 at 4 p.m.

15 It is currently 5:48 p.m., and the  
16 public scoping meeting for this proposal  
17 is now closed. I thank you all for  
18 coming today.

19 (TIME NOTED: 5:48 p.m.)  
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C E R T I F I C A T E

STATE OF NEW YORK)

ss:

COUNTY OF NEW YORK)

I, Danielle Rivera, a shorthand reporter within and for the State of New York, do hereby certify that the within is a true and accurate transcript of the statement taken on December 10, 2018.

I further certify that I am not related to any of the parties to this action by blood or by marriage, and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 10th day of December 2018.

  
DANIELLE RIVERA

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SCOPING MEETING  
STATEN ISLAND AND BRONX SPECIAL DISTRICT'S  
PUBLICLY-HELD UPDATE  
WEDNESDAY, DECEMBER 13, 2018  
4:22 P.M.  
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3901 Fieldston Ave.  
Bronx, New York

CEQR: 19DCP083Y

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PUBLIC HEARING/MEETING DESIGNEES

Olga Abinader - Moderator

Monika Jain - Presenter

Juton Horstman - Presenter

Jonathan Carey - Presenter



1 MS. ABINADER: Good afternoon, everyone.  
2 And thank you so much for joining us on this  
3 rainy day today. Welcome, and thank you again  
4 all for coming.

5 This is the Public Scoping Meeting for the  
6 Staten Island and Bronx Special District Update  
7 Proposal.

8 For the record, let me note that the City  
9 Environmental Quality Review or CEQR  
10 application number for this project is  
11 19DCP083Y. Today's date is December 13, 2018,  
12 and time is approximately 4:22 p.m.

13 My name is Olga Abinader, and I'm the  
14 acting director of the Environment Assessment  
15 and Review Division at the Department of City  
16 Planning. I'll be chairing today's scoping  
17 meeting.

18 The Department of City Planning is acting  
19 on behalf of the City Planning Commission as  
20 the lead agency for the proposal's  
21 environmental review. As lead agency, the  
22 Department will be responsible for overseeing  
23 the preparation and completion of the  
24 proposal's Environmental Impact Statement or  
25 (EIS) for short.

1           Joining me today are several of my  
2           colleagues from the Department: Stephanie  
3           Shellooe, directly to my left, is the  
4           environmental review project manager for this  
5           project. Juton Horstsman is the project  
6           manager in the Department's Bronx office.

7           I'd also like to note that is the second  
8           of two public scoping meetings organized for  
9           this proposal. The first public scoping  
10          meeting was held this past Monday in the  
11          borough of Staten Island.

12          Now, on to the purpose of today's public  
13          scoping meeting: Together we are here to  
14          receive your comments in the draft scope of  
15          work for the Staten Island and Bronx Special  
16          District update. The draft scope of work  
17          identifies the subjects to be analyzed in the  
18          upcoming Draft Environmental Impact Statement  
19          and describes the methodologies that will be  
20          used in those analyses.

21          I also want to note that copies of the  
22          draft scope of work and the protocols for  
23          today's meeting are available at the desk just  
24          in the front of this room for those of you who  
25          want to borrow it and take a look. The

1 materials are also available on the Department  
2 of City Planning's website.

3 The purpose of this public scoping  
4 meeting, just so everyone understands, is to  
5 allow for public participation in the  
6 preparation of the DEIS at the earliest date  
7 possible in the environmental review process.

8 Specifically, scoping allows the public to  
9 help shape the DEIS before it is written.  
10 Toward that end, the Department of City  
11 Planning, acting as lead agency, will receive  
12 oral testimony on the draft scope of work  
13 today.

14 I want to note that we do not respond  
15 directly to the oral testimony today as part of  
16 this meeting, but there is a formal final scope  
17 of work that's issue where all of the  
18 substantive comments related to the  
19 environmental review will be addressed in a  
20 "response to comments" section of the final  
21 scope of work.

22 We will be accepting comments today from  
23 government agencies, elected officials, and the  
24 local community board, as well as the public.

25 I also want to note that today marks the

1 beginning of the written-comment period on the  
2 draft scope of work for this proposal. The  
3 written comment period will end on Monday,  
4 January 14th, 2019.

5 After the close of that comment period,  
6 the Department will consider all of the  
7 comments we've received, including all of those  
8 comments we've heard on Monday and comments  
9 that we are here today, as well as all of the  
10 written comments received through January 14th.

11 The Department then decides what changes,  
12 if any, are needed to the environmental review  
13 materials, and a final scope of work is issued.  
14 It is the final scope of work that will serve  
15 as the basis for preparing the draft impact  
16 statement.

17 Moving on to the format of today's  
18 meeting: today's meeting will be divided into  
19 three separate parts. During the first part  
20 the Department staff will make a brief  
21 presentation describing the proposal.

22 Following that, environmental consultants will  
23 summarize the draft scope of work and the  
24 environmental review.

25 During the second part of today's meeting,

1 the Department will hear comments from  
2 government agencies, elected officials, and  
3 community board representatives.

4 During the third and final part of today's  
5 meeting, we'll be receiving comments from  
6 members of the general public. Please let me  
7 know -- a few reminders and logistics:

8 For those of you who wish to speak, please  
9 fill out a speaker card. Now, the speaker  
10 cards will be available, um, at the front  
11 entrance of this room. Please fill out these  
12 speaker cards. These speaker cards will be  
13 read by me so that we can have people know when  
14 they are going to be lined up to speak.

15 We're going to be setting up the  
16 microphone a little bit closer to us, and  
17 please address all of the comments towards the  
18 front of the room instead of the general  
19 audience.

20 For members of the public, speaking time  
21 is generally limited to about three minutes.  
22 We'll let you know when your speaking time is  
23 up, and we ask that you please proceed, um,  
24 with wrapping up with your comments when this  
25 bell is sounded.

1 (Bell peals.)

2 We ask that everyone who wishes to speak  
3 today please submit the comments to the subject  
4 of the environmental review and draft scope of  
5 work. We do encourage you to let us know which  
6 subjects you'd like to see studied in the DEIS  
7 and to let us know how you would like the  
8 studies to be conducted.

9 This is not, however, once again, a public  
10 hearing on the project itself. The subject of  
11 today's meeting is the environmental review and  
12 the draft scope of work.

13 Okay. Now that we have that covered, we  
14 are going to now move on to the first part of  
15 the meeting. At this time, my colleagues from  
16 the Department of City Planning will make a  
17 presentation related to the proposed project  
18 followed by a presentation from the  
19 environmental consulting team, who will  
20 summarize the draft scope of work.

21 MS. JAIN: Thank you, Olga.

22 I am Monika Jain from the Department of  
23 City Planning. Myself, and my colleague, Juton  
24 Horstman, will be presenting the proposal  
25 overview.

1                   Um, so before that, we have an  
2                   introduction that contextualizes why these  
3                   natural areas are important and what is this  
4                   update all about. And as Olga mentioned, after  
5                   the proposal, we will have the environmental  
6                   consultant's overview of the draft scope of  
7                   work.

8                   So, on to the video now.

9                   (Video plays.)

10                  MS. JAIN: So, I hope that video gave an  
11                  overview of what this update is about and why  
12                  we need to preserve and protect our natural  
13                  areas.

14                  Just to emphasize a little bit more on  
15                  today's framework, um, as in the video, we  
16                  mentioned that every natural feature is looked  
17                  at side-by-side basis, not really considering  
18                  the connectivity to the neighboring sites.

19                  And, um -- and there are multiple number  
20                  of approvals that are required through City  
21                  Planning, even if a small property owner is  
22                  trying to, say, add a kitchen or do small  
23                  additions to their properties.

24                  And this review is not really based on the  
25                  size of the sites or kind of land use you're

1 proposing. If it is a small property of ten  
2 thousand square feet or if it is a four-acre  
3 site, they have to go through a similar process  
4 in the City Planning Commission review.

5 So, um, this proposal is trying to address  
6 that and create a consistent approach to the  
7 national-resource preservation.

8 We are here preserving trees, rock-out  
9 crops, all these natural features that sustain  
10 the neighborhood character. And, um, so having  
11 a clear and consistent approach and also  
12 addressing the updated ecological science,  
13 there has been advancements in ecological  
14 science and technology that can really  
15 emphasize where these areas are located.

16 So, creating that modernized, consistent  
17 approach to natural-resource preservation, we  
18 are looking at all of these special districts  
19 to that same lengths, but, at the same time,  
20 making sure that the unique character of each  
21 of these districts are maintained. We are  
22 creating five subdistricts.

23 If you see -- so the Riverdale/Fieldston  
24 will be a subdistrict within this special --  
25 Special Natural Resources District so that any



1 unique rules that pertain to these  
2 neighborhoods can still be retained.

3 As if you saw in the video, we recognize  
4 that the large, natural areas have -- are  
5 teeming with biodiversity issues and different  
6 kinds of plants and animals. And those are the  
7 areas that we really want to focus our  
8 attention on in terms of protecting.

9 And these areas -- most of these are  
10 already protected lands - protected by either  
11 parks or other entities, um, creating  
12 protection for those and establishing, um,  
13 resources, such as: transition buffers and  
14 prioritizing the rules based on where these  
15 areas are located, but, at the same time,  
16 maintaining the character of the entire areas  
17 where there will be regulations that will  
18 pertain to lot coverage, how much paid  
19 services you can have, the amount of trees that  
20 should be on there -- on your site, and the  
21 amount of permeability and biodiversity gardens  
22 should be on your site.

23 So, I walked through -- um, so, there are  
24 three ecological areas that are created based  
25 on this proximity to the larger natural

1 resources and where the steep slopes occur on  
2 these sites.

3 And there will be regulations that will be  
4 stricter for areas that are along the larger --  
5 that abut the large, natural areas and also  
6 stricter for areas that have steep slopes. And  
7 there will be consistent regulations all across  
8 the natural resources.

9 Um, this is giving you an example of if  
10 you are against or abutting this natural  
11 resource. We're calling it a resource-adjacent  
12 area. There are very few properties in the  
13 Riverdale/Fieldston neighborhood that abut the  
14 properties. But wherever that condition exists  
15 there will be a required contact buffer as a  
16 transition area that helps protect the habitat  
17 in these protected areas.

18 Also, to limit impact on these areas,  
19 there will be limited footprint that will be  
20 allowed. You would still be able to use your  
21 floor areas, but limited footprint and limits  
22 on the paved surfaces.

23 The goal of the special district, which  
24 is, um, same as the original goals is: to  
25 protect and preserve steep slopes.

1           So, there will be rules that would  
2 encourage the buildings be located on flatter  
3 portions of the site. And wherever there are  
4 steep slopes, you do most of the disturbances  
5 around your building to have your amenities and  
6 other things.

7           There will be rules regarding cut-and-fill  
8 and retaining wall, such that, you are  
9 developing along the slope of the site and not  
10 clear cutting or making track slopes. And,  
11 also, there will be limits on lot coverage and  
12 paid services.

13           For every other area, there will be  
14 regulations that encourage you to, um, preserve  
15 old-grove trees. That will be stricter than  
16 what's there today, and this mostly will result  
17 in more trees rather than less trees and  
18 preserving corridors in the back of your  
19 property so that there you can create these  
20 ecological corridors and connectivity to these  
21 trees and biodiversity gardens.

22           Oops - I think I forget to mention, but in  
23 these areas, as the video mentioned, the larger  
24 properties are where we are actually seeking  
25 opportunities to really preserve habitat.

1           These are properties that we have large  
2           portions that are undisturbed.

3           So, we require that at least twenty-five  
4           percent of the lot area should be preserved in  
5           perpetuity without being disturbed by the  
6           development, which doesn't exist today and it's  
7           a negotiated -- negotiation that happen, as  
8           well as the streams and wetlands that will be  
9           protected on these large properties.

10           And all of these large properties would  
11           come before a City Planning Commission review,  
12           which Juton will talk in detail about it.

13           MR. HORSTMAN: Thank you, Monika.

14           So, my name is Juton Horstman, project  
15           manager for the Bronx office.

16           So, regarding the decision making and how  
17           it works today's -- so today's everything is  
18           looked at on site-by-site and a  
19           feature-by-feature basis. What this means is  
20           any time anything that is impacted,  
21           essentially, you have to come into City  
22           Planning and get an approval, an authorization,  
23           a certification, or a special permit.

24           Um, City Planning has created some best  
25           practices over the years; however, a lot of

1 those best practices are not in the current  
2 text, so when we are working with applicants  
3 and negotiating, it is, um, limited on the  
4 amount of, um, power that City Planning has.

5 Um, so -- and then, the third piece is  
6 that the same rules apply across the board for  
7 both smaller and larger sites, institutions,  
8 um, small homeowners, and, um, the same amount  
9 of resources and requirements are across the  
10 board regardless of the actual impact of the  
11 natural features.

12 So, under the proposal, we would be  
13 looking at a more holistic, broader, ecological  
14 strategy, which would update and refine the  
15 approach of the preservation.

16 Using this strategy, we would identify  
17 certain significant ecological assets in the  
18 community, and we would then require rules for  
19 large and, um, ecological extensive sites.

20 So, these would be sites over one acre for  
21 sites limited within the district for  
22 development and new construction of private  
23 roads, and adjacent to these resources-adjacent  
24 areas.

25 This will ensure that the most important

1 sites still see City Planning review while the  
2 sites under one acre and that are not in those  
3 areas would go directly to DOB for "as of  
4 right" approvals.

5 So, what that also means is that -- that  
6 they would be -- they would still have to meet  
7 the underlining Special Natural District  
8 Regulations. They would just be able to do it  
9 directly through the Department of Buildings  
10 rather than coming through a discretionary  
11 process through the Department of City  
12 Planning.

13 This project requires an Environmental  
14 Impact Statement. Under that Environmental  
15 Impact Statement, we look at typical prototype  
16 examples of how the proposed rules would apply.  
17 And in order to do that, we also have to  
18 understand what is there today under the  
19 existing conditions.

20 So, we use this comparison of a future "no  
21 action," and what that means is what could  
22 happen on a site with no discretionary approval  
23 versus what could happen on the same site with  
24 -- under the proposal. So, I will go into an  
25 example of what that means:

1           So, this is a prototypical example. It is  
2           an existing condition site under ten thousand  
3           square feet that does not impact the  
4           significant natural features and would be able  
5           today to come in and -- would not require any  
6           City Planning Commission review.

7           This is very limited in scope today, as no  
8           sites over ten thousand square feet would  
9           impact natural features in some way. Um, under  
10          the written action condition, the proposal  
11          would allow the owner to go to Department of  
12          Buildings in order to meet the natural area  
13          rules.

14          Um, they would be able to show how they're  
15          meeting it by the trees, lot coverage,  
16          permeability. So, those three things would be  
17          changing under the proposal, um, which we -- we  
18          would provide greater site-planning  
19          flexibility, preserve the natural features  
20          while also achieving better open space,  
21          storm-water management, and providing more  
22          trees overall.

23          So, for sites over one acre and that  
24          require, um, site-plan review -- so at the end  
25          of the historic district, um, they would still

1 require City Planning approval. So under the  
2 existing, um, the -- we do not look at  
3 continuous habitat in the larger context --  
4 ecological context, again, site by site. So  
5 there's not really any predictability of long  
6 term.

7 Under the proposal, it would allow us to  
8 have a preservation requirement so that when  
9 we're, um, working with an applicant when they  
10 first come in, they would have an expectation  
11 that there would be a 25 percent preservation  
12 requirement in order to ensure the Natural-area  
13 District is preserved.

14 In addition, um, for sites over one acre  
15 that also -- um, so the example sites over one  
16 acre, there would be a 35-percent requirement  
17 for preservation and a 15-percent open-space  
18 requirement.

19 In addition, there would be an option for  
20 a campus-plan type long-to-long term where we  
21 could actually plan long-term for the  
22 development of either residential or City  
23 proposals.

24 So, the idea here is that it would also  
25 strengthen and clarify the process for the



1 large sites. It would set expectations for  
2 what needs to be preserved, how it will be  
3 preserved while still requiring the review that  
4 would be needed for these larger projects.

5 So, I am going to turn it over to Jonathan  
6 Kerry, who is our environmental consultant.

7 MR. KERRY: Hi, everyone, good evening.  
8 My name is Jonathan Kerry. I work for Louis  
9 Berger requiring the environmental consulting  
10 firm on the project. We're joined by Phillip  
11 and leave & Associates.

12 Okay. So, this is the Environmental  
13 Review process in a really quick nutshell.  
14 I'll will walk through this. We're starting  
15 here, and we're going to go in this direction  
16 clockwise.

17 (Indicating.)

18 So, the City Environmental Quality Review  
19 is required when there is a rezoning or a  
20 zoning text amendment of this magnitude. This  
21 affects a large portion of Staten Island as  
22 well as a large portion of the Bronx. So, the  
23 City is required to analyze the environmental  
24 impacts of the projects. So, they said, "yes,  
25 it's required."

1                   And we work for the City Planning  
2                   Department to prepare an Environmental  
3                   Assessment Statement. This is in the back of  
4                   the room included in those booklets. This is a  
5                   checklist format that looks at the overall  
6                   proposed action -- this zoning text and map  
7                   amendment -- and determines whether there were  
8                   just based on the face of looking at it --  
9                   there might be environmental impacts. Okay.  
10                  And it was determined that, yes, there is the  
11                  potential for impacts.

12                  So, the consulting team worked for the  
13                  City to prepare a draft scope of work for an  
14                  Environmental Impact Statement. That  
15                  Environmental Impact Statement will analyze all  
16                  of these potential impacts. So, both the EAS  
17                  and the draft scope of work are in the back of  
18                  the room.

19                  So, right now, up here in the upper  
20                  right-hand corner -- this is the second of two  
21                  public scoping sessions. After we get your  
22                  feedback and the public hearing closes in  
23                  January, we will prepare the final scope of  
24                  work for this environmental document. And's  
25                  that's here.

1 (Indicating.)

2 And then, that's where the real work is.  
3 We take all of your feedback as well as use the  
4 City's guidance called: the CEQR Technical  
5 Manual to prepare the Environmental Impact  
6 Statement.

7 That is then published, and there is  
8 another public hearing for the public and  
9 public agencies to comment on the analysis.  
10 And then, a final document is prepared.

11 Only at this period, at this point, once  
12 the final document is complete is any decision  
13 made on the action. And then, that's when  
14 CEQR is complete.

15 So, to mentioned that this is a generic  
16 action. We were talking about prototypical  
17 sites earlier. There is no specific  
18 development site, which makes this a unique  
19 analysis. Much more often, there is a  
20 development in a specific location, and you can  
21 analyze the relative impacts around that  
22 location.

23 In this case, this is a large rezoning  
24 that, as I said, applies to large areas. So we  
25 have to generically analyze impacts, and this

1 guidance actually comes from regulations, um,  
2 State regulations about environmental review.

3 So we're analyzing these prototypical  
4 sites assuming they could be almost anywhere  
5 within the rezoning area based on rezoning  
6 districts.

7 So, as I said, there's an Environmental  
8 Assessment Statement and a draft scope of work,  
9 and we encourage you to read them both, or at  
10 least skim through them. They're in the back  
11 of the room, and they're also available online.

12 They were issued on November 9th, and they  
13 analyze the proposed action. The analysis here  
14 for this is -- is 2029.

15 Um, the point is not to analyze existing  
16 conditions versus the proposed action, but  
17 analyze, as we said earlier, the future without  
18 the action to the proposed action.

19 So, in 2029, how can you do things without  
20 these text amendments versus how you could do  
21 them with the text amendments, and what would  
22 be the impact on the environment associated  
23 with those differences.

24 So, this is a list of the chapters that  
25 are in the Environmental Impact Statement. Um,

1 almost all of these are always included in the  
2 EIS. I just want to focus on the two that are  
3 highlighted here. These are specific to  
4 locations.

5 So, for example, under the shadow  
6 analysis, some of these prototype sites might  
7 allow for slightly taller buildings or slightly  
8 bulkier buildings, and those shadows might be  
9 cast on a natural resource. We're charged with  
10 analyzing what could happen, and what could be  
11 the environmental impacts.

12 (outside noise ensues.)

13 I think they're having more fun than we  
14 are.

15 Similarly, historic and natural resources,  
16 all right, if these sites are redeveloped  
17 according to the new zoning text, could there  
18 be impacts to these resources, which are  
19 already existing either in the ground or  
20 nearby?

21 And, lastly, just to cover hazardous  
22 materials, those aren't really considered  
23 resources in as much as contamination we want  
24 to avoid. Or if you do have to handle a  
25 contaminated site, we want to address it using

1 standard protocols. So we'll analyze whether  
2 development occurs in these hazardous sites,  
3 and, if so, what could be the environmental  
4 impact.

5 I'll turn it back over to City Planning.

6 MS. ABINADER: Thank you. We are now  
7 going to transition to the second part of the  
8 public scoping meeting. At this time, we're  
9 going to be receiving comments from any elected  
10 officials, community board representatives, and  
11 representatives of government agencies.

12 Our first speaker is Georgina Cullman from  
13 NYC Parks.

14 MS. CULLMAN: Hi. Thank you for the  
15 opportunity. I'm here to give a statement in  
16 support of the proposed zoning text amendment  
17 on behalf of forest, natural resources division  
18 of the New York City Parks.

19 So, the New York City Parks is home to the  
20 over 22,000 acres of natural areas, almost 12  
21 percent of the city's land area. New York City  
22 Parks manages over half of these grasslands,  
23 wetlands, and forests.

24 These habitats are critical infrastructure  
25 for the city where people can enjoy a respite

1 from city life and from which many benefits  
2 flow including flood protection and  
3 thermoregulation.

4 New York City's natural areas are also  
5 critical for migratory and resident wildlife,  
6 including diamondback terrapins, ospreys,  
7 leopard frogs, monarch butterflies, snowy  
8 egrets, wood thrush, and more, some of which I  
9 can go on forever about.

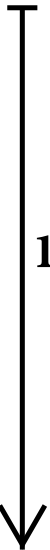
10 The parks in the Special District in the  
11 Bronx - Riverdale, Raoul Wallenberg Forest, and  
12 Seton Park - are the backbone of this leafy  
13 neighborhood. These parks include some of the  
14 riparian, hardwood forests in the city, with  
15 large basswood trees. The natural habitats  
16 that are found beyond Parks borders still face  
17 threats.

18 For example, in the 5-year period from  
19 2004-2009, impervious surfaces (like parking  
20 lots) in New York City increased by 2,600  
21 acres, often at the expense of natural  
22 habitats. The proposed zoning amendment will  
23 help to better protect these habitats.

24 We at NYC Parks are proud of the work we  
25 are doing to safeguard natural resource on

**Cullman**

**1**



1 Parks property. The proposed updates for the  
2 Special Districts will enhance these benefits  
3 and better secure their provision into the  
4 future.

5 We would like to express our support for  
6 the proposed amendment in general and to call  
7 attention to three features of the proposed  
8 update that are particularly important for the  
9 protection and enhancement of benefits from  
10 natural resources.

11 The first is the requirement to protect a  
12 portion of existing habitat on sites that are  
13 larger than one acre. The patches of habitat  
14 that remain following development will be  
15 critical stepping stones for wildlife like  
16 native pollinators while also serving to absorb  
17 storm water. Research has shown that small  
18 patches of a quarter-acre in size can  
19 significantly improve connectivity across a  
20 landscape and contribute to the bolstering of  
21 wildlife populations.

22 The second part of the proposed amendment  
23 for which we would like to highlight our  
24 support is the requirement of establishing  
25 buffers on properties adjacent to natural





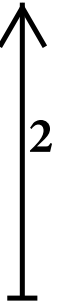
1 areas. These buffers help to enhance the  
2 quality of publicly held habitats. They also  
3 serve to enhance the park-like neighborhood  
4 character.

5 Finally, they can mitigate many negative  
6 impacts from private properties that adjoin  
7 publicly held natural areas. For homeowners,  
8 these buffers can also help to decrease  
9 flooding risk.

10 Third, we wish to express our support for  
11 the promotion of native planting in the zoning  
12 text. Native plants provide many benefits to  
13 the environment. They aid in saving waters  
14 savings over conventional gardens, lower  
15 maintenance costs and reduce noise pollution  
16 from traditional mowing.

17 Also, they provide connectivity for  
18 nature's services, such as: pollination, water  
19 retention and wildlife habitat.

20 The proposed update to the zoning text  
21 will ensure that future generations of New  
22 Yorkers will be able to enjoy the myriad  
23 benefits of this environment - clean water,  
24 clean air, flood mitigation, and nature  
25 recreation - while also sustaining many wild





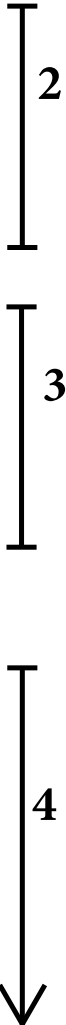
1 positive impact on home owners; so I am open to  
2 it.

3 But, again, there are a number of  
4 concerns, and they're not particularly, I  
5 think, strictly environmental, but more of an  
6 indication, like, particularly, I'm concerned  
7 about City Planning, um, not being involved on  
8 the less-than-one-acre sites.

9 I think that I don't -- I don't have any  
10 confidence that DOB should be arbiter of  
11 whether or not -- of a Special Natural Area  
12 District requirements. Um, there has to  
13 include some way to include some leeway on the  
14 small sites.

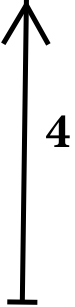
15 And then, I've had some other suggestions  
16 on the public signage. Um, and, um, I had  
17 another suggestion. But really, I just think  
18 that the process has to be collaborative. It  
19 has to be taken -- these changes should not be  
20 taken lightly.

21 And also, the last issue -- and I know  
22 there that is also going to be a Riverdale  
23 sub-districts, but really, that going forward  
24 that we have the ability to, um, tailor changes  
25 to the Bronx that might not be applicable to



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the Staten Island or vice versa.  
So, making sure that their subdistricts  
have clearly divided in the proposal.  
Thank you.  
(Applause.)  
MS. ABINADER: Thank you, council member.  
Are there any other -- is there anyone  
else who comes from a government agency, or who  
is an elected official, or community board  
representative, who wishes to speak at this  
moment?  
If there is, please remember to fill out a  
speaker card.  
(Pause.)  
Okay. Seeing that there are none at this  
time, we will now proceed to the third part of  
the public scoping meeting where members of the  
general public will be able to speak.  
Please remember that we will try to  
monitor the time that people are speaking so we  
have a reasonable, um, time to get home. And I  
will ring a bell when the time is up.  
But seeing that, at this moment, we only  
have two speaker cards, we'll -- we'll relax  
the time a little bit so that you have a little



1 bit more than three minutes.

2 So, our first speaker is Hal Dorfman, and  
3 please correct me if I've mispronouncing your  
4 name.

5 MR. DORFMAN: My name is Hal Dorfman. I'm  
6 an architect, and I've been representing and  
7 assisting property owners in the neighborhood  
8 here in Riverdale over the last 20 years.

9 First, I think it's, um -- it's a good  
10 civic effort to redo the zoning. It was just  
11 done about 15 years ago, and it was helpful  
12 when it was done then. So, I compliment you on  
13 taking this challenge.

14 I have a few comments, and the first has  
15 to do to follow-up with what the councilman  
16 says.

17 The Bronx is not Staten Island. And the  
18 representation of somebody saying it's a large  
19 area of the Bronx, Riverdale and Fieldston are  
20 a tiny area of the Bronx, and as compared to  
21 the areas in Staten Island it's just as tiny.

22 Um, I believe that even though you are  
23 incorporating the special area, if you want to  
24 combine these two district and make one  
25 super-district, the Bronx should really -- the

**Dorfman**

**1**



1 Riverdale SNAD area should remain as a special  
2 area unto itself, and it should be defined.

3 We're a hilly, mountainous, rocky area.  
4 And that's a -- there's trees and boulders, but  
5 it's more of a sandy, beachy, um, more of a --  
6 a salt-water area. This is more of a  
7 fresh-water, as we're higher up the river.

8 Um, number two, um, I believe that, um,  
9 even trying to provide more stringent  
10 guidelines that the building department could  
11 review in smaller districts is, um, not the  
12 best interest of the City because the Building  
13 Department -- and I said this last time you had  
14 a meeting here a few months ago. And the  
15 Building Commission was here -- not to offend  
16 him -- but they have a lot to do in term of  
17 overall zoning approvals on many different  
18 types, and this is really a specialty with  
19 Botanic environments, it's rock-out crops, it's  
20 trees, it's all sorts of coverage.

21 And plan examiners, even if you give them  
22 the work, it's gonna cause a lot of delays in  
23 trying to get approval because they're not  
24 really equipped to handle this. Truly, they're  
25 not.



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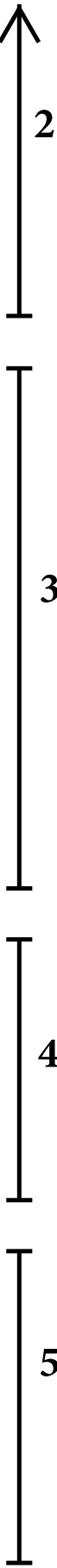
And I -- I've filed a dozen of these over the years. And, they're just not the best people. It really should be handled by trained staff at City Planning.

The third comment that I have, um, is that I saw the chart at the end of the 103-page proposal that I tried to get through in a couple of hours. It's really impossible, and I have experience in using this text.

It really needs, um -- this is more addressed to consultant -- it really needs a section-by-section comparison of how it's going to change and what effect this is going to have.

Um, and the two questions that I have for you, um, in listening to this proposal is: um, one, I don't -- I think with the holiday season coming up next week, I think this should be extended to the end of January; that's my first comment.

And the last -- my question is: is the boundaries in Riverdale Natural Area SNAD district -- are there any contemplations for changing those boundaries on the map besides part of this proposal?



1           So, that -- that's a question I actually  
2           have for you. I'd like to know if that's part  
3           of it.

4           MS. ABINADER: So, we can have someone  
5           speak with you right after you're done with  
6           your public comments.

7           MR. DORFMAN: Sure.

8           MS. ABINADER: But, like I said, right now  
9           what we're doing is taking comments for the  
10          record. Your comments will be addressed in  
11          writing as part of the volunteer review.

12          And I'm sure we can have someone volunteer  
13          to address your concerns and provide a more  
14          formal response once the final draft scope of  
15          work is issued because it's in the process.

16          MR. DORFMAN: So, in summary, it's -- I  
17          think that the Bronx is very different from  
18          Staten Island, but it still should remain as a  
19          separate district, and that, um, that CPC staff  
20          shouldn't handle the sites that are under an  
21          acre.

22          And even though there maybe different  
23          regulations and it may be even simpler than the  
24          certification process.

25          And then, um, again there should be a



1 side-by-side comparison and section-by-section  
2 available.

3 And -- and lastly the public comment's  
4 section, um, after somebody's did the  
5 side-by-side comparison and provided it on the  
6 website that I could review, um, and  
7 understand, um -- I only have a little bit more  
8 time to comment than just the --

9 MS. ABINADER: Thank you very much.

10 MR. DORFMAN: You're welcome.

11 MS. ABINADER: We'll definitely take your  
12 comments into consideration.

13 Our next speaker is Paula Kaplan.

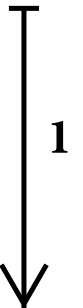
14 MS. KAPLAN: Good evening.

15 MS. ABINADER: Good evening.

16 MS. KAPLAN: My name is Paula Loewry  
17 Kaplan. I am an urban planner experienced in  
18 New York City land use and zoning and a  
19 resident of the Riverdale Natural Area  
20 District.

21 I understand the stated reasons for  
22 updating SNAD rules, but this redraft raises  
23 serious issues. My comments address one major  
24 flaw in the current SNAD that this proposal  
25 fails to rectify: the lack of enforcement.

**Kaplan**



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Several problems would prevail: one, home owners are often unaware of restrictions on tree removal or SNAD regulations.

Two, property owners, residences, institutions, businesses may be aware of SNAD rules but choose to disregard them. There are no penalties for violating SNAD. Building plan reviewers do not consistently apply SNAD rules owing either to lack of comprehension or inattention, or to both.

The zoning resolutions actually allows violators to request permission, retroactively, for an illegal act. Once a tree or a slope or an outcropping has been removed, it is gone. But the zoning allows someone to disregard the rules and then proceed with impunity.

The proposed rules do not appear less complicated than the old ones. The tree-credit system is extremely complex. While the revisions could increase predictability by reducing discretionary resource reviews, they do not address the implementation deficit.

Based on SNAD history, it is unrealistic to think plan examiners will receive the extensive training needed. Neither the draft



1 scope of work nor the proposed SNAD revisions  
2 suggest a remedy to these problems.

3 Thank you.

4 MS. ABINADER: Thank you very much, and  
5 we'll take your written comments.

6 Our next speaker is I.C. Levenberg-Engle.

7 MR. LEVENBERG-ENGLE: My name is I.C.  
8 Levenberg-Engle. Riverdale resident and member  
9 of the Bronx Council for Environmental Quality  
10 and Riverdale Nature Preservancy, which is how  
11 I found out about tonight's meeting.

12 As a biologist, I think that there's  
13 habitat everywhere. There is -- there's a  
14 comment, for example, that there is a whole  
15 eco-system in a sup of water.

**Levenberg-Engle**

16 For that reason, I would like to echo  
17 Councilman Cohen's remark that areas under an  
18 acre should be considered. No habitat is too  
19 small. Small, under-one-acre areas may be  
20 contiguous; so if there were three or four of  
21 them that weren't reviewed, it would be  
22 removing a corridor.

23 Thank you.

24 MS. ABINADER: Thank you very much for  
25 your comments.

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1           Are there any other speakers who have  
2           signed up with a speaker card and wish to  
3           speak? Is there anyone else who has changed  
4           their mind and would like to fill out a speaker  
5           card and speak at this time?

6           Yes.

7           MR. GALVAN: Are we allowed to ask  
8           questions? I really have two or three  
9           questions.

10          MS. ABINADER: You're allowed to ask  
11          questions, and they'll be part of the record,  
12          and we will respond formally in writing.

13          MR. GALVAN: Okay.

14          MS. ABINADER: And we do have Carroll,  
15          director of the Bronx office, who is able to  
16          answer questions in the back of the room.

17          Would you like to come up and speak for  
18          the record?

19          MR. GALVAN: Yeah, sure.

20          MS. ABINADER: We'll have you fill out a  
21          speaker card afterward. If you could please  
22          identify yourself.

23          MR. GALVAN: Sure. I'm David Galvan. I  
24          have happen to be a member of Community Board  
25          No. 8 just a couple of questions: One,

1           frankly, I don't understand what is the  
2           different between the EAS and an EIS, which you  
3           can probably answer for the group?

4           Also, I would like to know some numbers on  
5           the plots. In -- in the Riverdale area, how  
6           many plots do we have that are less than an  
7           acre, and how many that are more than an acre?

8           I think I asked you that last time, but I  
9           would like to know what that is. It seems like  
10          there aren't a lot more than an acre, except  
11          for the institutions.

12          And really a follow-on to Paula's comment:  
13          what, if any, um, controls or protections are  
14          there if somebody does, um, cut down an  
15          old-grove tree? Because that has happened, and  
16          I don't know if that is a contemplated in your,  
17          um, your planning and, um, revisions.

18          MS. ABINADER: Thank you very much for  
19          your comments.

20          Is there anyone else who wishes to be  
21          heard?

22          (Pause.)

23          Yes, please step up.

24          And can someone also help her fill out a  
25          speaker card?

1

1                   And please identify yourself.

2                   MS. HAVENS: Hi, my name is René Havens.  
3 I'm a homeowner. I would be considered in the  
4 "buffer over one acre" property owner.                   **Havens**

5                   I, um, commend the idea of having Special  
6 NAD District Rules apply, but I -- as the other  
7 speaker said, am very concerned that it seems  
8 random that it's one acre versus  $\frac{3}{4}$  of an acre  
9 versus  $\frac{1}{4}$  of an acre.

10                   I don't see how that's going to be help.  
11 In fact, I think it's going to make it much  
12 worse in my neighborhood. I think there gonna  
13 be -- there won't be oversight from the  
14 Planning Department. Trees are going to be cut  
15 down. I've seen it happen in my neighborhood.  
16 Anyway -- um, but it's just going to make it  
17 worse without the oversight.

18                   MS. ABINADER: We thank you for your  
19 comments.

20                   Is there anyone would wishes to speak at  
21 this time?

22                   (Pause.)

23                   All right. We're going to have a brief  
24 15-minute pause to allow anyone who is either  
25 coming in a little bit late or who wants to

1

1 change their mind and come up and speak to have  
2 their voices heard.

3 The time is approximately -- someone can  
4 help me -- 5:10 p.m. So, we're going to resume  
5 in approximately 15 minutes before we formally  
6 close the public scoping meeting.

7 Thanks to all who have spoken so far.

8 (Brief recess held.)

9 (Recommenced at 5:20 p.m.)

10 MS. ABINADER: If everyone can make their  
11 way back to their seats, we're going to get  
12 started again. Okay. So, we're going to  
13 resume now. Thanks, everyone.

14 So, we're going to continue with the third  
15 part of the public scoping meeting where  
16 members of the public are invited to speak.  
17 And I currently do not see any speaker cards  
18 compared to what I had before.

19 Is there anyone who would like to fill out  
20 a speaker card and speak at this time?

21 (Audience member raises hand.)

22 Okay. If you could, please identify  
23 yourself, um, for the record.

24 MS. SPAULDING: Lori Spaulding. Um, I  
25 just had an interesting conversation. I'd like

1 to learn more about, um, the follow-up when the  
2 rules have not followed by the homeowner or by  
3 an institution.

**Spaulding**

4 Like Paula Kaplan was saying, we don't  
5 have, um, any teeth. So, um, restitution plan,  
6 if they get caught. If they don't get caught,  
7 they don't have to do anything. Then they've  
8 avoided the special management area, you know,  
9 law, you know, and they've gotten away with it.

10 Juton was saying something about the rules  
11 with the DOB to make it easier to, um -- if I  
12 heard right. We'd like to learn more about  
13 that because it's -- it's the lack of  
14 enforcement of the SNAD, um, that's lacking,  
15 and that we're very concerned about.

**1**

16 Um, the other thing is that, um, you know,  
17 I'm not speaking for the community board; I'm  
18 speaking as an individual.

19 I'm on the community board, but we look at  
20 things holistically. And we look at property,  
21 and we often get to see neighbors come in, um,  
22 and look at it from everyone's point of view  
23 and every vantage point.

24 And sometimes those suggestions make the  
25 project better. You get, you know, a higher



1 hedge, a different fence, or a different  
2 placement. I think that those kinds of  
3 improvements are good all along, you know,  
4 looking at not just involving your plot but  
5 looking at the impact from all over.

6 I'm not sure how the new rules address  
7 that kind of ballistic, um, you know, houses  
8 being next to each other, um, three, four  
9 houses on the block having construction.

10 Say, you know, we're just concerned about  
11 overdevelopment, inappropriate development,  
12 lack of enforcement when there is development.

13 Of course, there's always going to be  
14 development. People want to alter their house;  
15 we understand -- I understand. I shouldn't say  
16 "we."

17 I understand it's a financial hardship.  
18 But, uh, oftentimes on their own, people will  
19 knock down something and then try to put up a  
20 new arrangement.

21 You know, I mean, this is the way the City  
22 has gone. Um, this is the way we're seeing it  
23 outside of the Natural Area District, it's no  
24 different there. Again, enforcement and rules,  
25 we would be more interested in seeing that.

1

1 Thank you.

2 MS. ABINADER: Thank you.

3 Would someone please help her fill out a  
4 speaker card? That would be great.

5 I did notice that we had a couple of  
6 newcomers that are just -- um, we are in the  
7 third part of the public scoping meeting where  
8 we are receiving comments from the members of  
9 the public. Is there anyone who just arrived a  
10 few moments ago, who would like to have their  
11 voices heard from?

12 (Pause.)

13 (Continued on the following page.)

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1                   Okay, seeing that there are no more  
2                   speakers who wish to speak at this time, we  
3                   will close the public scoping meeting.

4                   As a reminder, anyone who wishes to do so  
5                   may want to submit in. No January early 2009 the  
6                   e-mail address natural areas is written on the  
7                   scene is noted in the presentation is the  
8                   e-mail address that we will use to collect  
9                   those comments.

10                  It is currently, approximately, 5:30 p.m.  
11                  And the public scoping meeting for this  
12                  proposal is now closed.

13                  Thank you all for coming. Good night.

14                               (Time noted: 5:30 p.m.)

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CERTIFICATE OF NOTARY

STATE OF NEW YORK     )  
COUNTY OF BRONX     )

I, Curtis Williams, a Stenotype Shorthand Reporter and Notary Public within and for the State of New York, do hereby certify that the within Scoping Meeting Update, was held before me, and I faithfully and impartially recorded stenographically the questions, answers, and colloquy.

I further certify that after said examination was recorded stenographically by me, it was reduced to typewriting under my supervision, and I hereby submit that the within contents of said examination are true and accurate to the best of my ability.

I further certify that I am not a relative nor an attorney for any of the parties connected with the aforesaid examination, nor am I otherwise interested in the testimony of the witness.

  
Curtis Williams

<p><b>&amp;</b> 19:11</p> <p><b>103page</b> 33:6</p> <p><b>14th</b> 6:4,10</p> <p><b>15minute</b> 40:24</p> <p><b>15percent</b> 18:17</p> <p><b>19dcp083y</b> 1:7 3:11</p> <p><b>35percent</b> 18:16</p> <p><b>5year</b> 25:18</p> <p><b>9th</b> 22:12</p> <p><b>ability</b> 29:24 46:17</p> <p><b>abinader</b> 2:3 3:1,13 24:6 28:4 30:6 34:4,8 35:9,11,15 37:4,24 38:10,14,20 39:18 40:18 41:10 44:2 (20)</p> <p><b>able</b> 12:20 16:8 17:4,14 27:22 30:18 38:15 (7)</p> <p><b>about</b> 7:21 9:4,11 14:12 21:16 22:2 25:9 28:13 29:7 31:11 37:11 42:1,10,12,15 43:10 (16)</p> <p><b>absorb</b> 26:16</p> <p><b>abut</b> 12:5,13</p> <p><b>abutting</b> 12:10</p> <p><b>accepting</b> 5:22</p> <p><b>according</b> 23:17</p> <p><b>accurate</b> 46:16</p>	<p><b>achieving</b> 17:20</p> <p><b>acre</b> 15:20 16:2 17:23 18:14,16 26:13 34:21 37:18 39:7,7,10 40:4,8,8,9 (15)</p> <p><b>acres</b> 24:20 25:21</p> <p><b>across</b> 12:7 15:6,9 26:19 28:2 (5)</p> <p><b>act</b> 36:13</p> <p><b>acting</b> 3:14,18 5:11</p> <p><b>action</b> 16:21 17:10 20:6 21:13,16 22:13,16,18,18 (9)</p> <p><b>actual</b> 15:10</p> <p><b>actually</b> 13:24 18:21 22:1 34:1 36:11 (5)</p> <p><b>add</b> 9:22</p> <p><b>addition</b> 18:14,19</p> <p><b>additions</b> 9:23</p> <p><b>address</b> 7:17 10:5 23:25 34:13 35:23 36:22 43:6 45:6,8 (9)</p> <p><b>addressed</b> 5:19 33:11 34:10</p> <p><b>addressing</b> 10:12</p> <p><b>adjacent</b> 15:23 26:25</p> <p><b>adjoin</b> 27:6</p> <p><b>advancements</b></p>	<p>10:13</p> <p><b>affects</b> 19:21</p> <p><b>aforsaid</b> 46:20</p> <p><b>after</b> 6:5 9:4 20:21 34:5 35:4 46:12 (6)</p> <p><b>afternoon</b> 3:1 28:6</p> <p><b>afterward</b> 38:21</p> <p><b>again</b> 3:3 8:9 18:4 28:22 29:3 34:25 41:12 43:24 (8)</p> <p><b>against</b> 12:10</p> <p><b>agencies</b> 5:23 7:2 21:9 24:11 (4)</p> <p><b>agency</b> 3:20,21 5:11 30:8 (4)</p> <p><b>ago</b> 31:11 32:14 44:10</p> <p><b>aid</b> 27:13</p> <p><b>air</b> 27:24</p> <p><b>allow</b> 5:5 17:11 18:7 23:7 40:24 (5)</p> <p><b>allowed</b> 12:20 38:7,10</p> <p><b>allows</b> 5:8 36:11,15</p> <p><b>almost</b> 22:4 23:1 24:20</p> <p><b>along</b> 12:4 13:9 43:3</p> <p><b>already</b> 11:10 23:19 28:14</p>	<p><b>also</b> 4:7,21 5:1,25 10:11 12:5,18 13:11 16:5,17 17:20 18:15,24 22:11 25:4 26:16 27:2,8,17,25 29:21,22 39:4,24 (24)</p> <p><b>alter</b> 43:14</p> <p><b>always</b> 23:1 43:13</p> <p><b>am</b> 8:22 19:5 28:11,11 29:1 35:17 40:7 46:18,20 (9)</p> <p><b>amendment</b> 19:20 20:7 24:16 25:22 26:6,22 (6)</p> <p><b>amendments</b> 22:20,21</p> <p><b>amenities</b> 13:5</p> <p><b>amount</b> 11:19,21 15:4,8 (4)</p> <p><b>analyses</b> 4:20</p> <p><b>analysis</b> 21:9,19 22:13 23:6 (4)</p> <p><b>analyze</b> 19:23 20:15 21:21,25 22:13,15,17 24:1 (8)</p> <p><b>analyzed</b> 4:17</p> <p><b>analyzing</b> 22:3 23:10</p> <p><b>and's</b> 20:24</p> <p><b>andrew</b> 28:5</p> <p><b>animals</b> 11:6 28:1</p>	<p><b>another</b> 21:8 29:17</p> <p><b>answer</b> 38:16 39:3</p> <p><b>answers</b> 46:11</p> <p><b>anyone</b> 30:7 38:3 39:20 40:20,24 41:19 44:9 45:4 (8)</p> <p><b>anything</b> 14:20 42:7</p> <p><b>anyway</b> 40:16</p> <p><b>anywhere</b> 22:4</p> <p><b>appear</b> 36:17</p> <p><b>applause</b> 30:5</p> <p><b>applicable</b> 29:25</p> <p><b>applicant</b> 18:9</p> <p><b>applicants</b> 15:2</p> <p><b>application</b> 3:10</p> <p><b>applies</b> 21:24</p> <p><b>apply</b> 15:6 16:16 36:8 40:6 (4)</p> <p><b>approach</b> 10:6,11,17 15:15 (4)</p> <p><b>approval</b> 14:22 16:22 18:1 32:23 (4)</p> <p><b>approvals</b> 9:20 16:4 32:17</p> <p><b>approximately</b> 3:12 41:3,5 45:10 (4)</p> <p><b>arbiter</b> 29:10</p>
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