

South Avenue Retail Development
~~Draft-Final~~ Scope of Work for Preparation of a
Draft Environmental Impact Statement
CEQR No. 17DCP030R

A. INTRODUCTION

This ~~Draft-Final~~ Scope of Work outlines the technical areas to be analyzed in the preparation of an Environmental Impact Statement (EIS) for a proposed retail development, located near the intersection of Forest Avenue and South Avenue in Staten Island (the proposed project). The development site is located at 534 South Avenue (Block 1707, Lots 1 and 5) in the Mariners Harbor neighborhood of Staten Island Community District 1 (see **Figure 1**). The 28.3-acre project site is located in a M1-1 zoning district and is bounded by Forest Avenue and Wemple Street (which is mapped but not built) to the north, South Avenue to the east, Amador Street (which is mapped but not built), to the south, and Morrow Street (which is partially built and partially unbuilt) to the west.

The applicant, Josif A LLC, is requesting a special permit pursuant to Zoning Resolution (ZR) Section 74-922 to allow retail establishments with Use Group (UG) 6 and 10A uses in excess of 10,000 zoning square feet (zsf) in an M1-1 district. In addition, the applicant is requesting ~~and~~ an amendment to the City Map to demap portions of Garrick Street, Amador Street, Albany Avenue, and Morrow Street (unbuilt streets) and to map a new section of Morrow Street; the mapping action would also ~~and~~ realign the intersection of Morrow Street and Forest Avenue. The proposed actions would facilitate a proposal by the applicant to develop a total of 219,377 zsf¹ (or approximately 226,000 gross square feet [gsf]) of UG 6, UG 10A, and UG 16 uses, and 838 required accessory parking spaces.

The proposed actions would facilitate the applicant's proposal through approval of the site plan, which establishes the location, maximum floor area, allowable UGs, and building footprint of the proposed development, and the configuration and number of parking spaces. The proposed development would therefore be limited to the building footprints, UGs, and floor area shown on the authorized site plan and the layout and maximum number of parking spaces. However, the site plan does not set the size and location of the individual tenants within the development, which may include general retail space, a supermarket, a wholesale warehouse facility, and a gas station; these spaces could fall under UGs 6 (local retail establishments), UG 10A (large retail establishments), and UG 16 (semi-industrial facilities, including automotive uses), and the site plan allows flexibility for where the approved and permitted uses are located within the approved development footprint. As described below, a Reasonable Worst Case Development Scenario (RWCDs) has been established for the environmental review. The RWCDs is definite

¹ Total includes 218,625 zsf of UG 6 or 10A retail space in five buildings (Retail A through E), a 355 zsf gas station, and a 397 zsf automated bank teller.

5/31/2017



★ Project Site

0 2 MILES

Forest Avenue and South Avenue Retail Development

in terms of UGs and the sizes of development footprints, but is illustrative in terms of tenant uses. The RWCDS includes approximately 92,000 gsf of UG 10A wholesale warehouse space, 67,000 gsf of UG 6 supermarket space, 66,000 gsf of UG 6 or 10A general retail uses, 500 gsf of UG 16 gas station space, 500 gsf of UG 6 automated bank teller space¹, and 838 at-grade accessory parking spaces (see **Figure 2a**). It is anticipated that the proposed project would be completed by 2019.

The New York City Department of City Planning (DCP), acting on behalf of the City Planning Commission (CPC), will be the lead agency for the environmental review. Based on the prepared Environmental Assessment Statement (EAS), the lead agency has determined that the proposed project has the potential to result in significant adverse environmental impacts, requiring that an EIS be prepared. This ~~Draft-Final~~ Scope of Work outlines the technical areas to be analyzed in the preparation of a Draft EIS (DEIS) for the proposed project. Scoping is the first step in the preparation of the EIS and provides an early opportunity for the public and other agencies to be involved in the EIS process. It is intended to determine the range of issues and considerations to be evaluated in the EIS. This ~~Draft-Final~~ Scope of Work includes a description of the proposed project and the actions necessary for its implementation, presents the proposed framework for the EIS analysis, and discusses the procedures to be followed in the preparation of the DEIS. The *City Environmental Quality Review (CEQR) Technical Manual* will serve as a general guide on the methodologies and impact criteria for evaluating the proposed project's effects on the various environmental areas of analysis.

B. PROJECT DESCRIPTION

ACTIONS NECESSARY TO FACILITATE THE PROPOSAL

The applicant is requesting the following discretionary actions:

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

In addition to the CPC actions, a New York State Department of Environmental Conservation (NYSDEC) freshwater wetlands permit is required for the proposed project.² The proposed

¹ For purposes of analysis, gross square foot areas are approximate and are calculated based on a 3 percent adjustment to zoning floor area; the gas station and automated bank teller spaces are of roughly equal size in zoning floor area (355 zsf and 397 zsf, respectively) and are therefore assumed to each have approximately 500 gsf of space.

² A 2012 Stipulation Agreement issued by NYSDEC establishes a site plan for the project site with the area that is permitted to be developed; any development that conforms to the agreed-to development footprint is permitted. As discussed below, both the proposed project and the No Action scenario development conform with the NYSDEC-approved site plan and development footprint. Per a ~~2012~~ the Stipulation Agreement, DEC determined that the only individual permit necessary for the proposed development is a freshwater wetland permit and a State Pollutant Discharge Elimination System



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

DESCRIPTION OF THE PROJECT AREA

DEVELOPMENT SITE

The development site is a vacant wooded parcel with approximately 6.94~~3~~ acres of mapped NYSDEC and USACE jurisdictional wetland areas along the southern portion of the 28.3-acre zoning lot. For a period starting in the 1930s, the site was developed with several residential dwellings; a go-cart track was constructed on the northern side of the site in the 1960s. Beginning in the 1950s and 1960s, the adjacent blocks were developed, which resulted in changes to the natural ecosystem in the area. In particular, a freshwater brook that led to the wetlands on the southern side of the project site was filled in. By the 1980s, the developments on the site had been demolished, and the site reverted to vacant land. Although there is a large amount of mature forest on the project site, due to the previous disturbance of the native vegetation on the northern and western portions of the site, these areas have become overgrown with invasive and non-native species.

The 1,231,609-square foot (sf) site includes: Lot 1 (813,639 sf) and Lot 5 (285,951 sf) of Block 1707; the unbuilt portion of Wemple Street adjacent to Lot 1 (6,964 sf); and the streets bordering the site that are proposed to be demapped (125,055 sf). The development site includes the 7,721-sf area that would be mapped and added to Morrow Street to accommodate the realignment of the intersection of Morrow Street and Forest Avenue with an existing signalized intersection, and the additional 1,102-sf area that would be mapped to provide a cul-de-sac on the City map at the southern terminus of the Street (the cul-de-sac will not be built). These actions would reduce the size of the development site (Block 1707, Lot 5) by approximately 8,823 sf.

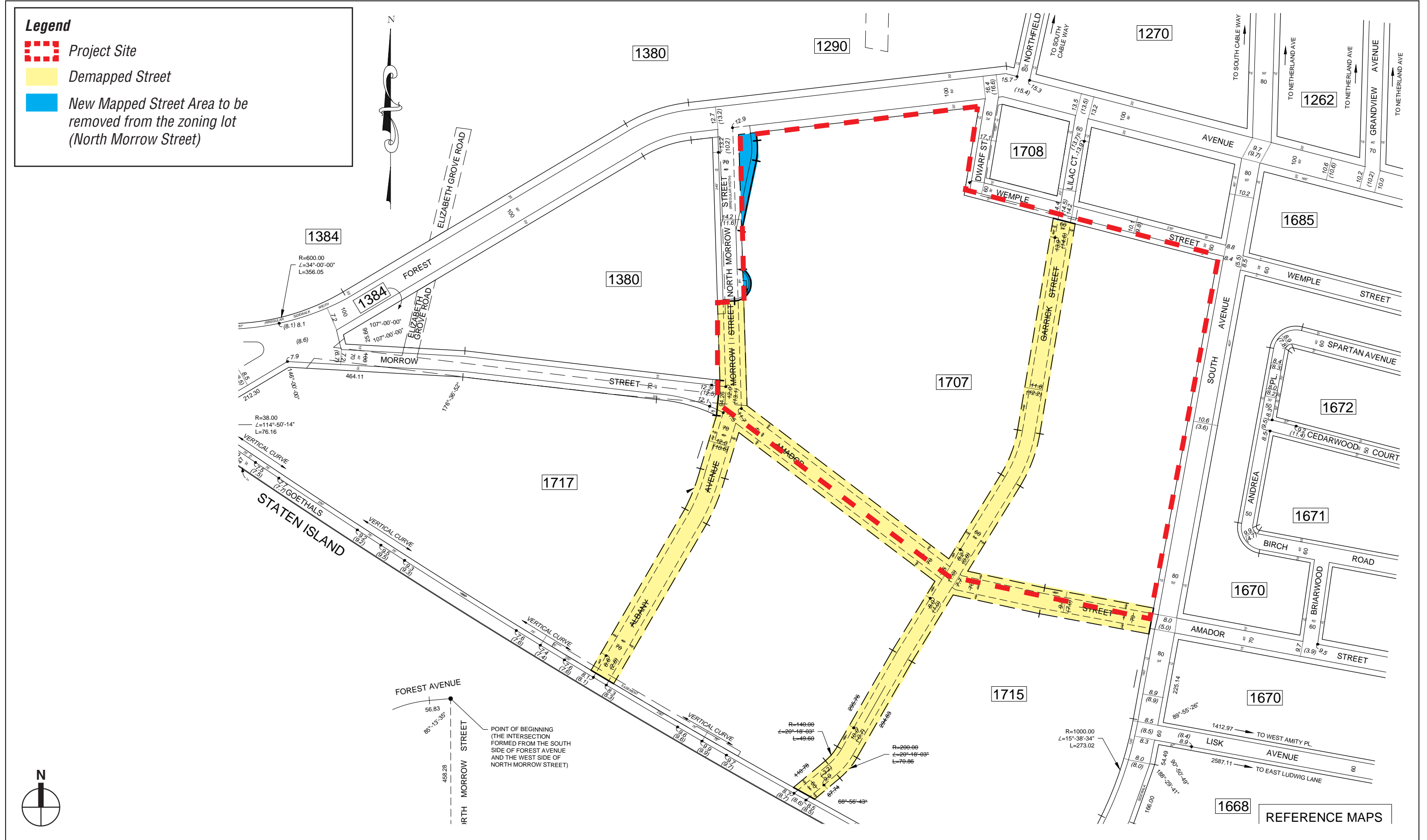
The unbuilt streets proposed for demapping that are included in the development site total 125,055 sf, and consisting of the mapped but unbuilt portion of Garrick Street between Amador Street and Wemple Street (58,408 sf), the mapped but unbuilt portion of Morrow Street between the proposed cul-de-sac and Amador Street (20,836 sf), and the mapped but unbuilt portion of Amador Street between South Avenue and Morrow Street (45,811 sf) that would all be demapped as part of the proposed actions (see **Figure 2b**). The applicant holds title to these areas, ~~and they are reflected in~~ the zoning lot area calculation for the development site includes the mapped but unbuilt street areas.

As noted above, the development site contains NYSDEC and USACE mapped freshwater wetlands, as well as mapped NYSDEC tidal wetlands, at its southern and western ends. The wetland areas are as follows¹:

- The mapped USACE wetlands total 6.32 acres: this includes 4.36 acres of jurisdictional wetlands and 1.96 acres of non-jurisdictional wetlands.¹

(SPDES) general permit for stormwater discharges from construction (as applicable), and that tidal wetland permits are not required.

¹ Totals do not include wetland areas located in the portion of Morrow Street that would be mapped to provide the realigned intersection with Forest Avenue and would be removed from the development site (see **Figure 2b**).



Forest Avenue and South Avenue Retail Development

- The regulated NYSDEC freshwater wetlands total 8.82 acres: this includes 5.06 acres of freshwater wetland and 3.76 acres that are within a 100-foot radius of the wetland, referred to as the freshwater wetland adjacent area.
- The regulated NYSDEC tidal wetlands total 3.17 acres: this includes 0.50 acres of tidal wetland and 2.67 acres that are within a 150-foot radius of the wetland, referred to as the tidal wetland adjacent area. A portion of the tidal wetland adjacent area overlaps with the NYSDEC freshwater wetland and freshwater wetland adjacent area.

~~There are approximately 6.32 acres of mapped USACE regulated freshwater wetlands on the development site (4.36 acres of jurisdictional wetlands, 1.96 acres of non-jurisdictional isolated wetlands), as well as approximately 8.77 acres of DEC regulated freshwater wetland (FW) and freshwater wetland adjacent area (FWAA) (5.06 acres FW, 3.71 acres of FWAA), and approximately 3.17 acres of DEC regulated tidal wetland (TW) and tidal wetland adjacent area (TWAA) (0.50 acres TW, 2.67 acres TWAA).² The totals do not account for overlap between the DEC freshwater wetland, freshwater wetland adjacent area, and tidal wetland adjacent area. In 2008, the applicant proposed a site plan for the development of the site that included a protected wetland enhancement area and buffer planting area. Following review of the proposed delineation by NYSDEC, and requested revisions to the site plan, NYSDEC provided conditional sign-off in 2012 for the site to be developed in substantial accordance with that site plan. Since that 2012 agreement, the applicant has amended the its development plan for the development site with respect to the program and physical layout but has not altered the overall footprint of the area to be developed or the wetland enhancement and buffer planting areas to be protected. In letters dated April 15, 2015, and August 19, 2015, NYSDEC confirmed that the proposed site plan, as shown on **Figure 2a**, is in substantial accordance with the 2012 agreement.~~

ADDITIONAL DEMAPPING AREAS

~~As shown on **Figure 2b**, the mapping action to de-map un-built mapped streets would extend south, beyond the development site, to clean up the City Map by removal of unbuilt streets mapped over wetland areas. Outside of the development area, the proposed actions include the demapping of:~~

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

¹ Wetlands that meet the definitions set by the Clean Water Act (CWA) and the criteria set by the USACE (in the 1987 Wetlands Delineation Manual and associated regional supplement) are considered jurisdictional wetlands; jurisdictional wetlands must be either adjacent to or part of a tributary system or discharge into navigable waters and other waters of the United States (WOUS). Non-jurisdictional wetlands consist of wetland areas that do not meet CWA definitions, including isolated wetlands, and are therefore not subject to regulation by USACE.

² ~~Totals do not include wetland areas located in the portion of Morrow Street at the northwest corner of the development site.~~

- The 89,588-sf area within Block 1717, Lot 95 that consists of a portion of Albany Avenue between Amador Street and Goethals Road North, a portion of Amador Street between Albany Avenue and Garrick Street, and a portion of Garrick Street between Goethals Road North and Amador Street.

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

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

DESCRIPTION OF THE PROPOSED DEVELOPMENT

As noted above, Approval of the proposed actions would facilitate new commercial development on the development site and circulation improvements, including the realignment of Morrow Street and new curb cuts.

DEVELOPMENT PROGRAM

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

As shown in **Figure 2a**, the proposed site plan would include buildings of 14,500 zsf, 15,400 zsf, and 188,725 zsf, all containing UG 6 and/or UG 10A, and two structures totaling 752 zsf (intended for an as-of-right UG 16 gas station [355 zsf] and UG 6 automated bank teller [397 zsf]). Parking would be provided for 838 spaces accessory to the proposed retail uses. The proposed development program is summarized in **Table 1**.

Forest Avenue and South Avenue Retail Development

**Table 1
Proposed Development Program**

Map Label	Use Group	Zoning Floor Area (ZSF)	Gross Floor Area (GSF)¹	Parking Required²
Retail A ³	6 or 10A	14,500	15,000	49
Retail B ³	6 or 10A	15,400	16,000	52
Retail C	6 or 10A	89,760	92,000	299
Retail D ³	6 or 10A	33,965	35,000	113
Retail E	6 or 10A	65,000	67,000	325
Gas Station, Automated Bank Teller ⁴	16 or #6	752	1,000	N/A
TOTAL:		219,377	226,000	838

Note: ¹ Gross square foot (gsf) areas are approximate and are calculated based on a 3 percent adjustment to zoning floor area.
² One parking space is required for every 300 zsf of general retail and wholesale warehouse uses and for every 200 zsf of supermarket uses, which has been conservatively assumed for Retail E.
³ Retail A, B, D, and E could be occupied by Use Group (UG) 6 or UG 10A uses or other uses permitted within M1-1 zoning districts (not subject to the 10,000 zsf limitation). The proposed actions would facilitate the applicant's proposal through approval of the site plan, which would set the size and location of the proposed development, and the configuration and number of parking spaces. The proposed development will be limited to the building footprints and floor area shown on the authorized site plan and the layout and number of parking spaces. However, the site plan does not set the size and location of the individual tenants within the development, which could fall under Use Group 6, 10, and 16, and allows flexibility for where the approved and permitted uses are located within the approved development footprint.
⁴ The gas station and automated bank teller spaces are of roughly equal size in zoning floor area (355 zsf and 397 zsf, respectively, for a combined total of 752 zsf) and are therefore assumed to each have approximately 500 gsf of space, for a combined total of 1,000 gsf.

Source: Carpenter Environmental Associates, Inc. and Rampulla Associates Architects, LLP (10/01/15)—See Figure 2a.

CIRCULATION PLAN

Currently, an unsignalized entrance roadway at the northwest corner of the development site provides access to the adjacent movie theater complex, which has an existing curb cut on the open and built portion of Morrow Street. The proposed project would map an additional area of Morrow Street and realign the street so that it would utilize the existing traffic light located at the easterly curb cut for the Home Depot site on the northern side of Forest Avenue (see **Figure 2a**). Primary access to the development site from Forest Avenue would be provided by this realigned roadway, which would continue to provide access to the movie theater zoning lot located on the west side of Morrow Street (this portion of Morrow Street is to be renamed as North Morrow Street). Two-way, right-in/right-out only access from Forest Avenue would also be provided from a proposed curb cut to the east of the main entrance, which would not be signalized. A third vehicular entrance would provide two-way access to South Avenue from the eastern boundary of the development site. The applicant is proposing that this entrance would be signalized.

Internal circulation on the development site would be provided by an east-west drive aisle at the center of the development site and a main north-south drive aisle that runs off of Forest Avenue from the right-in/right-out only entrance. The north-south aisle would also include a pedestrian walkway that would serve as the main pedestrian entrance to the development site (a sidewalk would also be provided on North Morrow Street). Another pedestrian walkway would run east and west between the movie theater complex to the west and the development site. The pedestrian walkways would include trees, plantings, and seating areas. In addition, two north-south pedestrian

paths are proposed to be located within the planting islands in the parking area, which would provide pedestrian access to the MTA bus stop on Forest Avenue (via a gate that accesses Lilac Court to the north of the development site as well as the Forest Avenue entrance) as well as safer pedestrian circulation between the retail buildings. Additionally, sidewalks would be provided along the development site's South Avenue and Forest Avenue frontages.

WETLANDS PRESERVATION AND ENHANCEMENT

The proposed project would result in development on a portion of the NYSDEC FWAA freshwater wetland adjacent area and isolated USACE wetland areas (totaling approximately 0.39 acres of freshwater wetland adjacent area and approximately 1.96 acres of isolated wetland areas), but would preserve 6.943 acres of ~~mapped~~ wetland areas. The proposed project would also provide a landscaped buffer between the proposed retail center and the regulated wetland areas to be preserved. A stormwater management area would also be provided, to the south of the Retail E supermarket portion of the proposed development. ~~The In total,~~ preserved NYSDEC and USACE jurisdictional wetland, stormwater management, and landscaping areas total 10.778 acres. As noted above, NYSDEC confirmed in letters dated April 15, 2015, and August 19, 2015 that the proposed site plan, as shown on **Figure 2a**, is in substantial accordance with the applicant's 2012 agreement with NYSDEC. After the ULURP process has been completed, the applicant will complete and finalize the NYSDEC permit process.

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

ANALYSIS YEAR

The proposed project would take up to approximately ~~24-18~~ months to construct and would be built in a single phase. Assuming commencement of construction in early 201~~8~~17, the proposed project would be completed in 2019. Therefore, for the purposes of environmental analysis, the proposed project is assumed to be completed and fully tenanted and operational in 2019.

C. PURPOSE AND NEED OF THE PROPOSED ACTIONS

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

As noted above, the applicant is seeking approval of the following proposed discretionary actions: (1) a special permit pursuant to ZR Section 74-922 to allow ~~Use-Group~~UG 6 and UG 10A retail uses in excess of 10,000 square feet in an M1-1 district; (2) the demapping of Garrick Street, Albany Avenue, and Amador Street (unbuilt, privately-owned streets), and the unbuilt section of Morrow Street within the wetlands area; and (3) mapping of a new section of Morrow

Forest Avenue and South Avenue Retail Development

Street to accommodate the realignment of the intersection of Morrow Street and Forest Avenue. In addition, as noted above, the development site contains NYSDEC and USACE mapped wetlands. Therefore, a NYSDEC freshwater wetlands permit is required for the proposed project to ensure compliance.

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

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

The applicant believes that the proposed project responds to the demand for commercial-retail uses in the area—including a large-scale supermarket and wholesale warehouse. The site is accessible to major roadways, including Forest and South Avenues, and is in close proximity to the Staten Island Expressway. It is also located near west Staten Island's numerous residential neighborhoods. The applicant intends to create a new active commercial-developmentretail center and provide a new-modern, efficient supermarket and wholesale warehouse to respond to local demand.

D. ANALYSIS FRAMEWORK

The 2014 *CEQR Technical Manual* will serve as a general guide on the methodologies and impact criteria for evaluating the proposed project's potential effects on the various environmental areas of analysis. In disclosing impacts, the EIS will consider the proposed project's potential adverse

impacts on its environmental setting. As noted above, based on an anticipated 18-month construction schedule commencing in early 2018, it is anticipated that the proposed project would be built and operational in 2019. Consequently, the environmental setting is not the current environment, but the future environment. Therefore, the technical analyses and consideration of alternatives include descriptions of existing conditions, conditions in the future without the proposed project (the No Action condition), and conditions in the future with the proposed project (the With Action condition). The incremental difference between the No Action and With Action conditions is analyzed to determine the potential environmental effects of the proposed project.

NO ACTION SCENARIO

Absent the proposed actions, the development site is assumed to be developed with six new buildings (plus a gas station and automated bank teller), all conforming with existing M1-1 zoning regulations (see **Figure 3**). The development would total approximately 228,250 gsf. The northern portion of the development site is anticipated to be developed with four new buildings containing five uses (Retail A and B, and Retail/Office C, D, and F). These buildings would each be one story tall and each use would contain approximately 10,500 gsf of new retail and/or office space. The northern portion of the development site would also contain a gas station (500 gsf) and automated bank teller (500 gsf). The southern portion of the development site would be developed with two new one- to two-story buildings containing six uses (Retail G, H, J, K, L, and T), which would contain approximately 174,750 gsf of new retail space. Uses would include a toy store, a pet store, a sporting goods store, a shoe store, and a liquor store. A summary of the No Action development program is provided in **Table 2**.

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

To fulfill the accessory parking requirements of the retail space, the No Action scenario would also include a total of 736 parking spaces. These spaces would be located on the northern portion of the development site. The No Action development would have the same overall development footprint as the proposed project, and would also preserve 10.778 acres of mapped wetlands (including a buffer area and stormwater management area). The No Action development would be built in substantial accordance with the NYSDEC-approved site plan.

The size of the development site will remain unchanged from existing conditions in the No Action scenario, at 1,231,609 sf (28.3 acres). In the No Action scenario, the built FAR of the development site would be 0.19, which is below the maximum permitted FAR of 1.0. Although the proposed FAR is less than what is permitted under zoning, additional retail uses cannot be feasibly accommodated on the development site in the No Action condition, due to the constraints of the NYSDEC-approved site plan and the parking requirements associated with the proposed commercial uses. The NYSDEC-approved site plan constrains development by precluding the development of 10.787 acres of the site containing mapped wetland areas, a landscaped buffer between the retail center and the regulated wetland areas to be preserved, and a stormwater management area. In addition, parking regulations require 1 parking space for every 300 zsf of general retail or office uses. Parking regulations therefore function as a *de facto* constraint on new development since a substantial amount of developable land area is required to be used for parking. Thus, the applicant considers developing any additional floor area in the No Action scenario to be infeasible. The development site could attract smaller retailers and commercial tenants, and other neighborhood services but a discretionary approval is requested to



Forest Avenue and South Avenue Retail Development

facilitate the development of larger uses, including a supermarket and wholesale warehouse, on the development site. As noted above, providing a supermarket and wholesale warehouse use on the development site is one of the applicant’s goals in order to respond to local demand. There is current interest and a tentative agreement for a wholesale warehouse use on the development site. In the event that the proposed wholesale warehouse use does not move forward, the applicant will proceed with developing the site with other allowable commercial uses, as summarized in **Table 2** and **Figure 3**.

Table 2
No Action Scenario Development Program

Use	Type of Use	Use Group ¹	Zoning Floor Area (ZSF)	Gross Floor Area (GSF) ²	Parking Required ³
Retail A	General Retail	6 or 10A	10,000	10,500	33
Retail B	General Retail	6 or 10A	10,000	10,500	33
Retail/Office C	Retail or Office	6 or 10A	10,000	10,500	33
Retail/Office D	Retail or Office	6 or 10A	10,000	10,500	33
Retail/Office F	Retail or Office	6 or 10A	10,000	10,500	34
Retail G	Toy Store	6	60,000	61,750	200
Retail H	Pet Store	6	25,000	25,750	83
Retail J	Sporting Goods	6 or 14	25,000	25,750	84
Retail K	Shoe Store	6	20,000	20,500	67
Retail L	Liquor Store	6	20,000	20,500	67
Retail T	General Retail	6 or 10A	20,000	20,500	67
Other	Gas Station, Automated Bank Teller ⁴	16 or /6	752	1,000	2
TOTAL:			220,752	228,250	736

Note: ¹ An illustrative program is provided for analysis purposes. In the No Action condition the applicant could develop the site with the uses shown above and/or with uses permitted as-of-right in M1-1 zoning districts, which are: 5, 7, 8, 9, 11, 12, 13, 14, 16, and 17, as well as UG 6 and UG 10 provided the use is less than 10,000 zsf.
² Gross square foot (GSF) areas are approximate and are calculated based on a 3 percent adjustment to zoning floor area.
³ 1 parking space is required for every 300 zsf of general retail or office uses.
⁴ The gas station and automated bank teller spaces are of roughly equal size in zoning floor area (355 zsf and 397 zsf, respectively, for a combined total of 752 zsf) and are therefore assumed to each have approximately 500 gsf of space, for a combined total of 1,000 gsf.

Sources: Carpenter Environmental Associates, Inc. and Rampulla Associates Architects, LLP —See Figure 3.

WITH ACTION SCENARIO

The proposed actions would facilitate the applicant’s proposal through approval of the proposed site plan, which establishes the location, maximum floor area, allowable UGs, and building footprint of the proposed development and the configuration and number of parking spaces. The proposed development would therefore be limited to the building footprints, UGs, and floor area shown on the authorized site plan and the layout and number of parking spaces.¹

¹ The site plan does not set the size and location of the individual tenants within the development, which could fall under Use Group 6, 10, and 16, and allows flexibility for where the approved and permitted uses are located within the approved development footprint. In the event the gas station or automated bank teller were reduced in size, this space could become parking or open space. It could not be used as UG 6 or UG 10A retail space, if such space exceeds a size of 10,000 square feet or does not conform to the approved site plan, without further discretionary approvals.

While the approvals would allow certain specific UGs, a variety of use types under the UG categories could occupy that space. For the purposes of environmental review of the proposed actions, an RWCDS has been established. This RWCDS is illustrative in terms of tenant uses but as explained above, is ~~certain-fixed~~ in terms of allowable UGs and maximum floor area. In the With Action scenario it is assumed that the development site would be redeveloped with a total of 226,000 gsf of new UG 6, UG 10A, and UG 16 retail uses and 838 accessory parking spaces. Specific retail types were assumed to include an approximately 92,000-gsf UG 10A wholesale warehouse, an approximately 67,000-gsf UG 6 grocery store, approximately 66,000 gsf of UG 6 or UG 10A general retail uses, an approximately 500-gsf UG 16 gas station, and an approximately 500-gsf UG 6 automated bank teller.¹

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

As shown in **Figure 2a**, the proposed site plan would include five uses; the northern section of the development site would include two one-story retail buildings (Retail A and Retail B), and the southern portion would include a one-story retail building with three uses (Retail C, Retail D, and Retail E). Retail A and Retail B would contain approximately 15,000 gsf and 16,000 gsf of UG 6 or UG 10A (general retail) space, respectively, with storefronts facing Forest Avenue. Retail C would be expected to accommodate an approximately 92,000-gsf UG 10A warehouse wholesale store. Retail D would contain approximately 35,000 gsf of UG 6 or UG 10A (general retail) space, between Retail C and Retail E, which could contain an approximately 67,000-gsf UG 6 supermarket, with storefronts facing north. The UG 16 gas station would be located close to the intersection of Forest Avenue and the re-aligned North Morrow Street, and the UG 6 automated bank teller would be located just east of the gas station. Parking would be provided for 838 spaces accessory to the proposed retail uses. The proposed development program is summarized above in **Table 1** and shown in **Figure 2a**.

The size of the development site would be reduced by 8,823 sf compared to the No Action scenario, due to the areas of the site that would be mapped and added to Morrow Street. Therefore, the size of the development site would be reduced from 1,231,609 sf (28.3 acres) to 1,222,786 sf (28.1 acres). In the With Action scenario, the built FAR of the development site

¹ As noted above, for purposes of analysis, gross square foot areas are approximate and are calculated based on a 3 percent adjustment to zoning floor area; the gas station and automated bank teller spaces are of roughly equal size in zoning floor area (355 zsf and 397 zsf, respectively) and are therefore assumed to each have approximately 500 gsf of space.

Forest Avenue and South Avenue Retail Development

would be 0.187, which is below the maximum permitted FAR of 1.0. Although the proposed FAR is less than what is permitted under zoning, additional retail uses cannot be accommodated on the development site in the With Action condition, due to the constraints of the NYSDEC-approved site plan and the parking requirements associated with the proposed commercial uses. The NYSDEC-approved site plan constrains development by precluding the development of 10.787 acres of the zoning lot containing mapped wetland areas, a landscaped buffer between the retail center and the regulated wetland areas to be preserved, and a stormwater management area. In addition, parking regulations require 1 parking space for every 300 zsf of general retail uses and every 200 zsf of supermarket use. Parking regulations therefore function as a *de facto* constraint on new development since a substantial amount of developable land area is required to be used for parking. Thus, the applicant considers developing any additional floor area in the With Action scenario to be infeasible.

In the No Action scenario, a larger amount of floor area can be included on the development site (resulting in a negative increment between the No Action and With Action conditions), since fewer parking spaces are required for the No Action uses (736) than the With Action uses (838).¹ As noted above, the proposed actions include a special permit to allow Use Group UG 6 and UG 10A uses without limitation to 10,000 zsf per establishment. While the With Action scenario would result in slightly less FAR than the No Action scenario, the proposed special permit is proposed in order to achieve the applicant’s goals and objectives, which—as described under “Purpose and Need”—include ~~providing responding to the demand in the surrounding community for a new supermarket, wholesale warehouse, and supporting retail uses.~~

It is also feasible for a portion of the development to be 2-stories tall in the No Action scenario, whereas in the With Action scenario there is no additional space on the development site to accommodate the additional required parking. While a structured parking facility is permitted under existing zoning, ~~the applicant does not believe that such a structured parking facility would be feasible for the proposed project, as parking structures are typically designed for enclosed malls or in dense urban areas. Parking structures are prohibitively expensive to construct for suburban-type retail developments and would not be financially viable or practicable for the proposed project.~~

Therefore, the proposed development as intended by the applicant, and broken down by Use Group, GSFgsf, and parking requirements in **Table 3** and shown on the proposed site plan (**Figure 2a**), constitutes the RWCDs for this environmental analysis.

Table 3
Reasonable Worst Case Development Scenario

Block/Lot Number(s)	Project Info	Existing Conditions	No-Action	With-Action	Increment (With Action)
Staten Island Block 1707, Lots 1 and 5	Zoning Lot Size (sf)	1,231,609	1,231,609	1,222,786	-8,823
	FAR	0.00	0.19	0.17	-0.02
	GSF Above Grade	0	228,250	226,000	-2,250
	GSF Below Grade	0	0	0	0
	Commercial GSF	0	228,250	226,000	-2,250
	# of Accessory Parking Spaces	0	736	838	102
	Total GSF		0	228,250	226,000

¹ One parking space is required for every 300 zsf of general retail and wholesale warehouse uses and for every 200 zsf of supermarket uses.

E. CITY ENVIRONMENTAL QUALITY REVIEW

CEQR OVERVIEW

New York City has formulated an environmental review process, CEQR, pursuant to the State Environmental Quality Review Act (SEQRA) and its implementing regulations (Part 617 of 6 New York Codes, Rules and Regulations). The City's CEQR rules are found in Executive Order 91 of 1977 and subsequent rules and procedures adopted in 1991 (62 Rules of the City of New York, Chapter 5). CEQR's mandate is to assure that governmental agencies undertaking actions within their discretion take a "hard look" at the environmental consequences of each of those actions so that all potential significant environmental impacts of each action are fully disclosed, alternatives that reduce or eliminate such impacts are considered, and appropriate, practicable measures to reduce or eliminate such impacts are adopted.

The CEQR process begins with selection of a "lead agency" for the review. The lead agency is generally the governmental agency which is most responsible for the decisions to be made on a proposed action and which is also capable of conducting the environmental review. For the ~~Forest Avenue and South Avenue commercial-retail~~ development proposal, the Department of City Planning (DCP), acting on behalf of CPC, is the CEQR lead agency.

DCP, after reviewing the Environmental Assessment Statement (EAS), has determined that the proposed actions have the potential for significant adverse environmental impacts and that an EIS must be prepared. A public scoping of the content and technical analysis of the EIS is the first step in its preparation, as described below. Following completion of scoping, the lead agency oversees preparation of a draft EIS (DEIS) for public review.

DCP and CPC will hold a public hearing during the Commission's period for consideration of the application. That hearing record is held open for 10 days following the open public session, at which time the public review of the DEIS ends. The lead agency then oversees preparation of a final EIS (FEIS), which incorporates all relevant comments made during public review of the DEIS. The FEIS is the document that forms the basis of CEQR Findings, which the lead agency and each involved agency (if applicable) must make before taking any action within its discretion on the proposed action.

SCOPING

The CEQR scoping process is intended to focus the EIS on those issues that are most pertinent to the proposed actions. The process at the same time allows other agencies and the public a voice in framing the scope of the EIS. During the period for scoping, those interested in reviewing the draft EIS scope may do so and give their comments in writing to the lead agency or at the public scoping meeting. In accordance with CEQR, the Draft Scope of Work was distributed for public review. A public scoping meeting was held on September 27, 2016, at 970 Richmond Avenue—121 Precinct Muster Room, Staten Island, NY 10314. The period for comments on the Draft Scope of Work will remain open until the close of business on October 7, 2016, for 10 days following the meeting, at which point the scope review process will be closed. This Final Scope of Work was then prepared—taking into consideration comments received during the public comment period—to direct the content and preparation of a DEIS. Appendix A to this Final Scope identifies the comments made during the public review period and provides responses. Appendix B contains the submitted written comments. The lead agency will then oversee preparation of a This Final Scope of Work was then prepared, which incorporates all relevant

comments made on the scope and revising the extent or methodologies of the studies, as appropriate, in response to comments made during scoping the public comment period. The DEIS ~~will be~~was prepared in accordance with the Final Scope of Work.

F. PROPOSED SCOPE OF THE ENVIRONMENTAL IMPACT STATEMENT

The scope of the EIS will conform to all applicable laws and regulations and will follow the guidance of the *CEQR Technical Manual*.

The EIS will contain:

- A description of the proposed project and the environmental setting;
- A statement of the environmental impacts of the proposed actions, including its short- and long-term effects, and typical associated environmental effects;
- An identification of any adverse environmental effects that cannot be avoided if the proposed actions are implemented;
- A discussion of reasonable alternatives to the proposed actions;
- An identification of any irreversible and irretrievable commitments of resources that would be involved if the proposed project is built; and
- A description of mitigation measures proposed to minimize or fully mitigate any significant adverse environmental impacts.

The analyses for the proposed actions will be performed for the expected year of completion of construction of the proposed project, which is 2019. The No Action future baseline condition to be analyzed in all technical chapters will assume that absent the proposed actions, a 228,250-gsf as-of-right development that does not require any discretionary approvals, and does not include the demapping of any City streets, will be built.

Below is a description of the environmental categories in the *CEQR Technical Manual* that will be analyzed in the EIS and a description of the tasks to be undertaken.

PROJECT DESCRIPTION

This chapter introduces the reader to the proposed project and sets the context in which to assess impacts. The chapter gives the public and decision-makers a baseline to compare the With Action condition, the No Action condition, and any alternative options, as appropriate.

The chapter will contain a project identification (brief description and location of the development site); the background and/or history of the development site and proposed project; a statement of purpose and need for the proposed actions; a detailed description of the proposed project and development program and project siting and design; and discussion of approvals required, procedures to be followed, and the role of the EIS in the process. The chapter will also describe the analytic framework for the EIS and provide screening analyses for technical areas that do not require a detailed analysis.

The project description will include a discussion of key project elements, such as site plans and elevations, access and circulation, and other project features. The section on required approvals will describe all public actions required to develop the project. The role, if any, of any other public agency in the approval process will also be described. The role of the EIS as a full

disclosure document to aid in decision-making will be identified and its relationship to any other approval procedures will be described.

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 project. The analysis also considers the project's compliance with and effect on the area's zoning and other applicable public policies. That assessment, which provides a baseline for other analyses, will consist of the following tasks:

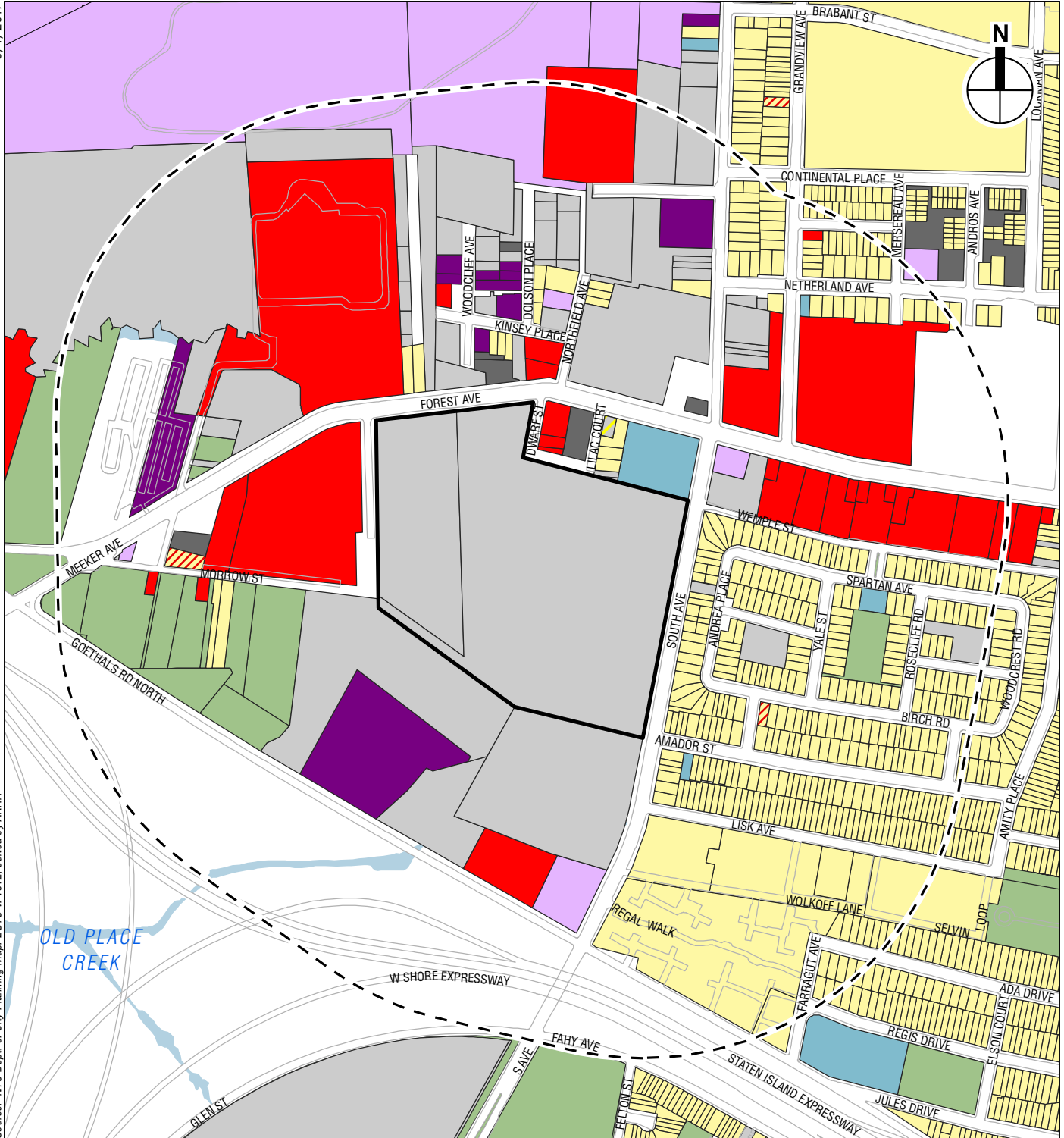
- Provide a brief development history of the project site and study area.
- Describe conditions in the project site, including existing uses and the current zoning.
- Describe predominant land use patterns in the study area, including recent development trends. The study area will include land uses within approximately ¼-mile of the development site (see **Figure 4**).
- Provide a clear zoning map and discuss existing zoning and recent zoning actions in the study area.
- Summarize other public policies that may apply to the project site and study area, including any applicable Special Zoning Districts and any formal neighborhood or community plans. Describe any public policy goals for the area that would potentially be deterred by the proposed project.
- Prepare a list of other projects expected to be built in the study area that would be completed before or concurrent with the proposed project (No Action projects). Describe the effects of these projects on land use patterns and development trends. Also, describe any pending zoning actions or other public policy actions that could affect land use patterns and trends in the study area, including plans for public improvements.
- Describe the proposed project and provide an assessment of the impacts of the proposed project on land use and land use trends, zoning, and public policy. Consider the effects related to issues of compatibility with surrounding land use, consistency with zoning and other public policy initiatives, and the effect of the project on development trends and conditions in the area.
- Since the project site is located in the City's designated Coastal Zone, an assessment of the project's consistency with the Waterfront Revitalization Program (WRP) will be provided. This assessment will begin with the completion of the Coastal Assessment Form (CAF), which identifies the WRP policies that are relevant to the proposed project. Where needed, this assessment will draw upon other technical analyses in the EIS.

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. According to the *CEQR Technical Manual*, the six principal issues of concern with respect to socioeconomic conditions are whether a proposed project would result in significant impacts due to: (1) direct residential displacement; (2) direct business displacement; (3) indirect residential displacement; (4) indirect business displacement due to increased rents; (5) indirect business displacement due to retail market saturation; and (6) adverse effects on a specific industry. The EIS will include a preliminary screening assessment of the proposed project's

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Source: NYC Dept. of City Planning MapPLUTO v. 16/2, edited by AKRF.



- Project Site
- Study Area (Quarter-mile boundary)
- Waterbody
- Commercial and Office Buildings
- Industrial and Manufacturing
- Open Space and Outdoor Recreation
- Parking Facilities
- Public Facilities and Institutions
- Residential
- Residential with Commercial Below
- Transportation and Utility
- Vacant Land
- Under Construction

0 500 FEET

South Avenue Retail Development

Land Use Study Area
Figure 4

Forest Avenue and South Avenue Retail Development

potential to affect any of these issues of concern. If warranted, a more detailed analysis will be provided.

COMMUNITY FACILITIES

The demand for community facilities and services is directly related to the type and size of the new population generated by any proposed development. New workers tend to create limited demands for community facilities and services, while new residents create more substantial and permanent demands. The EIS will include a preliminary screening assessment of the proposed project's potential to affect community facilities, including schools, child care facilities, libraries, police/fire protection services, and health care facilities. If warranted, a more detailed analysis will be provided.

OPEN SPACE

The *CEQR Technical Manual* recommends performing an open space assessment if a project would have a direct effect on an area open space (e.g., displacement of an existing publicly-accessible open space resource) or an indirect effect through increased population size (for the development site, an assessment would be required if the proposed project's population is greater than 200 residents or 500 employees). The EIS will include a preliminary screening assessment of the proposed project's potential to affect public open space resources. If warranted, a more detailed analysis will be provided.

SHADOWS

The *CEQR Technical Manual* requires a shadows assessment for proposed actions that would result in new structures (or additions to existing structures) greater than 50 feet in height or located adjacent to, or across the street from, a sunlight-sensitive resource. Such resources include publicly accessible open spaces, important sunlight-sensitive natural features, or historic resources with sun-sensitive features. The EIS will include a preliminary screening assessment to determine whether shadows cast by the proposed development could reach any sunlight-sensitive resources. If warranted, a more detailed analysis will be provided.

HISTORIC AND CULTURAL 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 required if there is the potential to affect either archaeological or architectural resources. As described in the EAS, an assessment of architectural resources is not warranted for the proposed project. Since the proposed project would involve in-ground disturbance, the potential for the proposed project to result in impacts to archaeological resources will be analyzed in the EIS. The

proposed project site is located in an area of generalized archaeological sensitivity as mapped by the New York State Office of Parks, Recreation, and Historic Preservation (OPRHP). In addition, the site is in close proximity to numerous previously-identified archaeological sites. The archaeological sensitivity of the site was previously analyzed in a Phase 1A archaeological assessment that was prepared by Greenhouse Consultants, Inc. in 1996.¹ That assessment identified the project site as sensitive for archaeological resources associated with both the precontact (Native American) and historic occupation of Staten Island and also indicated that the project site is underlain by many feet of fill. The report recommended that Phase 1B Archaeological testing be conducted to determine the presence or absence of archaeological resources within the project site.

As part of the archaeological resources analysis, the following tasks will be completed:

- Consult with LPC and OPRHP in order to request their preliminary determination of the potential archaeological sensitivity of the project site. The previous Phase 1A Archaeological Documentary study of the project site will be submitted to LPC and OPRHP for review and comment. Supporting information including proposed project plans, historical maps, and other relevant information will be submitted to the reviewing agencies as necessary as part of the initial consultation.
- While the majority of the site has been analyzed as part of a previous archaeological assessment, LPC has requested supplemental analysis (by letter dated March 24, 2016). Any additional study of the site's archaeological resources would be in the form of a supplemental Phase 1A Archaeological Documentary Study or a Topic Intensive Archaeological Documentary Study designed to supplement the 1996 archaeological assessment and confirm that its conclusions are still valid with respect to the specific impacts of the proposed actions.
- Where appropriate, measures to avoid, minimize, or mitigate any adverse effects on archaeological resources (e.g., Phase 1B, Phase 2, or Phase 3 archaeological investigations) would be developed in consultation with OPRHP and LPC, as appropriate.

URBAN DESIGN AND VISUAL RESOURCES

According to the methodologies of the *CEQR Technical Manual*, if a project requires actions that would result in physical changes to a development site beyond those allowable by existing zoning and which could be observed by a pedestrian from street level, an assessment of urban design and visual resources should be prepared. The EIS will include a preliminary screening assessment of the proposed project's potential to affect the urban design and visual resources of the study area. If warranted, a more detailed analysis will be provided.

NATURAL RESOURCES

According to the *CEQR Technical Manual*, a natural resource is defined as a plant or animal species and any area capable of providing habitat for plant and animal species or capable of

¹ Greenhouse Consultants, Inc. (1996): *Stage 1A Archaeological/Historical Sensitivity Evaluation of the Forest and South Avenues Project; Borough of Richmond, New York*. Prepared for: Land Planning and Engineering Consultants, PC, Staten Island, NY, and the Berkowitz Development Group, Coconut Grove, FL.

Forest Avenue and South Avenue Retail Development

functioning to support environmental systems and maintain the City's environmental balance. Such resources include surface and groundwater, wetlands, dunes and beaches, grasslands, woodlands, landscaped areas, gardens, and build structures used by wildlife. An assessment of natural resources is appropriate if a natural resources exists on or near the site of the proposed action, or if an action involves disturbance of that resource.

The project site is an undeveloped, vegetated site comprising mixed native upland forest to the north, and wetlands to the south and west. The wetlands are part of a relatively large complex referred to as Graniteville Swamp Woods, which has been identified as a Comprehensive Restoration Plan site by the New York/New Jersey Harbor Estuary Program. The project site is part of the headwaters for Old Place Creek, which flows several miles to the west and supports an extensive complex of salt marsh habitat before draining into the Arthur Kill. It is also within the Harbor Herons Rookery Complex, a regionally significant complex of colonial wading bird and waterfowl breeding and foraging habitat that is of high conservation priority, and is a National Audubon Society-designated Important Bird Area. Rare, threatened or endangered wildlife (e.g., mud turtle, southern leopard frog, seaside sparrow, and least bittern) and plant species have been documented as occurring in northwestern Staten Island and on the basis of the existing habitats and the project site's proximity to adjacent undeveloped areas, have the potential to occur within the project site.

In accordance with the *CEQR Technical Manual*, the EIS will describe the existing natural resources within and adjacent to the project site (e.g., floodplains, wetlands and terrestrial habitats and biota including rare, special concern, threatened and endangered species and special habitat areas). This description of existing natural resources will be developed on the basis of existing information from literature sources and other information obtained from governmental and non-governmental agencies combined with the results of the site specific wetlands survey, natural resources inventory, and tree survey. The natural resources analyses will assess the potential for the construction and operation of the proposed project to affect these natural resources. Natural resources impacts to be discussed would include direct or indirect impacts. Impacts would be considered on the individual, population and community levels.

The natural resources analysis will:

- Identify natural resources of concern to state, federal and city agencies.
- Identify the regulatory programs that protect floodplains, wetlands, wildlife, threatened or endangered species, aquatic resources, or other natural resources within the project site.
- Use existing information available from published literature and sources such as New York Department of Environmental Conservation (DEC) Natural Heritage Program (NHP); existing DEC datasets (e.g., Breeding Bird Atlas data, Herp Atlas Project, tidal and freshwater wetland maps, etc.); New York-New Jersey Harbor Estuary Program (HEP), DEP, the New York City Department of Parks and Recreation (DPR), information on federally listed species from the United States Fish and Wildlife Service (USFWS); and other resources and the results of natural resources and tree surveys to qualitatively describe the terrestrial habitats and wildlife present within and adjacent to the project site.
- Assess the future conditions for natural resources within the vicinity of the project site in the No Action condition.

- Assess the potential impacts to the projected future natural resources from the proposed project, including direct and indirect impacts to onsite, adjacent and regional resources, including floodplains, wetlands, wildlife, threatened or endangered species, or aquatic resources.
- Identify the measures that would be developed, as necessary, to mitigate and/or reduce any of the proposed project's potential significant adverse effects on natural resources.

HAZARDOUS MATERIALS

This section of the EIS will address the potential presence of hazardous materials, petroleum products, and/or other environmental conditions on the project site. The EIS will summarize the completed Phase 1 Environmental Site Assessment and any necessary recommendations for additional testing or other activities that would be required either prior to or during construction and/or operation of the project, including a discussion of any necessary remedial or related measures.

WATER AND SEWER INFRASTRUCTURE

The *CEQR Technical Manual* outlines thresholds for analysis of a project's water demand and its generation of wastewater and stormwater. For the proposed project, an analysis of the water supply is not warranted because the proposed project would not result in a demand of more than 1 million gallons per day (gpd)¹ and is not located in an area that experiences low water pressure like the Rockaway Peninsula or Coney Island. However, an analysis of the proposed project's effects on wastewater and stormwater infrastructure is warranted because the project site is greater than 5 acres and the proposed project would result in an increase in impervious surfaces. The incremental development of over 100,000 square feet of commercial space would also warrant a preliminary wastewater and stormwater infrastructure analysis. DEP will be consulted during the preparation of the stormwater and wastewater infrastructure assessment.

This section of the EIS will include the following:

- The existing stormwater drainage system and surfaces (pervious or impervious) on the project site will be described, and the amount of stormwater generated on the site will be estimated using DEP's volume calculation worksheet. Drainage areas with direct discharges and overland flow will be presented; including the on-site retention system shown on the current site plans.
- The existing sewer system serving the development site will be described based on records obtained from DEP. Records obtained will include sewer network maps, drainage plans, capacity information for sewer infrastructure components, and other Freedom of Information Law (FOIL) requests (such as sewer backup complaints/repair data) if warranted. The existing flows to the waste water treatment plant (WWTP) that serves the site will be obtained for the latest 12-month period, and the average dry weather monthly flow will be presented. Existing capacity information for pump stations, regulators, etc. downstream of the affected drainage area will be presented based on available information.

¹ Based on water usage rates in Table 13-2 of the *CEQR Technical Manual* the proposed project would use an estimated 182,382 gallons per day.

Forest Avenue and South Avenue Retail Development

- Any changes to the site's stormwater drainage system and surface area coverage expected in the future without the proposed project will be described. Any changes to the sewer system that are expected to occur in the future without the proposed project will be described based on information provided by DEP.
- Assess future stormwater generation from the proposed project and assess the project's potential to create impacts. The assessment will discuss any planned sustainability elements and best management practices (BMPs) that are intended to reduce stormwater runoff from the site. Changes to the site's proposed surface area (pervious or impervious) will be described, and runoff coefficients and runoff for each surface type/area will be presented. The volume of stormwater discharge from the project site for different rainfall event scenarios will be calculated based on the DEP Volume Calculation worksheet.
- Sanitary sewage generation for the project will be estimated. The effects of the incremental demand on the system will be assessed to determine if there will be any impact on operations of the WWTP.
- Based on the assessment of future stormwater and wastewater generation, the change in flows and volumes to the combined sewer system and/or waterbodies due to the proposed project will be determined.

SOLID WASTE AND SANITATION SERVICES

A solid waste assessment determines whether a project 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. According to the *CEQR Technical Manual*, a solid waste assessment is appropriate if a project generates 50 tons per week or more. The EIS will include a preliminary screening assessment of the proposed project's potential to affect solid waste and sanitation services. If warranted, a more detailed analysis will be provided.

TRANSPORTATION

The proposed retail development is expected to have the largest amount of shopping trips during the weekday midday and evening, and Saturday midday/afternoon periods. The *CEQR Technical Manual* states that a quantified transportation analysis may be warranted if the proposed action results in more than 50 vehicle-trips and/or 200 transit/pedestrian trips during a given peak hour. Since parking will be provided on site and transit- and walk-only trips to the proposed store would be minimal, there would not be a need to quantitatively address these transportation elements. The transportation impact assessment would focus only on the evaluation of vehicular access and circulation, and the potential impacts project-generated trips may have on key area intersections. As part of the operational analyses, an assessment of traffic and pedestrian safety based on recent accident data would also be prepared.

The detailed transportation analysis would include the following tasks:

TRIP GENERATION AND SCREENING ASSESSMENTS

In accordance with *CEQR Technical Manual* guidelines, a Level-1 (Trip Generation) Screening Assessment will be developed through project-specific information and a review of standard

references and approved studies. The trip estimates will be summarized by peak hour, mode of travel, and person/vehicle trips. The results of these estimates will be summarized in a Travel Demand Factors (TDF) memorandum for review and concurrence by the lead agency.

A Level-2 Project Generated Trip Assignment Screening Assessment consisting of detailed vehicle trip assignments will be prepared for the three peak analysis hours to identify the intersections recommended for the analysis of potential traffic impacts. The vehicle assignments will also be incorporated in the TDF memorandum for the review and approval by the lead agency.

TRAFFIC

- Define the study area. The traffic study area will include key intersections along the travel corridors that provide access to and egress from the project site. Based on preliminary trip estimates and consideration of differences in site access/egress locations between the as-of-right and proposed projects, the detailed traffic analysis is expected to focus on key intersections along Forest Avenue and South Avenue, including:
 - Forest Avenue and Willow Road West;
 - Forest Avenue and Morningstar Road/Richmond Avenue;
 - Forest Avenue and Lake Avenue/Eunice Place;
 - Forest Avenue and Maple Parkway;
 - Forest Avenue and Union Avenue;
 - Forest Avenue and Grandview Avenue;
 - South Avenue and Goethals Road North;
 - South Avenue and Lisk Avenue;
 - South Avenue and Amador Street; and
 - South Avenue and proposed project driveway.
- Perform traffic data collection. Traffic volumes and relevant data will be collected as per *CEQR* guidelines via a combination of manual and machine counts. Information pertaining to street widths, pedestrian crossings, parking maneuvers, traffic flow directions, lane markings, parking regulations, and bus stop locations at study area intersections will be inventoried. Traffic control devices (including signal timings) in the study area will be recorded and verified with official signal timing data from the New York City Department of Transportation (DOT). If the mobile source air quality analysis identifies a potential for significant adverse impacts, additional traffic data collection will be performed to support a more refined air quality analysis in accordance with *CEQR Technical Manual* guidelines.
- Conduct existing conditions analysis. Balanced peak hour traffic volumes will be prepared for the capacity analysis of study area intersections. This analysis will be conducted using the *2000 Highway Capacity Manual (HCM)* methodology with the latest approved *Highway Capacity Software (HCS)*. The existing volume-to-capacity (v/c) ratios, delays, and levels of service (LOS) for the weekday midday and PM peak hours, as well as the Saturday midday or afternoon peak hour will be determined.

Forest Avenue and South Avenue Retail Development

- Determine traffic volumes, v/c ratios, and LOS at the study area intersections for the weekday midday and evening, and Saturday midday or afternoon peak hours for the future No-Action condition. The AM peak hour would have an increment of fewer than 50 vehicles per hour; therefore, analysis of the peak AM hour is not warranted. In addition, the CEQR Technical Manual states, “for most types of retail, weekday midday, weekday PM and Saturday and/or Sunday midday peak periods should be considered.” Future No-Action traffic volumes will be estimated using existing volume information and by adding a background growth factor as well as incremental increases in traffic from any substantial projects in the area, including retail uses that can be developed as-of-right at the project site. Trip estimates generated for future projects and the modes of transportation for these trips will be determined using standard sources, census data, and information from other environmental studies, where available. This information will be presented for the three peak hour analysis periods. In addition, the analysis will incorporate a New York City Department of Design and Construction (DDC) project that is expected widen and restripe the South Avenue at Forest Avenue intersection and increase the length of queue lanes on the northbound approach. Analysis of future volumes without the project will include calculation of v/c ratios and LOS, and the identification of problem intersections.
- Perform traffic impact assessment for the proposed project. Project-generated trips will be assigned to the traffic network. The potential impact on v/c ratios, delays, and LOS will then be evaluated in accordance with *CEQR Technical Manual* criteria. Where significant impacts are identified, potential measures, including new signals, signal retiming, phasing modifications, roadway restriping, addition of turn lanes, and revision of curbside regulations, etc., will be explored to mitigate these impacts.

PARKING

- Analyze current and future parking conditions. Because on-site parking will be provided to accommodate the project’s own demand, an off-site parking analysis is not warranted. Based on the travel demand estimates, a parking accumulation analysis will be prepared to demonstrate the adequacy of the planned on-site parking. Where proposed improvements and/or traffic mitigation measures are expected to displace on-street parking spaces, they will also be addressed.

TRANSIT AND PEDESTRIANS

- Conduct screening analyses. As stated in the CEQR Technical Manual, a detailed bus analysis is warranted when a project would result in 50 customers in the peak hour using one route in one direction. Based on the results of the travel demand estimates, screening analyses will be prepared for transit use and pedestrian operations. These estimates are expected to show that incremental transit and pedestrian trips associated with the proposed project would be below the relevant thresholds to warrant the need for any detailed analyses.

VEHICULAR AND PEDESTRIAN SAFETY

- Examine vehicular and pedestrian safety issues. The City’s Vision Zero initiative seeks to eliminate all deaths from traffic crashes regardless of whether on foot, bicycle, or inside a motor vehicle. In an effort to drive these fatalities down, DOT and New York City Police Department (NYPD) developed a set of five plans, each of which analyzes

the unique conditions of one New York City borough and recommends actions to address the borough's specific challenges to pedestrian safety. Forest Avenue is a Vision Zero Priority Corridor. Crash data for the traffic study area intersections and other nearby sensitive locations from the most recent three-year period will be obtained from the New York State Department of Transportation. These data will be analyzed to determine if any of the studied locations may be classified per CEQR criteria as high vehicle or high pedestrian/bike crash locations and whether trips and changes resulting from the proposed project would adversely affect vehicular and pedestrian safety in the area. If any high accident locations are identified, feasible improvement measures would be recommended to alleviate potential safety issues in consultation with NYCDOT.

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. An air quality assessment determines both a proposed action's effects on ambient air quality as well as the effects of ambient air quality on the action.

The projected number of heavy-duty trucks or equivalent vehicles will likely exceed the applicable fine particulate matter (PM_{2.5}) screening thresholds in the *CEQR Technical Manual*. Therefore, a microscale analysis of PM_{2.5} and PM₁₀ mobile source emissions at affected intersections will be performed. In addition, the proposed project would provide new parking facilities; therefore, the mobile source analysis must account for the additional impacts of CO and PM from these sources.

The stationary source air quality impact analysis will have to determine the effects of emissions from any proposed fossil fuel-fired heating, ventilation and air conditioning (HVAC) systems on pollutant levels. A screening analysis will be performed to assess the potential for impacts from HVAC emissions. In addition, the project site is adjacent to areas zoned for industrial/manufacturing uses. Therefore, a screening analysis to examine the potential for impacts on the proposed project from industrial emissions, as well as large and/or major sources of emissions, will be performed.

The analysis will include the following tasks:

MOBILE SOURCE ANALYSES

- *Collection and summary of existing ambient air quality data for the study area.* Specifically, ambient air quality monitoring data published by DEC will be compiled for the analysis of existing conditions. Appropriate background levels will be selected.
- *Selection of analysis and receptor locations.* Critical intersections in the study area will be selected based on the traffic analysis. If the number of project-generated trips is estimated to exceed the *CEQR Technical Manual* carbon monoxide (CO) analysis screening threshold of 170 vehicles during a peak hour at an intersection, and/or the PM_{2.5} screening thresholds discussed in Section 311.1 of the *CEQR Technical Manual*, a detailed analysis of mobile source impacts will be performed, at critical intersections in the study area. At each selected intersection, CO, PM_{2.5} and PM₁₀ levels at multiple receptor locations sites will be analyzed in accordance with *CEQR Technical Manual* guidelines.

Forest Avenue and South Avenue Retail Development

- *Selection of the dispersion model.* The refined (Tier II) US Environmental Protection Agency (EPA) CAL3QHCR intersection model will be used to predict the maximum change in PM_{2.5} concentrations.
- *Selection of emission calculation methodology and “worst-case” meteorological conditions.* Vehicular cruise and idle emissions for the dispersion modeling will be computed using EPA’s MOVES2014a model. Five years of the most recent available meteorological data from Newark Airport and concurrent upper air data from Brookhaven, New York will be used for the simulation program.
- *Calculation of maximum and average PM levels.* At each mobile source microscale receptor site, calculate maximum 24-hour and annual average PM_{2.5} and PM₁₀ concentrations will be determined for the future conditions without the proposed project and the future conditions with the proposed project. No field monitoring will be included as part of these analyses.
- *Parking assessment.* Assess the potential CO and PM impacts associated with proposed parking facilities. Information on the conceptual design of the parking facilities will be employed to determine potential worst-case off-site impacts from emissions. An analysis will be used following the procedures outlined in the *CEQR Technical Manual* for parking facilities to determine maximum potential worst-case impacts. Cumulative impacts from on-street sources and emissions from the proposed parking facilities will be calculated.
- *Comparison of modeled CO and PM levels with guidance criteria.* Future pollutant levels with and without the proposed project will be compared with the CO and PM₁₀ National Ambient Air Quality Standards (NAAQS), and the City’s CO and PM_{2.5} *de minimis* criteria to determine the impacts of the proposed project.
- *Consistency with State Implementation Plan.* Determine the consistency of the proposed project with the strategies contained in the SIP for the area. At any receptor sites where violations of standards occur, analyses would be performed to determine what mitigation measures would be required to attain standards.
- *Mitigation.* Examine mitigation measures, as necessary.

STATIONARY SOURCE ANALYSIS

- *HVAC Systems.* Stationary source emissions will be evaluated using screening analyses to determine the potential for significant pollutant concentrations from the proposed project’s fossil-fueled HVAC systems. The HVAC screening procedure outlined in Section 322.1 of Chapter 17 of the *CEQR Technical Manual* will be used to evaluate potential impacts of annual NO₂, as well as SO₂, from the proposed project. An analysis using the USEPA-approved AERSCREEN model will also be performed to evaluate potential impacts of PM_{2.5} and one-hour average NO₂. The analyses involve determining the distance (from the exhaust point) within which potential significant impacts may occur, on elevated receptors (such as open windows, air intake vents, etc.) that are of a similar or greater height when compared to the height of the proposed project’s HVAC exhaust(s). The distance within which a significant impact may occur is dependent on a number of factors, including the height of the discharge, type(s) of fuel burned and development size. The analysis will consider the potential cumulative effects of HVAC systems on existing uses in the study area (project-on-existing), as well as on sensitive uses on-site (project-on-project). If the

- screening analysis identifies the potential for a significant adverse impact, a refined air quality analysis will be performed using the USEPA AERMOD model.
- *Industrial Sources.* A field survey will be performed to determine if there are any manufacturing or processing facilities within 400 feet of the proposed project. DEP's Bureau of Environmental Compliance (BEC) files will be examined to determine if there are permits for any industrial facilities that are identified. A review of federal and state permits will also be conducted. If manufacturing or processing facilities are identified within 400 feet of the proposed project, an industrial stationary source air quality analysis, as detailed in the *CEQR Technical Manual*, will be performed. EPA's AERMOD dispersion model screening database will be used to estimate the short-term and annual concentrations of critical pollutants at sensitive receptor sites. Predicted worst-case impacts on the project will be compared with the short-term guideline concentrations (SGC) and annual guideline concentrations (AGC) reported in the NYSDEC's DAR-1 AGC/SGC Tables guidance document to determine the potential for significant impacts. In the event that violations of standards are predicted, more refined dispersion modeling may be employed or measures to reduce pollutant levels to within standards will be examined.
 - *Large or Major Sources.* The potential impacts from existing or proposed large or major emission sources within 1,000 feet of the project site will be determined. If potential significant adverse impacts are identified from existing large or major emission sources, a refined dispersion modeling analysis will be performed using the AERMOD model. Concentrations of pollutants of concern will be determined at off-site receptor sites, as well on project receptors. Predicted values will be compared with national and State ambient air quality standards and other relevant standards. In the event that violations of standards are predicted, examine design measures to reduce pollutant levels to within standards.

GREENHOUSE GAS EMISSIONS

According to the *CEQR Technical Manual*, a greenhouse gas (GHG) emissions analysis is appropriate for: City capital projects subject to environmental review; projects that involve power generation; regulatory changes or other actions that fundamentally change the City's solid waste management system; and projects conducting an EIS that would result in development of 350,000 square feet or greater. The EIS for the proposed project will include a preliminary screening assessment of greenhouse gas emissions, and, if warranted, a more detailed analysis will be provided.

NOISE

The noise analysis, as prescribed by the *CEQR Technical Manual* will examine whether the proposed project would result in significant increases in noise levels (at sensitive land uses such as residences, open spaces, etc.) and the potential noise exposure at new sensitive uses introduced by the project. The noise analysis in the EIS will therefore examine impacts on sensitive land uses (including nearby residences, parks, schools, and child care centers) that would be affected by changes in traffic resulting from the proposed project and noise from the parking lot included in the proposed project. The methodologies used for this analysis will be consistent with the methodologies contained in the *CEQR Technical Manual*. Given that outdoor mechanical equipment would be designed to meet applicable regulations, an analysis of potential noise impacts due to building HVAC equipment is not required.

The noise analysis will consist of the following tasks:

Forest Avenue and South Avenue Retail Development

- Select receptor locations for impact analysis. These sites would include sensitive locations or representative locations in the study area where the proposed project would have the potential to result in noise level increases and will be representative of sensitive uses in the study area. Up to five (5) receptor sites adjacent to the project site will be selected during a site visit in consultation with DCP.
- Select receptor locations for building attenuation analysis that are representative of future sensitive uses included in the proposed project. The noise analysis will therefore examine impacts on sensitive land uses (including nearby residences, parks, schools, and child care centers) that would be affected by changes in traffic resulting from the proposed project and noise from the parking lot included in the proposed project. Up to five (5) receptor sites (that may or may not overlap with the measurements performed as part of the other analyses) adjacent to the project site will be selected during a site visit.
- Determine existing noise levels. At each receptor site, a 20-minute measurement would be performed during typical weekday midday, and PM and Saturday midday peak periods. Hourly L_{eq} , L_1 , L_{10} , L_{50} , and L_{90} values will be recorded on the A-weighted decibel scale (dBA) and in one-third octave bands. Traffic counts will be conducted during the 20-minute noise measurements.
- Determine future noise levels without the proposed project. At each of the impact analysis receptor locations identified above, determine noise levels without the proposed project using existing noise levels, acoustical fundamentals, and mathematical models, including the proportional model. The proportional model is one of the techniques recommended in the *CEQR Technical Manual* for mobile source analysis. The methodology used will allow for variations in vehicle/truck mixes.
- Determine future noise levels with the proposed project. At all of the receptor locations identified above, determine noise levels with the proposed project using existing noise levels, acoustical fundamentals, and mathematical models. Noise associated with the proposed parking lot will be calculated using the results of the traffic analyses and procedures outlined in the Federal Transit Administration (FTA) May 2006 guidance manual, *Transit Noise and Vibration Impact Assessment*. The methodology used will allow for variations in vehicle/truck mixes.
- Compare noise levels with standards, guidelines, and other impact evaluation criteria. Compare existing noise levels and future noise levels, both with and without the proposed project, with various noise standards, guidelines, and other appropriate noise criteria. In addition, compare future noise levels with the proposed project with future noise levels without the proposed project to determine project impacts for sensitive land uses.
- Determine amount of building attenuation required. The level of building attenuation necessary to satisfy CEQR requirements is a function of exterior noise levels. Measured values will be compared to appropriate standards and guideline levels. As necessary, recommendations regarding general noise attenuation measures needed for the proposed project to achieve compliance with standards and guideline levels will be made.

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. The goal of CEQR with respect to

public health is to determine whether adverse impacts on public health may occur as a result of a proposed project, and if so, to identify measures to mitigate such effects.

According to the guidelines of the *CEQR Technical Manual*, 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. If unmitigated significant adverse impacts are identified in any one of these technical areas and the lead agency determines that a public health assessment is warranted, an analysis will be provided for that specific technical area.

NEIGHBORHOOD CHARACTER

Neighborhood character is established by a number of factors, such as land use, zoning, and public policy; socioeconomic conditions; open space; urban design and visual resources; shadows; transportation; and noise. According to the guidelines of the *CEQR Technical Manual*, an assessment of neighborhood character is generally needed when a proposed project has the potential to result in significant adverse impacts in one of the technical areas presented above, or when a project may have moderate effects on several of the elements that define a neighborhood's character.

Methodologies outlined in the *CEQR Technical Manual* will be used to provide an assessment of neighborhood character. Work items for this task are as follows:

- Based on other EIS sections, describe the predominant factors that contribute to defining the character of the neighborhood surrounding the project site.
- Based on planned development projects, public policy initiatives, and planned public improvements, summarize changes that can be expected in the character of the area in the future without the proposed actions.
- Assess and summarize the proposed actions' effects on neighborhood character using the analysis of impacts as presented in other pertinent EIS sections (particularly traffic and noise).

CONSTRUCTION

Construction impacts, though temporary, can have a disruptive and noticeable effect on the adjacent community, as well as people passing through the area. The construction assessment in the DEIS will generally be qualitative, focusing on areas where construction activities may pose specific environmental problems. Construction of the proposed project is expected to occur in a single phase lasting up to approximately ~~24~~18 months; no portion of the proposed project would be occupied before completion of construction. This assessment will describe the construction timeline and phasing, as well as the incremental increase in construction effects in the With Action condition, compared to the No Action condition.

Technical areas to be analyzed include:

- *Transportation Systems*. This assessment will qualitatively consider losses in lanes, sidewalks, off-street parking on the project site, and effects on other transportation services, if any, during construction of the proposed project, as compared with the construction under the No Action condition.

Forest Avenue and South Avenue Retail Development

- *Air Quality.* The construction air quality impact section will contain a qualitative discussion of emissions from construction equipment, worker and delivery vehicles, and fugitive dust emissions.
- *Noise.* The construction noise impact section will contain a qualitative discussion of noise from the proposed expansion as compared with construction under the No Action condition.
- *Natural Resources.* In coordination with the natural resources analysis, this assessment will set forth methods to be undertaken during construction to prevent or minimize effects on natural resources, including wetlands.
- *Hazardous Materials.* In coordination with the hazardous materials summary, this section will determine whether the construction of the project has the potential to expose construction workers to contaminants.
- *Other Technical Areas.* As appropriate, this section will include a discussion of other areas of environmental assessment for potential construction-related impacts.

ALTERNATIVES

The purpose of an alternatives analysis is to examine reasonable and practicable options that avoid or reduce project-related significant adverse impacts while achieving the goals and objectives of the proposed project. The alternatives are usually defined when the full extent of the proposed project's impacts is identified, but at this time, it is anticipated that they will include the following:

- A No Action Alternative, which describes the conditions that would exist if the proposed actions were not implemented;
- A No Unmitigated Adverse Impacts Alternative, if unavoidable adverse impacts are identified in the EIS; and
- A discussion of other possible alternatives that may be developed in consultation with the lead agency during the EIS preparation process or that may be posed by the public during the scoping of the EIS.

For technical areas where impacts have been identified, the alternatives analysis will determine whether these impacts would still occur under each alternative. The analysis of each alternative will be qualitative, except where impacts from proposed project have been identified.

MITIGATION

Where significant adverse impacts have been identified in the EIS, this chapter will describe the measures to mitigate those impacts. These measures will be developed and coordinated with the responsible City and State agencies, as necessary. Where impacts cannot be mitigated, they will be described as unavoidable adverse impacts.

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*. They are as follows:

EXECUTIVE SUMMARY

Once the EIS technical sections have been prepared, a concise executive summary will be drafted. The executive summary will use relevant material from the body of the EIS to describe the proposed action, its environmental impacts, measures to mitigate those impacts, and alternatives to the proposed action.

UNAVOIDABLE ADVERSE IMPACTS

Those impacts, if any, which could not be avoided and could not be practicably mitigated, will be described in this chapter.

GROWTH-INDUCING ASPECTS OF THE PROPOSED PROJECT

This chapter will focus on whether the proposed project would have the potential to induce new development within the surrounding area.

IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

This chapter focuses on those resources, such as energy and construction materials, that would be irretrievably committed should the proposed project be built. *

Appendix A: Response to Comments on the Draft Scope of Work

A. INTRODUCTION

This document summarizes and responds to comments on the Draft Scope of Work, issued on August 26, 2016, for the Draft Environmental Impact Statement (DEIS) for the proposed South Avenue Retail Development project.

City Environmental Quality Review (CEQR) requires a public scoping meeting as part of the environmental review process. A public scoping meeting was held on September 27, 2016, at 970 Richmond Avenue - 121 Precinct Muster Room, Staten Island, NY 10314. Oral and written comments were accepted through the close of the public comment period, which ended at close of business on October 7, 2016.

Section B lists the organizations and individuals that provided relevant comments on the Draft Scope of Work. Section C contains a summary of these relevant comments and a response to each. These summaries convey the substance of the comments made, but do not necessarily quote the comments verbatim. Comments are organized by subject matter and generally parallel the chapter structure of the Draft Scope of Work. Where more than one commenter expressed similar views, those comments have been grouped and addressed together.

Where relevant, in response to comments on the Draft Scope of Work, changes have been made and are shown with double underlines in the Final Scope of Work.

B. LIST OF ORGANIZATIONS AND INDIVIDUALS WHO COMMENTED ON THE DRAFT SCOPE OF WORK

AGENCIES

1. Henry Colon, New York City Department of Transportation, Email dated September 22, 2016 ([DOT_001](#))
2. Gina Santucci, Environmental Review Coordinator, New York City Landmarks Preservation Commission, Email dated September 23, 2016 ([LPC_003](#))
3. Lisa Schreibman, Director of Strategic Planning, Metropolitan Transportation Authority/New York City Transit, Letter dated September 22, 2016 ([MTA_002](#))

COMMUNITY BOARD

4. John McBeth, Co-Chairperson, Staten Island Community Board 1, Verbal Comments at the Public Hearing delivered on September 27, 2016 ([CBI_005](#))

ORGANIZATIONS AND BUSINESSES

5. Elm Park Civic Association—Victoria M. Gillen, Verbal Comments at the Public Hearing delivered on September 27, 2016 ([ElmPark_007](#)) and Letter dated October 4, 2016 ([ElmPark_018](#))

South Avenue Retail Development

6. Friends of Mount Manresa—Jack Bolembach, President, Email dated October 7, 2016 ([FMM_016](#)); and Janet McKee, Secretary, Email dated October 7, 2016 ([FMM_017](#))
7. Mariners Harbor Civic Association—Kathy Romanelli, Verbal Comments at the Public Hearing delivered on September 27, 2016 ([Mariners_006](#))
8. NYC H2O—Matt Malina, Director & Founder, Email dated September 23, 2016 ([NYCH2O_004](#))
9. Protectors of Pine Oak Woods—Clifford Hagen, President, Email dated October 7, 2016 ([PPOW_015](#)); and Donald Recklies, Vice President, Verbal Comments at the Public Hearing delivered on September 27, 2016 ([PPOW_009](#)) and Letter dated October 7, 2016 ([PPOW_014](#))
10. Natural Resources Protective Association—James Scarcella, President, Verbal Comments at the Public Hearing delivered on September 27, 2016 ([NRPA_010](#)) and Email dated October 1, 2016 ([NRPA_011](#))
11. North Shore Waterfront Conservancy of Staten Island, Inc.—Beryl Thurman, Executive Director/President, Verbal Comments at the Public Hearing delivered on September 27, 2016 ([NSWC_008](#)) and Email dated October 2, 2016 ([NSWC_012](#))

GENERAL PUBLIC

12. Linda Cohen, Email dated October 7, 2016 ([Cohen_013](#))

C. COMMENTS AND RESPONSES

PROJECT DESCRIPTION

Comment 1: This project is an ill-advised and probably unnecessary development in an area likely subject to flooding. The project is likely to exacerbate the flooding in the future, will contribute to rising levels of air pollution in the area, will create unacceptable vehicular traffic, and will adversely affect the local natural environment. ([PPOW_014](#), [PPOW_015](#))

Response: An EIS is being prepared in accordance with the methodologies of the 2014 *City Environmental Quality Review (CEQR) Technical Manual* and in consultation with City agencies to assess the impacts of the proposed retail development on the environment and on residents of the area located near the project site. As discussed in the Draft Scope of Work, the analysis will include considerations of the potential effects of the proposed project on natural resources (including floodplains and wetlands), air quality, and traffic. If the analysis determines that the proposed project would result in any significant adverse impacts, the EIS will describe mitigation and avoidance measures that would be implemented. The analyses included in the EIS will be used by decision makers in determining whether or not the proposed project should be approved.

Comment 2: Local, state, and federal governments should preserve Graniteville Swamp for the health of the community residents and the preservation of a rare natural ecological system.

Elected officials must react quickly to save this natural tract of land. Many acres have already disappeared, but since this parcel was identified and determined worthy of preservation, every effort must be taken to prevent its destruction. ([FMM_016](#), [FMM_017](#))

The Graniteville Swamp has been on the open space list as land that will be purchased by the State of New York for at least two decades. However, if the State cannot get it together to purchase the Graniteville Swamp in a timely fashion, all the while recognizing its importance to the ecosystem, New York City most certainly should. ([FMM_016](#), [FMM_017](#), [NSWC_012](#))

These parcels proposed for development—and similar adjacent parcels—could be purchased as an extension of Graniteville Swamp Park. ([PPOW_014](#))

The City of New York should immediately purchase these vital 28.3-acre fresh and tidal water wetlands from its owner/developer and give it to the New York City Department of Parks and Recreation (NYC Parks) to become part of their Forever Wild Parkland, or part of the New York City Department of Environmental Protection's (DEP's)/NYC Parks's Staten Island Bluebelt System. ([Cohen_013](#), [ElmPark_018](#), [NSWC_012](#))

This development will remove a substantial portion of open “natural” space, along with the well-documented attendant physical and mental health benefits humanity derives from natural space. ([ElmPark_018](#))

Response:

The project site is located within the Graniteville Swamp area, which generally extends between Forest Avenue and Goethals Road North west of South Avenue and has been listed on the New York State Open Space Conservation Plan as a Priority Open Space Conservation Project. The Open Space Conservation Plan is administered by the New York State Department of Environmental Conservation (NYSDEC). There are currently no plans by the City or State to acquire the project site for the purposes of conservation or public open space, and public acquisition of the property is not part of the proposed actions. As noted in the Draft Scope of Work, the applicant has coordinated with NYSDEC in order to redevelop the project site with a retail development that also includes the preservation and enhancement of a substantial part of the project site's natural areas. Specifically, in 2008 the applicant proposed a site plan to NYSDEC for the retail development that included a protected wetland enhancement area and buffer planting areas; NYSDEC has provided conditional sign-off for the site to be development in substantial accordance with the proposed site plan. The wetland enhancement area and buffer planting area, as well as a stormwater management area, are intended to offset and compensate for the loss of natural resources on the project site. The EIS will include an analysis of the proposed project's potential for significant adverse impacts to natural resources.

South Avenue Retail Development

Comment 3: How will the proposed project comply with Article 24, Freshwater Wetlands Title 23, of Article 71, of the Environmental Conservation Law? ([PPOW_015](#))

Response: As stated in the Draft Scope of Work, the EIS will include an analysis of the proposed project's potential for significant adverse impacts on wetlands—including the freshwater wetlands and freshwater wetland adjacent area located on the project site—which are regulated by NYSDEC pursuant to Freshwater Wetlands, Article 24, of the Environmental Conservation Law.

Comment 4: Who will pay for relocating the traffic signal at Morrow Street? If the applicant is seeking the change to enable the project, the applicant should pay for the relocation. ([NRPA_011](#))

Response: The proposed project would not relocate the existing traffic signal on Forest Avenue near Morrow Street, but would map an additional area of Morrow Street and realign the street to utilize this traffic signal. The proposed project would include the installation of a new traffic signal on South Avenue at the eastern entrance to the proposed retail development, and the applicant would be responsible for the installation of the traffic signal in coordination with the New York City Department of Transportation (DOT).

Comment 5: One of the proposed retail tenants already has a superstore four miles away—where is the economic need for them to construct and occupy a new store? They will be competing against themselves. There is already a significant retail vacancy in the area, and we already have Charlestown Retail Center, the Staten Island Mall, and Empire Outlets. ([Cohen_013](#), [ElmPark_007](#), [ElmPark_018](#), [NRPA_010](#), [NRPA_011](#))

The local neighborhood is adequately served by existing shopping areas along Forest Avenue and Victory Boulevard. ([PPOW_014](#))

The developers' claim that their proposed shopping mall was demanded by the community is—as one of the speakers from Protectors of Pine Oaks Woods put it at the scoping meeting—manufactured by the developer, as the community has not asked for this kind of development and, in fact, pointed out a number of existing retail spaces in the area that are either abandoned or barely struggling to stay afloat. ([NSWC_012](#))

Response: As stated in the Draft Scope of Work, the applicant has identified a demand for a commercial destination in this area with a variety of retail uses, including a supermarket and wholesale warehouse. According to the applicant, these uses would support the nearby residential neighborhoods in west Staten Island; other retail centers located in New Jersey or eastern and southern Staten Island are a considerable driving distance away from these residential areas. In particular, the applicant believes that the project site's accessibility from major roadways, including Forest and South Avenue and the Staten Island Expressway, would support these retail facilities. The EIS will include an assessment of the

proposed project’s potential to result in indirect business displacement affecting nearby commercial facilities due to increased rents or retail market saturation (see “Socioeconomic Conditions”).

Comment 6: What will become of the homesteader living on the parcel? Will the applicant help relocate him? ([NRPA_010](#), [NRPA_011](#))

Response: The project site is currently a vacant wooded parcel and does not contain any residential buildings or lawful residents. Any shelters on the project site have been unlawfully built and will be removed as part of the site clearance and natural area improvements.

Comment 7: How long has the owner been in ownership of the property? ([NSWC_008](#), [NSWC_012](#))

Response: The applicant acquired the two lots on the project site (Block 1707, Lots 1 and 5) between 1977 and 1984.

Comment 8: Originally, all 28 acres were to be saved as wetlands. However, on appeal, the Freshwater Wetlands Appeals Board (FWAB) decided in 2012 the owner of the property could build on approximately two-thirds of the 28 acres. This leads me to oppose the project. ([Cohen_013](#))

Response: As noted above and discussed in the Draft Scope of Work, the applicant has coordinated with NYSDEC in order to redevelop the project site with a retail development that also includes the preservation and enhancement of a substantial part of the project site’s natural areas. The applicant believes that the site plan balances conservation and compatible, natural resource-sensitive economic development.

Comment 9: The circulation plan basically has the larger trucks basically going in the same area where visitors would be driving their personal cars, which doesn’t happen with most shopping developments—at other developments the tractor-trailers go around the back, not where visitors park their cars. Here, trucks would be impacting visitors before they get to the place where they would safely unload ([CB1_005](#)).

Response: As discussed in the Draft Scope of Work, the proposed site plan includes three vehicular entrances to the proposed retail development: a signalized entrance at Forest Avenue and the realigned Morrow Street, an unsignalized two-way, right-in/right-out only access from Forest Avenue, and a new signalized entrance on South Avenue. Truck deliveries to the larger retail spaces, in particular the wholesale warehouse building (Building C), would be made at loading areas on the southern side of the buildings in the center of the development site, as shown in the proposed site plan. The tractor trailer truck deliveries to the wholesale warehouse space are expected to primarily occur overnight and during the early morning in order to avoid the peak retail

South Avenue Retail Development

visitation period (which occurs during the afternoon). The trucks are expected to access the site from the right-in only entrance on Forest Avenue or from the South Avenue entrance, and exit the site via Morrow Street. The internal circulation plan for the development has been designed to minimize conflicts between delivery trucks and visitors' personal vehicles in order to ensure successful operation of the retail spaces. Additional information on the internal circulation plan, including truck deliveries, will be provided in the EIS.

LAND USE, ZONING, AND PUBLIC POLICY

Comment 10: This proposed development is based on what would be a short term plan of 20 to 40 years. With no long range plans beyond that in dealing with climate change issues, this low-line community will be highly susceptible. The people of Staten Island must change our short-term plans to be that of 100 years, medium-range plans to be for 300 years, and our long-term plans to be 500 or more years in order to meet the challenging projections of what we and future generations will have to deal with in terms of climate change. ([NSWC 012](#))

The site, as part of the New York City Waterfront Revitalization Program (WRP), is within a Special Natural Waterfront Area. Consideration of public policy is required, and reliance on a four-year-old permit from NYSDEC is insufficient. ([ElmPark 018](#))

Response: As stated in the Draft Scope of Work, an assessment of the proposed project's consistency with applicable public policies will be provided in the EIS. In particular, the project site is located in the City's designated Coastal Zone and is subject to the WRP, therefore an assessment of the project's consistency with the WRP, including consistency with WRP policies related to resiliency and climate change, will be provided.

SOCIOECONOMIC CONDITIONS

Comment 11: The potential for displacement of other retail operations is a concern: the blight of long-term vacancy rates along Forest Avenue, where many other large-scale retail establishments are concentrated, is intractable. ([ElmPark 018](#))

Response: As noted above in the response to [Comment 5](#), the applicant has identified a demand for a commercial destination in this area, as other retail centers located in New Jersey or eastern and southern Staten Island are a considerable driving distance away from the residential neighborhoods in west Staten Island. As stated in the Draft Scope of Work, the EIS will include an assessment of the proposed project's effects on the socioeconomic character of the area, including the potential of the proposed project to result in indirect business displacement affecting nearby commercial facilities due to increased rents or retail market saturation.

COMMUNITY FACILITIES AND SERVICES

Comment 12: This project has been presented as a job creator. The majority of those jobs will be retail, low-wage, and predominantly filled by women. A review of available day-care/pre-k facilities would be appropriate; an on-site facility would be consistent with the City’s growing awareness of the needs of low-wage workers. ([ElmPark_018](#))

Response: Following the guidelines of the *CEQR Technical Manual*, assessments of community facilities, including child care facilities, are warranted for projects that result in the introduction of a new residential population, as residents create more substantial and permanent demands. The proposed project would result in a commercial development that would introduce new workers to the area, which tend to create limited demands for community facilities and services. As stated in the Draft Scope of Work, the EIS will include a preliminary screening assessment of the proposed project’s potential to affect community facilities, including child care facilities, consistent with *CEQR Technical Manual* methodology.

OPEN SPACE

Comment 13: The Draft Environmental Impact Statement (DEIS) should include an analysis of the loss of open space. In spite of the applicant’s assertion, the Graniteville Swamp is accessible to people and is listed as a site on NYSDEC’s Open Space Acquisition Plan. ([FMM_016](#), [FMM_017](#), [NRPA_010](#), [NRPA_011](#), [NYCH2O_004](#))

This project will have direct and indirect impacts on both public and private open space. A full open space assessment—not a mere preliminary screening—is required. This project is in an underserved area, and the thresholds mandating a thorough study are lower than those cited in the Draft Scope of Work. ([ElmPark_007](#), [ElmPark_018](#))

Response: The project site contains undeveloped natural areas and is entirely privately owned and not accessible to the public, and does not contain any recreational amenities. As noted above, although the project site is located in the Graniteville Swamp area, which has been listed as a conservation area on the New York State Open Space Conservation Plan, there are currently no plans by the City or State to acquire the project site for the purposes of conservation or public open space. In addition, according to the *CEQR Technical Manual*, the project site is located in an area that is neither well-served nor underserved by open space; in this area, the thresholds requiring a detailed open space analysis are population increases of greater than 200 residents or 500 employees. As stated in the Draft Scope of Work, a screening assessment is appropriate to determine if the proposed project exceeds the *CEQR Technical Manual* thresholds requiring a detailed analysis.

HISTORIC AND CULTURAL RESOURCES

Comment 14: The revised scope of work—text dated August 22, 2016—appears acceptable for architecture and archeology. ([LPC_003](#))

Response: Comment noted.

Comment 15: How will the old Staten Island Go-Kart Association Racetrack be preserved? The oval track and signage document a key piece of Staten Island history. ([NRPA_011](#))

Response: As stated in the Environmental Assessment Statement (EAS) and the Draft Scope of Work, the project site is currently vacant land and does not contain any structures that meet the requirements for consideration as historic architectural resources following *CEQR Technical Manual* guidelines (e.g., designated New York City Landmarks [NYCLs], or properties listed on the State and National Register of Historic Places [S/NR]). Therefore, an assessment of architectural resources in the EIS is not warranted. However, as the project site is located in an area of generalized archaeological sensitivity, an analysis of potential archaeological resources will be provided in the EIS.

URBAN DESIGN AND VISUAL RESOURCES

Comment 16: This project, and all proposed future projects, must consider the pedestrians’ point of view. Currently, bus stops and transfer points at the intersection of Forest Avenue and South Avenue are heavily used. This project presents a radical change to the area—for example, the visual field changes from a lush natural expanse to blank walls, a flat, negative impact. Mitigation measures, such as a green (biophilic) wall should be considered. ([ElmPark_007](#), [ElmPark_018](#))

Response: As stated in the Draft Scope of Work, following *CEQR Technical Manual* guidelines, an assessment of urban design and visual resources is required for projects that result in a physical change to a development site beyond those allowed by existing zoning. Specifically, the *CEQR Technical Manual* recommends that an assessment is appropriate when a project would result in the modification of zoning regulations concerning yards or height and setback, or when a project would result in an increase in built floor area beyond what would be allow “as-of-right” under zoning. The proposed actions are limited to a special permit to allow retail establishments with Use Group (UG) 6 and 10A uses in excess of 10,000 zoning square feet (zsf) as well as an amendment to the City Map, and would not affect the zoning regulations regarding yard, height, and setback, and allowable bulk applicable to the project site. Changes to the project site that would be visible to pedestrians would occur absent the proposed actions, as the project site would be redeveloped with a similar retail development that does not require any discretionary approvals in accordance with the NYSDEC-approved site plan. In consultation with DCP, the applicant

has made a number of site plan design modifications since the Draft Scope to incorporate additional pedestrian paths and parking lot landscaping elements, such as tree plantings and bioswales. These design modifications are reflected in the draft ULURP site plan drawings, which are the subject of discretionary special permit approval. The EIS will include a preliminary screening assessment of the proposed project's potential to affect the pedestrian experience in the nearby area.

NATURAL RESOURCES

Comment 17: Wetlands help mitigate flood risk. The streams that connect at the west and south ends of the property have elevations of two feet above sea level, which makes them vulnerable to flooding. ([NYCH2O_004](#))

Superstorm Sandy created flooding in this area, and it is likely that sea-level rise will make the area even more vulnerable to similar storms. Much of the flooding in the development area was constrained by the presence of marshes remaining to the west and in part by the very band of swamp-forest that this development will destroy. ([PPOW_009](#), [PPOW_014](#))

According to a map based on the work of the New York Panel on Climate Change and the Institute for Sustainable Studies at Hunter College, this area of Staten Island will, decades from now, be underwater. We can plan to preserve life now by saving our wetlands.

With sea levels rising, what happens during the next storm when the waters rise in Newark Bay, the Elizabeth River, and Arthur Kill River? What happens to those hundreds of resident in the dense developments across South Avenue? ([Cohen_013](#))

Unique landscapes like this have declined significantly on Staten Island over the past several decades, particularly on the North Shore, where population density has grown and housing has become overcrowded. A place like this, with rare wildlife and natural beauty in a wetland environment, helps maintain the natural balance for the ecosystem. ([FMM_016](#), [FMM_017](#))

The parcel has both freshwater wetlands and tidal wetlands. It is unconscionable to fill in wetland parcels while sea levels are rising. The connecting drainage creeks to the west and south of the Graniteville Swamp have an elevation of two feet above sea level; if there is a strong north or westerly wing, the parcel floods significantly. ([NRPA_011](#))

These wetlands should continue to function fully, providing the existing Environmental Justice residential community of Mariners Harbor with climate change protection from sea level rise, storm surges, and flooding from Old Place Creek and the Arthur Kill River, while also acting as a filtration system for this ecosystem. In addition, the wetlands should provide flood protection in the form of being a natural rain water containment area, absorbing rains from heavy

South Avenue Retail Development

storms that can quickly overwhelm our existing antiquated storm sewer system, which cause streets and neighboring properties in this low-line area to flood from fast-moving rain water.

If these wetlands are developed near their property, 4,000-plus residents will stand a good chance of losing their possessions and/or lives during the next hurricanes. In a post-Katrina, Irene, and Superstorm Sandy world, proposals from the private sector that are this superficial are laughable—especially when they involve the tampering with and/or the destruction of wetlands. This property is in a High Risk Flood Area and is zoned AE. How many more red flags does one need? ([NSWC 008](#), [NSWC 012](#))

What most disturbed us as a whole is the disturbance of the wetlands. Post-Sandy, wetlands are what saved a lot of the North Shore. There were areas where wetlands were able to absorb the water the inundated other areas, and saved a lot of peoples' homes. There is already a flooding issue with the homes in the area near the project site. I have a home relatively close to this area, and I experience flooding in my backyard when there's a heavy rain. So I am concerned what could happen with flooding if the ecosystem were to be disrupted. ([CB1 005](#)).

Response: As noted in the Draft Scope of Work, the proposed project includes the preservation and enhancement of the regulated wetland and wetland adjacent areas on the southern portion of the project site in accordance with the NYSDEC-approved site plan. The EIS Natural Resources chapter will include an assessment of the proposed project's potential effects on floodplains and wetlands, accounting for this natural area preservation, and will also include an assessment of the proposed project's consistency with the resiliency and climate change goals of the WRP (see "Land Use, Zoning, and Public Policy"). If any significant adverse impacts to natural resources (floodplains and wetlands) are identified by the analysis, measure to mitigate and/or reduce those impacts will be developed and discussed in the EIS.

Comment 18: The demonstrable loss of this unique, freshwater wetland ecology is unacceptable. Though the property owners might suffer a redeemable financial loss, the people of Staten Island could not recover from the loss of this natural area. ([PPOW 015](#))

Response: As noted above and discussed in the Draft Scope of Work, the proposed project includes the preservation and enhancement of the wetland areas on the southern portion of the project site, and the applicant has extensively coordinated with NYSDEC in order to redevelop the project site with a retail development that balances conservation and compatible, natural resource-sensitive economic development. The EIS will include a Natural Resources chapter analyzing the proposed project's potential effects on natural resources.

Comment 19: The ferns carpeting the forest floor are very rare in New York. There are numerous small mammals, rare red-striped salamanders, bats, owls, songbirds, and hawks that live in the parcel. It is not justifiable to state that the loss of wildlife would be an “unavoidable adverse impact.” Will the applicant post signage requesting they relocate? ([FMM_016](#), [FMM_017](#), [NRPA_011](#))

Response: As stated in the Draft Scope of Work the EIS will include a Natural Resources chapter analyzing the proposed project’s potential effects on natural resources on the project site, including terrestrial habitats and wildlife present on the project site. If any significant adverse impacts affecting habitats or wildlife, including threatened or endangered species, are identified, mitigation measures will be developed and discussed in the EIS.

Comment 20: The floodplain-forest, mostly oak, that currently exists on site is young but healthy and serves as one of the buffers for drainage to Old Place Creek. A look at an aerial view of the area reveals that extremely few woodlands bordering these wetlands survives. Such woodlands serve to sequester carbon and are home to a natural community of creatures that will vanish with the forest; its survival should be given a high priority. ([PPOW_009](#), [PPOW_014](#))

Response: Comment noted.

Comment 21: Mitigation for the loss of wetland must be included in the DEIS, in terms of the purchase and restoration of a wetland that is comparable to the Graniteville Tree Swamp so that the Mariners Harbor community will recoup three times over in what the developer will be taking away from them. ([NSWC_008](#), [NSWC_012](#))

If this wetlands-destroying project were to be approved, DCP must require the applicant to purchase parcels for donation to NYC Parks to replace the lost wetlands. ([NRPA_010](#), [NRPA_011](#), [NYCH2O_004](#))

Response: The project site is privately owned and is not publicly accessible. Hence, the development on a portion of the project site will not result in any lost community wetlands or park resources. As discussed in the Draft Scope of Work, while the proposed project would result in development on a portion of the NYSDEC regulated wetland adjacent area and isolated USACE wetlands, pursuant to a NYSDEC-approved site plan it would preserve 6.94 acres of mapped wetland areas. The proposed project would also provide wetland enhancements to remove non-native species and restore the native characteristics in the area, including the planting of new trees and shrubs. An analysis of the proposed project’s potential effects on wetlands, accounting for the wetland preservation and enhancement, as well as any mitigation measures that are practical and feasible, will be provided in the EIS.

Comment 22: Run-off from large paved areas of auto parking and especially from the proposed auto service station will be deleterious to the health of the marshes

South Avenue Retail Development

along Old Place Creek. Should the project meet approval, at very least the wetlands area buffers should be the maximum required. ([PPOW_009](#), [PPOW_014](#))

Mitigation measures must be offered to offset the negative impacts of this project. For example, the stormwater runoff will include contaminants from the parking lot; a detention pond alone is insufficient to protect the remaining wetlands and water table. Filtration is necessary; phytoremediation offers an ecologically and esthetically pleasing option. The detention pond should not be included in the wetlands area, as it is a direct consequence of the development and not part of the wetlands. ([ElmPark_007](#), [ElmPark_018](#))

Response: While the proposed project would result in development on a portion of the NYSDEC-regulated wetland adjacent area and isolated USACE wetlands, pursuant to a NYSDEC-approved site plan it would preserve 6.94 acres of mapped wetland areas. As noted in the Draft Scope of Work, the proposed project includes a stormwater management area to the south of the proposed retail buildings that will slowly discharge stormwater to the preserved wetland area. The stormwater management area is a stipulated element of the NYSDEC-approved site plan. The proposed development must adhere to DEP regulations concerning on-site retention and detention of stormwater, include pre-treatment. An assessment of the proposed project's potential effects on wetlands, including the effects of stormwater runoff, will be provided in the EIS.

WATER AND SEWER INFRASTRUCTURE

Comment 23: The Port Richmond Waste Water Treatment Plant (WWTP) treats a combination of storm and sewage water. During rainy weather, when it can't handle the volume of water, it often diverts all the excess water including sewage into the Kill Van Kull. This problem will be exacerbated by building on these wetlands, as more storm water makes its way to the treatment plant. As more folks take to the waterfront for boating, fishing, and kayaking, the dumping of fecal material, vehicle emissions from (new) parking lots, and other noxious chemicals into our waterways cannot be tolerated. These problems will be exacerbated by this project. The proposal for a stormwater retention basin will not suffice to counter these problems.

For the environmental assessment, please provide stats on sewage currently entering our waterways along with future projections if the project is implemented. ([Cohen_013](#))

Response: As stated in the Draft Scope of Work, the proposed project would include a stormwater management area to the south of the supermarket portion of the proposed development, as required by the NYSDEC-approved site plan. Stormwater on the project site is expected to drain into the stormwater management area before it is discharged to the wetland area; therefore, the proposed retail development is not expected to result in increased stormwater

discharges to the sewer system. The EIS will include a Water and Sewer Infrastructure chapter assessing the proposed project's effects on wastewater and stormwater infrastructure, including an assessment of the proposed project's potential impact on operations of the Port Richmond WWTP.

Comment 24: The analysis of the existing combined sewer capacity should consider wet-weather conditions, including increasingly common storms; using average dry-weather monthly flow is not sufficient. Sewer outfalls should also be considered, and all information should be forward thinking and proactive. It should gauge the combined impact of planned future developments. ([ElmPark_018](#))

Response: As stated in the Draft Scope of Work, EIS will include an assessment of the proposed project's effects on wastewater and stormwater infrastructure, including the effects of runoff from the project site during wet-weather events. Consistent with *CEQR Technical Manual* methodology, the assessment will not consider future projections of wastewater flows to a sewer system from development growth independent of the proposed project; regional infrastructure capacity needs are managed by the City's drainage plan independent of the proposed project. As noted in the response to [Comment 23](#), the proposed project would include a stormwater management area, and stormwater from the project site is expected to drain into the wetland area.

SOLID WASTE AND SANITATION SERVICES

Comment 25: The study must consider the pending change to zoned collection of commercial waste. Staten Island's significant commercial carters are concentrated in an Environmental Justice area. Increased traffic on an already stressed corridor (Richmond Terrace) will have a deleterious effect on residents and commercial interests alike. Efforts to reduce waste should be required (and monitored for compliance) to mitigate the effect. ([ElmPark_018](#))

Response: As stated in the Draft Scope of Work, a solid waste assessment is appropriate if a project generates 50 tons or more per week; the EIS will include a preliminary screening assessment of the proposed project potential to affect solid waste and sanitation based on this *CEQR Technical Manual* threshold. Any change to regional solid waste management in the area is not part of the proposed project. The project site is located along two major roadways (Forest Avenue and South Avenue), and the proposed project is not expected to result in a significant increase in truck traffic along Richmond Terrace (see "Transportation").

TRANSPORTATION

TRAFFIC

Comment 26: You should include queue length in Existing, No Build, and Build scenarios, and reflect the information in the level of service (LOS) table. Also, you should state why the AM peak hour LOS analysis was not warranted. ([DOT_001](#))

Response: The queue lengths will be provided in the EIS traffic analysis backup; because queue length is not a criterion for determining impacts, they will not be included in EIS LOS tables. The AM peak hour would have an increment of fewer than 50 vehicles per hour; therefore, analysis of the peak AM hour is not warranted. In addition, the *CEQR Technical Manual* states, “for most types of retail, weekday midday, weekday PM and Saturday and/or Sunday midday peak periods should be considered.” This information has been added to the Final Scope of Work.

Comment 27: The project will add many vehicles entering and leaving the area contributing to air pollution and likely to create unacceptable congestion during rush hours. I question whether the traffic analysis will adequately consider large vehicles entering and leaving a development containing among others a large box store. The effect of these vehicles and their ability to negotiate the development site must be carefully scrutinized, especially that of large trucks entering and exiting by way of the Goethals Bridge and turning off of South Avenue. ([PPOW_014](#))

Response: As stated in the Draft Scope of Work, the EIS will analyze the potential traffic and air quality impacts using accepted methodologies in the *CEQR Technical Manual*. The traffic study will assess impacts, and, where necessary, appropriate mitigation measures, which may include traffic signal retiming, lane restriping, and other typical mitigation measures, will be recommended for DOT consideration. The traffic analysis will include the estimated peak hour trip generation of trucks resulting from the proposed project. The three project site entrances will be adequately sized to accommodate delivery trucks accessing the proposed retail spaces, and both driveways will be proposed to operate under traffic signal controls, pending DOT approval.

Comment 28: Our main concern is traffic. I don’t see anything about widening any of the streets—right now there are two lanes on Forest Avenue and two lanes on South Avenue, they back up tremendously with the retail and office buildings along South Avenue. With all of the traffic from the proposed project, which has approximately 900 parking spaces, plus truck traffic coming to the stores, I hope you look further into traffic and maybe widen some streets ([CB1_005](#), [Mariners_006](#)).

Response: As stated in the Draft Scope of Work, the traffic study will assess impacts, and, where necessary, appropriate mitigation measures, subject to DOT approval.

Such mitigation measures may include traffic signal retiming, lane restriping, and other typical mitigation measures.

PARKING

Comment 29: Please provide the information that supports the conclusion that “on-site parking” is “adequate” and “an off-street parking assessment is not warranted.” ([DOT_001](#))

Response: The EIS parking analysis will provide details on projected parking demand and compare it to the supply planned for the site.

TRANSIT AND PEDESTRIANS

Comment 30: The scoping document does not identify the threshold to be used for bus analysis. It is 50 customers in the peak hour using one route in one direction. ([MTA_002](#))

Response: The *CEQR Technical Manual* threshold requiring a bus analysis has been added to the Final Scope of Work.

Comment 31: The DEIS needs to include public transportation. It is unconscionable to destroy 800 mature trees then build a project without public transportation improvements. ([NRPA_010](#), [NRPA_011](#))

Response: As stated in the Draft Scope of Work, the EIS will conduct a screening analysis to determine if the proposed project’s net incremental project trips would exceed the *CEQR Technical Manual* transit analysis thresholds and whether a detailed analysis of transit impacts is warranted.

Comment 32: Pedestrian and bike access need to be considered

There are heavily used bus stops in the immediate area, and residents living right across the street and in the immediate area should be considered potential pedestrians. Foot traffic will increase as the City completes planned sidewalk installations. ([ElmPark_007](#), [ElmPark_018](#))

Response: As stated in the Draft Scope of Work, the EIS will conduct a screening analysis to determine if the proposed project’s net incremental trips would exceed the *CEQR Technical Manual* pedestrian analysis threshold of 200 peak hour pedestrian trips and whether a detailed analysis of pedestrian operations is warranted.

VEHICULAR AND PEDESTRIAN SAFETY

Comment 33: Please review the Staten Island Vision Zero Initiative and include [the following text](#) in the scoping document: “The City’s Vision Zero initiative seeks to eliminate all deaths from traffic crashes regardless of whether on foot, bicycle, or inside a motor vehicle. In an effort to drive these fatalities down, DOT and

South Avenue Retail Development

New York City Police Department (NYPD) developed a set of five plans, each of which analyzes the unique conditions of one New York City borough and recommends actions to address the borough's specific challenges to pedestrian safety. Forest Avenue is a Vision Zero Priority Corridor.” ([DOT_001](#))

Response: This description has been added to the Final Scope of Work.

Comment 34: The scoping document should analyze whether there are sufficient sidewalks leading from the nearby bus stops to the site. These sidewalks should be appropriate for a customer using a wheelchair, walker or similar. ([MTA_002](#))

Response: Additional information on the proposed project's pedestrian elements has been added to the Final Scope. As shown in Figure 2a of the Final Scope, the proposed site plan includes sidewalk improvements along the project site's street frontages to provide pedestrian access to the proposed retail spaces. The proposed sidewalks would be designed to comply with the applicable accessibility regulations. In addition, two north-south pedestrian paths are proposed to be located within the planting islands in the parking area, which would provide pedestrian access to the MTA bus stop on Forest Avenue.

Comment 35: Lack of queuing lanes for South Avenue will ultimately result in the same pandemonium seen at Costco. ([ElmPark_018](#))

Response: A New York City Department of Design and Construction (DDC) project is expected to widen and restripe the South Avenue at Forest Avenue intersection and increase the length of queue lanes on the northbound approach. The Final Scope has been updated to reflect that this planned intersection improvement will be incorporated into the traffic analysis for the future baseline conditions.

AIR QUALITY

Comment 36: The oak and maple trees filter out toxins from the air and soil. This has a positive environmental impact on the neighboring communities. The rate of asthma in the adjacent neighborhoods is high. Cutting down approximately 800 trees would only make this problem worse and is not environmentally justifiable. ([FMM_016](#), [FMM_017](#), [NRPA_010](#), [NRPA_011](#), [NYCH2O_004](#))

Near these wetlands, refineries and chemical factories in New Jersey emit carcinogenic particles and pollutants into the atmosphere. ([FMM_016](#), [FMM_017](#))

Maintaining the natural landscape and abundant vegetation is critical to the health of thousands of residents of surrounding diverse ethnic neighborhoods who are exposed to polluted air. ([FMM_016](#), [FMM_017](#))

Response: As noted above and described in the Draft Scope of Work, Work, the proposed project includes the preservation and enhancement of the wetland areas on the southern portion of the project site. The Final Scope has been updated to

provide additional information related to the proposed project's NYSDEC mitigation plan, which describes wetland enhancements to remove non-native species and restore the native characteristics in the area. In accordance with the NYSDEC-approved site plan, the proposed project would include tree replacement; in particular, the enhancement plan includes the planting of approximately 2,200 new trees and 9,200 new shrubs. Additional discussion of tree replacement has been added to the Final Scope of Work and will be discussed in detail in the EIS. Per the *CEQR Technical Manual* guidance, a mesoscale analysis is required when projects have the potential to greatly increase the total number of vehicle miles traveled in a region, such as from major highway improvements or changes to regulations that affect numerous sources (e.g., changes to the type of fuel burned throughout the city). Given the relative small size of the proposed project's net incremental operations, a mesoscale or regional air quality analysis is not warranted..

Comment 37: Scoping should consider the potential impact at the loading bays, a combined stationary and mobile source. Required mitigation measures include, among other things, on-grid power supply for refrigerated trucks and strict enforcement of anti-idling laws. ([ElmPark_018](#))

Response: As stated in the Draft Scope of Work, a combined analysis of automobile emissions within the proposed parking lot and emissions from on-street traffic will be performed. As necessary, the EIS Air Quality analysis will describe any mitigation measures developed in consultation with the responsible agencies.

GREENHOUSE GAS EMISSIONS

Comment 38: Staten Island, as part of the City of New York, shares the City's mission to reduce our collective carbon footprint. This project represents a significant loss of existing mitigators viz. greenhouse gases (plant loss) and the effects of climate change (decreased flood control attributable to loss of wetlands). The net impact of these losses combined with the introduction of significant detrimental changes must be considered. We fear a "screening assessment" alone will not identify mitigation measures. For example, the roof area should be used for solar panels. Careful traffic queue design could reduce vehicle emissions. ([ElmPark_018](#))

Response: As stated in the Draft Scope of Work, the *CEQR Technical Manual* recommends that a greenhouse gas emissions analysis is appropriate for certain City capital projects, projects that involve power generation or changes to the City's solid waste management system, or projects that would result in development of 350,000 square feet of space or more. As the proposed project would not exceed any of these thresholds, a screening assessment is appropriate and will be provided in the EIS. As noted above, assessments of the proposed project's potential effects on natural resources, including floodplains, and

South Avenue Retail Development

resiliency will be provided in the Natural Resources analysis, as well as the WRP consistency assessment.

NOISE

Comment 39: While there is much discussion of measuring existing noise and estimating future noise impacts, with an emphasis on traffic, there is no mention of exploring mitigators. That must be a part of any study. There is a health care facility abutting the site—a sensitive receptor, as well as homes directly across the street. There have been many complaints about the noise generated by loading-bay operations—screening must be a requirement. Traffic queue design may help to minimize honking, and “green walls” on the largest building will absorb, rather than reflect, sound. ([ElmPark_018](#))

Response: As discussed in the Draft Scope of Work, the EIS will include a Noise chapter analyzing the proposed project’s noise effects, including the effects of delivery trucks accessing the proposed retail development as well as other vehicular traffic generated by the proposed project. The analysis will consider the effects on noise levels on sensitive receptors near the project site, including nearby community facilities and residences. The analysis will also describe any building attenuation measures needed for the proposed project to achieve compliance with relevant noise standards and guideline levels.

PUBLIC HEALTH

Comment 40: We believe a public health evaluation will be required, based on the scope of the project, the proximity of dense residential development, and existing health status of the community members. Again, mitigators for negative impacts in all domains must be aggressively pursued. ([ElmPark_018](#))

Response: As stated in the Draft Scope of Work, according to *CEQR Technical Guidelines*, a public health assessment is warranted if any unmitigated significant adverse impacts are identified in other CEQR analysis areas, such as air quality, water quality, hazardous materials, or noise. If warranted based on the analysis results in the relevant areas, a public health assessment will be provided in the EIS. In all analysis areas, if a significant adverse impact is identified, measures to mitigate that impact will be development and coordinated with the responsible agencies.

ALTERNATIVES

Comment 41: Public acquisition of these parcels is an alternative that must be considered. ([ElmPark_018](#))

Response: The applicant intends to redevelop the project site with a commercial center pursuant to a NYSDEC-approved site plan, and, as noted above, public acquisition of the property is not part of the proposed project. As stated in the Draft Scope of Work, the EIS will consider reasonable and practicable options

that avoid or reduce project-related significant adverse impacts while achieving the goals and objectives of the proposed project. Reasonable alternatives to the proposed project will be determined in consultation with the lead agency.

MITIGATION

Comment 42: Serious consideration of mitigating elements must be presented. A pro-forma statement will certainly generate unavoidable adverse impacts, which is not an acceptable outcome. ([ElmPark_018](#))

Response: As stated in the Draft Scope of Work, the EIS will follow the analysis guidelines of the *CEQR Technical Manual* to determine the potential significant adverse impacts of the proposed project, and will include detailed discussions of any necessary mitigation measures.

Comment 43: A community liaison should be appointed as a mitigator, and hiring requirements should involve union and local hiring. ([ElmPark_018](#))

Response: As stated in the Draft Scope of Work, where significant adverse impacts are identified for the proposed project in the EIS, mitigation measures would be developed and coordinated with the responsible City and State agencies. Union and local hiring practices are outside the scope of environmental review.

CEQR PROCESS

Comment 44: The developer and client must do a better job with community notification regarding the meetings, including door-to-door flyer notices two weeks prior to meetings so that residents in the adjacent community can adjust their schedules to attend. They will also have to notify the media—print, TV, and radio—about the meetings; most have calendar boards where they make these kinds of announcements to the public. In addition, all meetings regarding this proposed development should take place at 7:00/7:30 PM, giving commuters time to get back to Staten Island from work. ([ElmPark_018](#), [NSWC_008](#), [NSWC_012](#))

Response: Review of the proposed project under CEQR, including any public review and community outreach, will be performed in accordance with the applicable CEQR rules as outlined in the Draft Scope of Work.

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Appendix B
Written Comments on Draft Scope of Work

From: Colon, Henry

Sent: Thursday, September 22, 2016 1:57 PM

To: Lisa Blake (DCP) <LBlake@planning.nyc.gov>

Subject: FW: DSOW for South and Forest Avenue Retail Development (17DCP030R)

Hi Lisa:

Below please find our comments on the Forest and South Avenues DSOW.

Thank you,

Henry

Traffic

Please have the consultant include queue length in Existing, No Build and Build scenarios and reflect the information in the LOS table. Also, the consultant should state why the AM peak hour LOS analysis was not warranted.

Parking

Please have the consultant provide the information which supports their conclusion that “on-site parking being adequate and that an off-street parking assessment is not warranted”.

Vehicular and Pedestrian Safety

Below is a link to the Staten Island Vision Zero Initiative. Please have the consultant review the information and include the following text in the scoping document.

“The City’s Vision Zero initiative seeks to eliminate all deaths from traffic crashes regardless of whether on foot, bicycle, or inside a motor vehicle. In an effort to drive these fatalities down, DOT and New York City Police Department (NYPD) developed a set of five plans, each of which analyzes the unique conditions of one New York City borough and recommends actions to address the borough’s specific challenges to pedestrian safety. Forest Avenue is a Vision Zero Priority Corridor”

<http://home2.nyc.gov/html/dot/downloads/pdf/ped-safety-action-plan-staten-island.pdf>

ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / 17DCP030R
Project: FOREST AVE AND SOUTH AVE RETAIL
Date received: 9/15/2016

Comments: The revised scope of work text dated 8/22/2016 appears acceptable for architecture and archeology.

Gina Santucci

9/23/2016

SIGNATURE
Gina Santucci, Environmental Review Coordinator

DATE

File Name: 31313_FSO_DNP_09222016.doc



New York City Transit

September 22, 2016

Robert Dobruskin, AICP, Director
New York City Department of City Planning
120 Broadway, 31st Floor
New York, New York 10271

Hilary Semel, Director
Mayor's Office of Sustainability
253 Broadway, 14th Floor
New York, New York 10007

Re: South Avenue Retail Development Scoping Document

Dear Mr. Dobruskin and Ms. Semel:

MTA-New York City Transit's Operation Planning group has reviewed the transit analysis portion of the scoping document for the South Avenue Retail Development proposal and have the following comments:

- The scoping document does not identify the threshold to be used for bus analysis. It is 50 customers in the peak hour using one route in one direction.
- The scope should analyze whether there are sufficient sidewalks leading from the bus stops to the site. These sidewalks should be appropriate for a customer using a wheelchair, walker or similar.

If you or the applicant have any questions, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa Schreibman".

Lisa Schreibman, Director Strategic Planning
MTA-NYCT Operation Planning
2 Broadway, A17.62
New York, NY 10004
Lisa.schreibman@nyct.com

74 Winant Street
Staten Island, New York 10303
347.217.6236; vmgillen@yahoo.com

4 October, 2016

Robert Dobruskin, Director
Environmental Land Use and Review
New York City Department of City Planning
120 Broadway, 31st Floor
New York, New York 10271

Re: South Avenue Retail Development
CEQR 17DCP030R Scoping Comments
Block 1707 Lots: 1 and 5, Staten Island

Salutations,

We want to see this space preserved in its current state, maintaining its critical role as a resilient natural feature, protecting our community from inevitable future flooding events, supporting local biodiversity, and buffering us from the daily assaults of modern life (noise and air pollution, e.g.) This development will remove a substantial portion of open ‘natural’ space, along with the well-documented attendant physical and mental health benefits humanity derives from natural space.

In sum, we believe all privately-held lands in the Graniteville Marsh should be purchased and transferred to City or State entities, to be held in their natural, undeveloped state for the public weal. Anything less enriches a few at great expense to the community.

That being said, we fear that, once again, this development is coming, notwithstanding the community’s concerns or the impact on current and future generations (sigh). We appreciate the fact that the proposal is a far sight better than as-of-right; if this project passes scrutiny and withstands the pressure from an outraged community, we hope CEQR and the EIS will serve as a challenge to all parties involved to make this a project which respects the neighborhood and reflects responsible, mindful consideration of the implications to the health of our community and, indeed, our planet... A project that generates pride, not just profit.

The City Environmental Quality Review offers us the tools to rise to this challenge. The following comments are based on the CEQR manual (2014) and a close reading of the Draft Scope/Environmental Impact Statement. We hope that, in addition to identifying and disclosing the significant impact of this project, mitigation measures will be identified, and **required as conditions of approval**. This is not a pro-forma response; do not countenance a pro-form study.

- Need “applicant has identified a demand in this area of Staten Island” Please support this statement: we have found a complete lack of desire for a large retail development among community members. Low-paying Retail jobs are viewed as having de minimus benefit.
- Socioeconomic Conditions The potential for displacement of other retail operations is a concern: the blight of long-term vacancy rates along Forest Avenue, where many other large-scale retail establishments are concentrated, is intractable.
- Community Facilities the project has been presented as a “job creator.” The majority of those will be retail jobs, low-wage, and predominantly filled by women. A review of available day-care/Pre-K facilities would be appropriate; an on-site facility would be consistent with the City’s growing awareness of the needs of low-wage workers.
- Open Space The project will have direct and indirect impacts on both public and private open space. A full Open Space Assessment is **required**, not a mere “preliminary screening”. This is located in an "underserved area", and the thresholds mandating a thorough study are lower than those cited in the Draft Scope.
- Urban Design Visual Resource Assessment We urge a detailed and thoughtful study. The scoping document is predicated on the assumption that vehicular traffic is the main consideration, contrary to current reality and predictions of future decreased dependence on automobiles – even in Staten Island. We submit that this, and all proposed future projects, must consider the pedestrian’s point of view. Currently, bus stops and transfer points at this intersection are heavily used.

This proposal presents a radical change to the area – for example, the visual field changes from a lush natural expanse to blank walls: a flat, negative impact. Mitigation measures, such as a “green” (biophilic) wall should be considered. South Avenue connects Richmond Terrace to the Teleport area: both offer practical day-to-day travel as well as recreational experiences to bicyclists. The Nicotras’ work at the southern end of South Avenue shows us what can be done:

- extend the pleasing effect. We submit that pedestrian/bike access needs must be considered.
- Natural Resources; Water and Sewer Infrastructure The site, part of the NYC Waterfront Revitalization Program, is located within a Special Natural Waterfront Area. Consideration of public policy (PLaNYC, e.g.) are required – reliance on a four-year old permit from NYS Department of Environmental Conservation is insufficient. Furthermore, mitigating measures must be offered/required to offset the negative impacts of this project. For example, the stormwater runoff will include contaminants from the parking lot: a detention pond alone is insufficient to protect the remaining wetlands and water-table. Filtration is necessary; phytoremediation offers an ecologically and esthetically pleasing option. The detention pond should not be included in the wetlands area: it is a direct consequence of the development, and not part of the wetlands. Basing the analysis of the existing combined sewer capacity should consider wet-weather conditions, including increasingly common storms, using “average dry weather monthly flow” is not sufficient. Sewer outfalls should also be considered, and all information should be forward thinking and pro-active: it should gauge the combined impact of planned future developments.. The South Avenue Retail Development is not the only, nor the last, proposal for development on the North Shore.
 - Solid Waste and Sanitation The study must consider the pending change to zoned collection of commercial waste. Staten Island’s significant commercial carters are concentrated in an Environmental Justice area: increased traffic on an already stressed corridor (Richmond Terrace) will have a deleterious effect on residents and commercial interests alike. Efforts to reduce waste should be required (and monitored for compliance) to mitigate the effect.
 - Energy see “Greenhouse Gas Emissions”, *infra*.
 - Transportation It is short-sighted to confine the analysis to car (and truck) traffic. There are heavily used bus stops in the immediate area, and residents living right across the street and in the immediate area should be considered potential pedestrians. Foot traffic will increase as the City completes planned sidewalk installations. Further, when it comes to vehicular traffic, we fear the lack of queue-ing lanes for South Avenue will ultimately result in the same pandemonium seen at Costco... Finally, Staten Island, as a part of the City of New York, shares the City’s mission to reduce our collective carbon footprint. We trust the CEQRA will reflect that, unlike the Draft Scope.

- Air Quality Scoping should consider the potential impact at the loading bays, a combined Stationary and Mobile source. Required mitigation measures include, among other things, on-grid power supply for refrigerated trucks and strict enforcement of anti-idling laws. Also see “Greenhouse Gas Emissions”, *infra*.
- Greenhouse Gas Emissions and Climate Change This project represents a significant loss of existing mitigators viz. greenhouse gases (plant loss) and the effects of climate change (decreased flood control attributable loss of wetlands). The net impact of these losses combined with the introduction of significant detrimental changes must be considered. We fear a “screening assessment” alone will not identify mitigation measures. For example, the roof area should be used for solar panels. Careful traffic queue design could reduce vehicle emissions. It must be noted that aggressive mitigation provides the owner/tenants with an excellent “good neighbor” public relations opportunity.
- Noise There is much discussion of measuring existing noise and estimating future noise impacts, with an emphasis on traffic. There is no mention of exploring mitigators. That must be a part of any study. There is a health care facility abutting the site: a sensitive receptor, as well as homes directly across the street. We have heard many complaints about the noise generated by loading-bay operations – screening must be a requirement. Again, traffic queue design may help to minimize honking. “Green walls” on the largest building will absorb, rather than reflect, sound.
- Public Health We believe an evaluation will be indicated, based on the scope of the project, the proximity of dense residential development, and existing health status of the community members. Again, mitigators for negative impacts in all domains must be aggressively pursued.
- Neighborhood Character THIS IS IMPORTANT. We have already seen the impact of not understanding the neighborhood with the first scoping meeting, held at 6:00pm on a weekday (many work off-Island, thus disempowered by this time slot) and the lack of Spanish language outreach. This is an acknowledged Environmental Justice community, and identified as underserved viz. open space.
- Construction We look forward to a thorough assessment, and insist a community liaison be appointed as a mitigator. We also demand union and local hiring requirements.

- Alternatives Public acquisition of these parcels is an alternative which **must** be considered. In addition to general community opposition, a cost-benefit analysis would show it is in the interest of the City of New York, the State of New York, the United States, and our planet, to preserve this property in an un-improved state. Anything less can only be interpreted as aiding and abetting an outright theft, putting the community and City coffers at risk in the event of serious flooding. In addition, serious consideration of mitigating elements, some of which are presented above, others to be identified in the course of the EIS study, must be presented. A pro-forma statement will certainly generate “unavoidable” adverse impacts; that is not an outcome we will gracefully accept. On the other hand, the Agencies, stakeholders, politicians and community all have the wherewithal to make this work; we can avoid the “unavoidable”.

Thank you for your consideration.

Sincerely,

//vmg//

Victoria M. Gillen
Elm Park

From: Barbara Sanchez [<mailto:bsanche@yahoo.com>]

Sent: Friday, October 07, 2016 11:33 AM

To: Robert Dobruskin (DCP) <RDOBRUS@planning.nyc.gov>

Cc: Ellen Pratt <ellenpratt355@gmail.com>; protectorssiny@aol.com; Clifford Hagen <chagen72@gmail.com>; James Scarcella <nrpa2@aol.com>; James Oddo <joddo@statenilandusa.com>; Beryl Thurman <nswcsibt@aol.com>; Deborah Rose <drose@council.nyc.gov>; Janet D. McKee <mckee@sullcrom.com>; Dee Vandenburg <sitainc@aol.com>; Christine Johnson <cjohnson@council.nyc.gov>; CarrollJoseph <sicb1@si.rr.com>; Advance <editor@siadvance.com>; Nicholas Rizzi <nrizzi@dnainfo.com>; Kelly Vilar <klvilar@gmail.com>; Nicholas Siclari <nicolans@verizon.net>; Rezevsky, Jason <jrazefsky@statenilandusa.com>; Cara Buonincontri <caralawfirm@gmail.com>; Diane Savino <djsavino@aol.com>

Subject: Comments on South Ave Retail Development CEQR 17DCP030R

South Ave Retail Development
CEQR 17DCP030R
NYC DCP
Attn : Robert Dobruskin
NYC Department of City Planning
rdobrus@planning.nyc.gov
212-720-3423

Dear Mr . Dobruskin:

The Friends of Mount Manresa, is concerned with environmental , preservation, proper zoning and community issues to improve the quality of life for all Staten Islanders.

I strongly endorse the letter included with this message written by James Scarcella of the Natural Resources Protective Association.

James Scarcella has outlined in detail many valid reasons why the " Graniteville Tree Swamp " must be protected from destruction by builders. The natural landscape contains rare plants and amphibians which cannot exist outside of this fragile ecological environment.

The location is at 524 South Avenue on Staten Island. It is a tract of land with Open Green Space containing wetlands which must be protected and preserved as Park land.

Special and unique landscapes like this have declined significantly over several decades throughout Staten Island but particularly on the North Shore where the population density and housing is severely overcrowded. A place like this with rare

wildlife and natural beauty in a wetland environment helps maintain a natural balance for the ecosystem .

Destroying this environment for another large store is unnecessary and offensive to area residents who need green spaces for health reasons. The air quality on Staten Island is very bad and children have one of the highest rates of Asthma in the country.

A short distance away are the refineries and chemical factories in New Jersey which emits carcinogenic particles into the atmosphere and a multitude of pollutants. Cancer rates are very high on Staten Island.

Maintaining as much natural landscape with abundant vegetation is critical to the health of thousands of residents exposed to polluted air who live in surrounding diverse ethnic neighborhoods.

It should be the duty of the local, state and federal governments to preserve a place like " Graniteville Tree Swamp " for the health of the community residents and the preservation of a rare natural ecological system.

Elected officials must react quickly to save this natural tract of land before it is too late. Many acres have already disappeared but once this parcel was identified and determined worthy for preservation than every effort must be taken to prevent its destruction.

Staten Islanders remember the recent destruction of a rare 15 acre natural landscape with majestic old growth trees , glacial hills, historical structures and scenic views which was destroyed because of greed by unscrupulous builders . Nobody wants to see another Mount Manresa disaster in their neighborhoods.

It is important to act now to save this natural tract of land called " Graniteville Tree Swamp."

Thank you,
Jack Bolembach
President, Friends of Mount Manresa
manresafriends.org

South Ave Retail Development
CEQR 17DCP030R
NYC DCP
Attn : Robert Dobruskin
rdobrus@planning.nyc.gov
212-720-3423

Dear Mr . Dobruskin

Thank you posting a copy of The Environment Assessment and for hosting the meeting on the proposed Scope of the DEIS .

Contrary to the applicant's statement that the parcel at 524 South Ave ' underutilized ' , there is a thriving Forest , woodland and wetland that provide resources For the people and wildlife of Graniteville , Arlington and Mariners Harbor .

We strongly prefer the ' No Action ' alternative and in the next few pages will clearly state why .

The parcel and related area is known as the ' Graniteville Tree Swamp ' , a ecosystem of forest , wetland , flood prevention , nature habitat and pollution filtration that nourishes the full northern quadrant of Staten Island . The forest of oaks and maples is invaluable for filtering out chemical particles , so that residents of the area can breathe easier . The asthma in this area is notorious , the children breathe truck traffic and diesel fumes , even on weekends . it is not environmentally justifiable to cut down mature trees.

Also, who will pay for relocating the traffic signal at Morrow Street ? If the applicant is seeking the change to enable the project, then the applicant should pay for the relocation.

The DEIS scoping must include an analysis of the loss of Open Space . Contrary to applicants Assertion, the parcel is accessible , and is listed as a priority acquisition on the DEC NYS Open Space Acquisition Plan . The ferns carpeting the forest floor are very rare for NY State . There are numerous small mammals , bats , owls , songbirds and Hawks that live in the parcel. Stating to us that the loss of Wildlife would be ' Unavoidable adverse Impact ' is not justifiable.

If this ill-advised floodplain destruction project were to move forward , We request that DCP insist that the applicant be required to purchase parcels for donation to NYC Parks Department as mitigation for wetlands destruction .

Floodplain Consideration

The parcel has both freshwater wetlands and tidal wetlands . It's unconscionable to fill in wetland parcels while the sea level is rising . The connecting drainage creeks to the west and south of the Graniteville Forest have an elevation of 2 feet above sea level , if there is a north or strong west wind , the parcel floods significantly .

Additional SCoping concerns

Please note , the DEIS needs to include public transportation . It is unconscionable to destroy 800 mature trees, and then build a project without public transportation improvements with significantly make a bad situation worse !

Economic Considerations

One of the proposed retail tenants already has a superstore four miles away , where is the economic need for them to construct and occupy a new store ? They will compete against themselves . There already is significant retail vacancy in the area. We already have Charlestown Retail Center, the SI Mall, and Empire Outlets .

And if the applicant is so concerned about economic growth , there already is a multitude of stores competing for consumer dollars in our tightening economy .

What will become of the homesteader , living on the parcel ? Will the the applicant help him relocate?

What will happen to the mammals and avian life of the Forest ? Will the applicant post signage requesting they relocate ?

We of NRPA have picked up garbage illegally dumped In the Graniteville Tree swamp . There are rare red - striped salamanders that live here , how will the Scoping Document address preserving these amphibians ?

For historical preservation , how will the applicant preserve the old SI Go- Kart Association Racetrack . The oval track and signage documents a key piece of Staten Island history.

In summary, we oppose the Project . With you (DCP)acting as our trustees, you DCP , the Lead agency should reject the proposal.

Thank you.

Natural Resources Protective Asso.
James Scarcella

From: McKee, Janet D. [<mailto:McKee@sullcrom.com>]

Sent: Friday, October 07, 2016 4:05 PM

To: Robert Dobruskin (DCP) <RDOBRUS@planning.nyc.gov>

Subject: Staten Island Doesn't Need Another Box Store: Preserve and Protect the Graniteville Tree Swamp

South Ave Retail Development
CEQR 17DCP030R
NYC DCP
Attn : Robert Dobruskin NYC Department of City Planning
rdobrus@planning.nyc.gov
212-720-3423

Dear Mr . Dobruskin:

I am the Secretary of The Friends of Mount Manresa Park, which is concerned with environmental, preservation, proper zoning and community issues to improve the quality of life for all Staten Islanders.

I strongly endorse the letter included (below) with this message written by James Scarcella of the Natural Resources Protective Association.

James Scarcella has outlined in detail many valid reasons why the " Graniteville Tree Swamp " must be protected from destruction by builders. The natural landscape contains rare plants and amphibians which cannot exist outside of this fragile ecological environment.

The location is at 524 South Avenue on Staten Island. It is a tract of land with Open Green Space containing wetlands which must be protected and preserved as park land.

Special and unique landscapes like this have declined significantly over several decades throughout Staten

Island but particularly on the North Shore where the population density and housing is severely overcrowded. A place like this with rare wildlife and natural beauty in a wetland environment helps maintain a natural balance for the ecosystem and a natural, absorbent barrier to the surrounding communities for the next Sandy.

Destroying this environment for another large store is unnecessary and offensive to area residents who need green spaces for health reasons. The air quality on Staten Island is very bad and children have one of the highest rates of Asthma in the country.

A short distance away are the refineries and chemical factories in New Jersey which emits carcinogenic particles into the atmosphere and a multitude of pollutants. Cancer rates are very high on Staten Island.

Maintaining as much natural landscape with abundant vegetation is critical to the health of thousands of residents exposed to polluted air who live in surrounding diverse ethnic neighborhoods.

It should be the duty of the local, state and federal governments to preserve a place like " Graniteville Tree Swamp " for the health of the community residents and the preservation of a rare natural ecological system. Elected officials must react quickly to save this natural tract of land before it is too late. Many acres have already disappeared but once this parcel was identified and determined worthy for preservation than every effort must be taken to prevent its destruction.

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It is vitally important to act now to save this natural tract of land called " Graniteville Tree Swamp."

Thank you,

Janet McKee
Secretary
Friends of Mount Manresa Park
manresafriends.org

South Ave Retail Development
CEQR 17DCP030R
NYC DCP
Attn : Robert Dobruskin
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Additional Scoping concerns

Please note , the DEIS needs to include public transportation . It is unconscionable to destroy 800 mature trees, and then build a project without public transportation improvements with significantly make a bad situation worse !

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For historical preservation , how will the applicant preserve the old SI Go- Kart Association Racetrack . The

oval track and signage documents a key piece of Staten Island history.

In summary, we oppose the Project . With you (DCP)acting as our trustees, you DCP , the Lead agency should reject the proposal.

Thank you.

*Natural Resources Protective Assoc.
James Scarcella*

This e-mail is sent by a law firm and contains information that may be privileged and confidential. If you are not the intended recipient, please delete the e-mail and notify us immediately.

From: Matt Malina <matt@nych2o.org>
Date: September 23, 2016 at 11:22:59 PM EDT
To: <rdo Brus@planning.nyc.gov>
Subject: CEQR 17DCP030R - South Ave Retail Development

Dear Mr. Dobruskin,

NYC H2O supports the "No Action" option for the parcel at 524 South Ave, also known as the Graniteville Tree Swamp.

Currently, there is a thriving forest and wetland that provide habitat for flora and fauna and a natural haven for the people of Graniteville, Arlington and Mariners Harbor. It contains species of ferns that are not common in NY State. In addition, bats, owls, songbirds, hawks and red striped salamanders reside there.

The oak and maple trees filter out toxins from the air and soil. This has a positive environmental impact on the neighboring communities. The rate of asthma in the adjacent neighborhoods is high. Cutting down approximately 800 trees would only make this problem worse.

Furthermore, wetlands help mitigate flood risk. The streams that connect at the west and south ends of the property have elevation 2 feet above sea level, which makes it vulnerable to flooding.

The Draft Environmental Impact Statement should include an analysis of the loss of open space. In spite of the applicant's assertion, the Graniteville Swap is accessible to people. Furthermore it is listed as a site on the Department of Environmental Conservation's Open Space Acquisition Plan.

If this wetland destruction project were to be approved, we request that the Department of City Planning require the applicant to purchase parcels for donation to NYC Parks Department to replace the lost wetlands.

In summary, NYC H2O supports the "No Action" option for the Graniteville Tree Swamp.

Sincerely,

--

Matt Malina
Director & Founder
[NYC H2O](http://nych2o.org)
(917) 656-2984

Donald F. Recklies
420 4th Avenue #1
Brooklyn, NY 11215

October 7, 2016

Robert Dobruskin, ACIP, Director
120 Broadway, 31st Floor
New York, NY 10271

Dear Mr. Dobruskin,

I am writing to comment on the Draft Environmental Impact Statement for the South Avenue Retail Development (CEQR # 17DCP030R). This project is an ill-advised and probably un-necessary development in an area likely subject to flooding, is likely to exacerbate the flooding in the future, will contribute to rising levels of air pollution in the area, will create unacceptable vehicular traffic and will adversely effect the local natural environment. My particular view is that the local neighborhood is adequately served by existing shopping areas along Forest Avenue and Victory Boulevard, and that we would be better served if these parcels proposed for development - and similar adjacent parcels - could be purchased as an extension of Graniteville Swamp Park.

Sandy, which could have been much more destructive had it been a slightly stronger storm, created flooding in that area, and it is likely that sea-level rise will make the area even more vulnerable to similar storms. Much of the flooding in the development area was constrained by the presence of marshes remaining to the west and in part by the very band of swamp-forest that this development will destroy.

The project will add many vehicles entering and leaving the area contributing to air pollution and likely to create unacceptable congestion during rush hours. I question whether the traffic analysis will adequately consider large vehicles entering and leaving a development containing among others a large box store. The effect of these vehicles and their ability to negotiate the development site must be carefully scrutinized, especially that of large trucks entering and exiting by way of the Goethals Bridge and turning off of South Avenue..

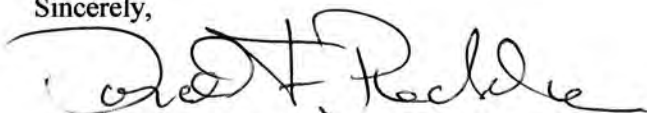
Salt Marshes are now valued as natural resources that can filter pollutants and mediate run-off from more upland areas, but also have been long recognized to have value in themselves as nurseries for fish and marine invertebrates. Run-off from large paved areas of auto parking and especially from the proposed auto service station will be deleterious to the health of the marshes along Old Place Creek. Should the project meet approval, at least the wetlands area buffers should be the maximum required.

The floodplane-forest, mostly oak, that currently exists on site is young but healthy and serves as one of the buffers for drainage to Old Place Creek. A look at an aerial view of the area reveals that extremely few woodlands bordering these wetlands survives. Such a woodland serves to sequester carbon and is home to a natural community of creatures that will vanish with the forest; its survival should be given a high priority.

One must conclude that these vanishing woodlands are of more value to the local community than yet another redundant shopping area.

Thank you.

Sincerely,



Donald F. Recklies

October 7, 2016
Robert Dobruskin, Director
Department of City Planning
120 Broadway 31st floor
New York, NY 10271

Reference: Comments for the Draft Environmental Impact Statement (DEIS) for the South Avenue Retail Development (CEQR No. 17DCP030R) (AKA) The Graniteville Tree Swamp, Address: 534 South Avenue, Block 1707/Lots 1 and 5.

Dear Mr. Dobruskin,

The result of a two-year collaborative effort between City and State agencies, community members, business leaders and the Department of City Planning issued Working West Shore 2030 in 2011. The comprehensive catalogue of economic opportunities on Staten Island indicates the possibility of development along the Forest Avenue corridor from South Avenue west toward Gulf Avenue.

The possibility of economic development along this corridor is limited by state and federally mapped freshwater forested/shrub and estuary/marine wetlands as indicated by OASIS and Working West Shore 2030.

The construction of a BJ's Wholesale Club at the intersection of Forest Avenue and South Avenue will negatively impact mapped wetlands in the immediate vicinity. And though Protectors of Pine Oak Woods acknowledges the "as of right" desire to spur the economic engines of our city, and in particular along Staten Island's north shore, we wonder how City Planning, NYCEDC and Real Estate Equity Company on behalf of BJ's Wholesale Club will comply with Article 24, Freshwater Wetlands Title 23, of Article 71, of the Environmental Conservation Law.

Protectors of Pine Oak Woods is Staten Island's oldest, volunteer environmental preservation organization and we are determined to halt any further degradation of our island's wetlands. The demonstrable loss of this unique, freshwater wetland ecology is unacceptable. Though the property owners might suffer a redeemable financial loss the people of Staten Island could not recover from the loss of this natural area. The economic benefits of park land; flood protection, increased property values and quality of life, should be put before the minimal economic gains of a small group of individuals.

Staten Island deserves better, smarter economic development from City Planning and it is incumbent upon your office to provide community-minded leadership. The South Avenue Retail Development should be denied approval.

Sincerely,

Clifford Hagen

President

Protectors of Pine Oak Woods

From: James Scarcella [<mailto:nrpa2@aol.com>]

Sent: Saturday, October 01, 2016 4:59 PM

To: Robert Dobruskin (DCP) <RDOBRUS@planning.nyc.gov>; Len Garcia-Duran (DCP) <LGARCIA@planning.nyc.gov>

Cc: Elaine Croteau <ebcroteau@aol.com>; Robert Carrano <robcarano125@aol.com>; Linda Cohen <lindashoob@aol.com>; Richie Chan <gonefishing287@earthlink.net>; Ida Sanoff <isanoff@aol.com>; vmgillen@yahoo.com; Kathy Rominelli <otcnlisted2@msn.com>; Cliff Hagen <chagen72@gmail.com>; donrecklies@earthlink.net; Beryl Thurman <nswcsibt@aol.com>; Chuck <cperry139@gmail.com>

Subject: Scoping for DEIS , South Ave Retail

South Ave Retail Development

CEQR 17DCP030R

NYC DCP

Attn : Robert Dobruskin

rdobrus@planning.nyc.gov

212-720-3423

Dear Mr . Dobruskin

Thank you posting a copy of
The Environment Assessment and
for hosting the meeting on the
proposed Scope of the DEIS .

Contrary to the applicant's statement that
the parcel at 524 South Ave
' underutilized ' , there is a thriving
Forest , woodland and wetland
that provide resources
For the people and wildlife of
Graniteville , Arlington and
Mariners Harbor .

We strongly prefer the ' No Action ' alternative and in the next few pages will clearly state why .

The parcel and related area is known as the ' Graniteville Tree Swamp ' , a ecosystem of forest , wetland , flood prevention , nature habitat and pollution filtration that nourishes the full northern quadrant of Staten Island . The forest of oaks and maples is invaluable for filtering out chemical particles , so that residents of the area can breathe easier . The asthma in this area is notorious , the children breathe truck traffic and diesel fumes , even on weekends . it is not environmentally justifiable to cut down mature trees.

Also, who will pay for relocating the traffic signal at Morrow Street ? If the applicant is seeking the change to enable the project, then the applicant should pay for the relocation.

The DEIS scoping must include an analysis of the loss of Open Space . Contrary to applicants Assertion,

the parcel is accessible , and is listed as a priority acquisition on the DEC NYS Open Space Acquisition Plan .

The ferns carpeting the forest floor are very rare for NY State .

There are numerous small mammals , bats , owls , songbirds and Hawks that live in the parcel.

Stating to us that the loss of
Wildlife would be ' Unavoidable
Adverse Impact ' is
not justifiable.

If this ill-advised floodplain destruction project were to move
forward ,

We request that DCP insist that
the applicant be required to
purchase parcels for donation
to NYC Parks Department as
mitigation for wetlands destruction .

Floodplain Consideration

The parcel has both freshwater wetlands and tidal wetlands .
It's unconscionable to fill in
wetland parcels while the sea
level is rising . The connecting
drainage creeks to the west and
south of the Graniteville Forest
have an elevation of 2 feet above sea level , if there is a north or strong west
wind , the parcel floods
significantly .

Additional SCoping concerns

Please note , the DEIS needs to
include public transportation .
It is unconscionable to destroy
800 mature trees, and then
build a project without
public transportation improvements with significantly
make a bad situation worse !

Economic Considerations

One of the proposed retail tenants already has a superstore four miles away , where is the economic need for them to construct and occupy a new store ?

They will compete against themselves . There already is significant retail vacancy in the area. We already have Charlestown Retail Center, the SI Mall, and Empire Outlets .

And if the applicant is so concerned about economic growth , there already is a multitude of stores competing for consumer dollars in our tightening economy .

What will become of the homesteader , living on the parcel ?
Will the the applicant help him relocate?

What will happen to the mammals and avian life of the Forest ? Will the applicant post signage requesting they relocate ?

We of NRPA have picked up garbage illegally dumped In the Graniteville Tree swamp .

There are rare red - striped salamanders that live here , how will the Scoping Document address preserving these amphibians ?

For historical preservation , how will the applicant preserve the old SI Go- Kart Association Racetrack . The oval track and

signage documents a key
piece of Staten Island history.

In summary, we oppose the
Project . With you (DCP)acting as our trustees, you DCP , the
Lead agency should
reject the proposal.

Thank you.

Natural resources Protective Asso.

Sent from my iPhone

From: Beryl Thurman [<mailto:nswcsibt@aol.com>]

Sent: Sunday, October 02, 2016 4:18 PM

To: Robert Dobruskin (DCP) <RDOBRUS@planning.nyc.gov>

Cc: Deborah Rose <drose@council.nyc.gov>; cconstantinides@council.nyc.gov; Donovan Richards Jr. <drichards@council.nyc.gov>; bdeblasio@cityhall.nyc.gov; James Oddo <joddo@statenilandusa.com>; savino@senate.state.ny.us; lanza@nysenate.gov; cusickm@assembly.state.ny.us; pat.ryan@mail.house.gov; debbie@nynjbaykeeper.org; pgallay@riverkeeper.org; Carl.Alderson@noaa.gov; steve_mars@fws.gov; enck.judith@epa.gov; Allen.D.Roos@usace.army.mil; Lisa.A.Baron@usace.army.mil; engles@assembly.state.ny.us; steve.zahn@dec.ny.gov; ppow@siprotectors.org; SITAINC@aol.com; NRPA2@aol.com; mclinperrella@nrdc.org; christina@cmontorio.com; agoldsmith@cleanwater.org; newbian8@verizon.net; RevFHarper@greenfaith.org; kingaddy111@gmail.com; kgaddy@cleanwater.org; akleinbaum@easternenvironmental.org; mwyenn@nrdc.org; rob@hudsonriver.org; robertf@rpa.org; simperiale@nrdc.org; ahuang@nrdc.org; egoldstein@nrdc.org; Crosby, Lisa (CB) <lcrosby@cb.nyc.gov>; cb1anjail@aol.com; mcbethj@coned.com; Rezefsky, Jason <jrazefsky@statenilandusa.com>; OTCNLISTED2@msn.com; bpatters@nysenate.gov; vmgillen@yahoo.com; abarnes1@cityhall.nyc.gov; huntflood@verizon.net; Aaron.Mair@sierraclub.org; swimmablenyc@gmail.com; jsuch@cityparksfoundation.org; newyork@tpl.org; nrizzi@dnainfo.com; bree.driscoll@ny1news.com; alan.benimoff@csi.cuny.edu; melissa.checker@qc.cuny.edu; Len Garcia-Duran (DCP) <LGARCIA@planning.nyc.gov>

Subject: NSW C's Comments on the DEIS for the proposed South Avenue Retail Development (AKA) Graniteville Tree Swamp (CEQR Bi. 17DCP030R)

Dear Director Robert Dobruskin:

We hope that this email finds you doing well? Attached are the NSW C comments for the Draft Environmental Impact Statement for the proposed South Avenue Retail Development here on Staten Island's North Shore.

For the record NSW C remains opposed to this development project as we see any interference with the Graniteville Tree Swamp as being detrimental and will make the adjacent Environmental Justice Community of Mariners Harbor which is a low line area, extremely vulnerable to all Climate Change activities now and most certainly in the future. We are also recommending that due to Climate Change activities that the City of New York purchase all 28.3 acres of the Graniteville Tree Swamp for the greater good and protection of the existing residential community that is adjacent to this vital wetland and give it to NYC Parks for its Forever Wild Parkland, or to NYC DEP for the Bluebelt Program.

Thank you for your time and consideration and we look forward to experiencing a process that is supportive, favorable and environmentally beneficial to the existing Environmental Justice Community of Mariners Harbor to which this development is being proposed.

Sincerely,

Beryl A. Thurman, Executive Director/President
NSWC
Creating Livable Communities



The North Shore Waterfront Conservancy of Staten Island, Inc.
P.O. Box 140502
Staten Island, New York 10314

October 2, 2016

Mr. Robert Dobruskin, ACIP, Director
Environmental Assessment & Review Division
New York City Department of City Planning
120 Broadway, 31st Floor
New York, New York. 10271

Reference: Comments for the Draft Environmental Impact Statement (DEIS) for the South Avenue Retail Development (CEQR No.17DCP030R) (AKA) The Graniteville Tree Swamp
Address: 534 South Avenue, Block 1707/Lots 1 and 5.

On behalf of the North Shore Waterfront Conservancy of Staten Island, Inc., (NSWC or NSWCSI) and Staten Island's North Shore Environmental Justice Communities that we advocate on behalf of. We are opposed to this proposed development being built on the property known to the Staten Island community as the Graniteville Tree Swamp (28.3 acres) of fresh and tidal water wetlands.

We are also strongly proposing that the City of New York immediately purchase this vital 28.3 acre fresh and tidal water wetlands from its owner/developer and give it to New York City Parks & Recreation to become part of their Forever Wild Parkland, or that it become part of the Department of Environmental Protection and Parks' Staten Island Bluebelt System.

<https://www.fws.gov/wetlands/Documents/Wetlands-of-Staten-Island-New-York-Valuable-Vanishing-Urban-Wildlands.pdf>

Thus where it can continue to fully function providing the existing Environmental Justice residential community of Mariners Harbor with Climate Change protection from sea level rising, storm surges and flooding from Old Place Creek and the Arthur Kill River while acting as a filtration system for this ecosystem. And in its entirety provide flood protection in the form of being a natural rain water containment area absorbing rains from heavy storms that can quickly overwhelm our existing antiquated storm sewer system causing streets and neighboring properties in this low line area to flood from fast moving rain water.

The Graniteville Tree Swamp has been on the Open Space List for being purchased by the State of New York for at least 2 decades. But our feeling is that if New York State cannot get it together to purchase the Graniteville Tree Swamp in a timely fashion all the while recognizing its importance to the ecosystem and humans then by God, New York City most certainly should.

http://www.dec.ny.gov/docs/lands_forests_pdf/osp14eappa.pdf

Page 33.

“Graniteville Swamp/Old Place Creek

- A diverse 30

-acre swamp forest which includes a wide range of habitats, a tidal marsh, a cattail marsh, and freshwater ponds as well as feeding grounds for egrets and other wading birds (The New York/New Jersey Port Authority expressed concern regarding inclusion of this property on the priority list, in relation to its plans regarding the Goethal's Bridge).”

The developers' claim that their proposed shopping mall in this location was demanded by the community, is as one of the speakers from Protectors of Pine Oaks Woods put it at the Scoping Meeting “manufactured by the developer” as the community has not asked for this kind of development and in fact pointed out a number of existing retail spaces in the area that are either abandoned or barely struggling to stay afloat.

It is clear to us that this proposed development project does not have the best interest of the Mariners Harbor community in its thoughts, as this proposed development is based on what would be a short term plan of 20 to 40 years. With no long range plans beyond that in dealing with Climate Change issues to which this low line community will be highly susceptible to.

Whereas the people of Staten Island must at this time, change our short term plans to be that of 100 years, medium range plans to be for 300 years and for long term plans to be 500 or more years to meet the challenging projections of what we and future generations will have to deal with in terms of Climate Change.

The owner and developer of the Graniteville Tree Swamp is misinformed if they believe that our greatest desire or wants stem around the purchase of cheap goods from overseas. When there are 4,000 plus homes and residents near their property that if this wetland is developed will stand a good chance of losing their lives and all that they possess during the next hurricanes.

In a post Katrina, Irene and Sandy world, proposals that are this superficial coming from the private sector are laughable - especially when they involve the tampering with and/or the destruction of wetlands. Simply by typing in the address of the proposed development on the link below it shows that this property is in a High Risk Flood Area and is zoned AE. How many more, red flags and signals does one need?

FEMA Region II Coastal Analysis & Mapping:

<http://www.region2coastal.com/view-flood-maps-data/what-is-my-bfe-address-lookup-tool/>

Therefore, we will want to see in their draft EIS mitigation for this wetland in terms of them purchasing and restoring a wetland that is comparable to the Graniteville Tree Swamp in every way in order that the Mariners Harbor community will recoup 3 times over in what the developer will be taking away from them. If they cannot produce such a property, it is further reason to why this proposed development should not be further entertained.

In each instance where human lives have been lost during hurricanes, it was later reported that if those areas had maintained their wetlands, they would not have experienced as a great a loss of human lives, nor the billions of dollars of damages and property losses, that were sustained due to there not being fully functioning wetlands to buffer existing communities from the storm.

<http://www.scientificamerican.com/article/mississippi-river-mouth-must-be-abandoned-to-save-new-orleans-from-next-hurricane-katrina/>

<http://www.motherjones.com/environment/2015/08/katrina-new-orleans-louisiana-flood-control>

Staten Island has had such experiences therefore this situation is no stranger to our communities. We would be going against ourselves and hastening our own demise to support such a proposal and development project given our situation. Anyone that thinks that the people on the East and South Shore of Staten Island breezed through the ordeal with Hurricane Sandy, and that it was all knee slaps and giggles need to go ask them how it changed their lives, and is still changing their lives, or at the very least read about it.

<http://urbanomnibus.net/2015/02/leaving-the-sea-staten-islanders-experiment-with-managed-retreat/>

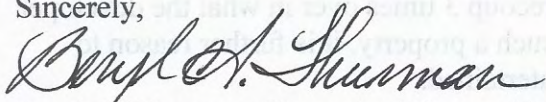
In terms of future meetings in reference to this proposed development, we are requiring that the developer and his client do a better job at community notification about the meetings up to and including door to door flyer notices 2 weeks prior to meetings so that residents in the adjacent community can adjust their schedules to attend. They will also have to notify the media both print and T.V. and radio about the meetings most have calendar boards where they make these kinds of announcements to the public.

We also require that all meetings regarding this proposed development take place at 7:00 P.M. or 7:30 P.M. giving commuters time to get back to the island from work.

Lastly, we are curious to know how long the owner has owned the Graniteville Tree Swamp property?

Thank you for your time and consideration and we urge the City of New York to Save and Protect All of Staten Island's Fresh and Tidal Water Wetlands.

Sincerely,



Beryl A. Thurman, Executive Director/President

NSWC

Creating Livable Communities

www.nswcsi.org

Cc: NYC Mayor's Office of Sustainability, Council member Debi Rose, NYC Council Environmental Protection Committee, NYC City Planning Commission, Mayor Bill De Blasio, Borough President James Oddo, Senator Diane Savino, Senator Andrew Lanza, Assemblyman Michael Cusick, Debbie Mans, NY/NJ Baykeeper, Paul Gallay, Riverkeeper, NOAA, the Department of Fish & Wildlife, Judith Enck, U.S. EPA, U.S. Army Corp of Engineers, Steve Zahn, NYS DEC, Cliff Hagen, Protectors of Pine Oaks Woods, Dee Vandenburg, Staten Island Taxpayers' Assoc., James Scarcella Natural Resources Protective Assoc., Mariners Harbor Civic, Natural Resource Defense Council, Community Board 1 and any other interested parties.

From: Linda Cohen [<mailto:lindashoob@aol.com>]
Sent: Friday, October 07, 2016 11:59 AM
To: Robert Dobruskin (DCP) <RDOBRUS@planning.nyc.gov>
Subject: South Ave Retail Development CEQR 17DCP030R

Dear Mr. Dobruskin:

I oppose the South Ave Retail Development project for the following reasons.

1. My understanding is that originally all these 28 acres were to be saved as wetlands. Then on appeal, the FWAB decided that the owner of this property could build on approximately 2/3 of the 28 acres. That was in 2012. Also, in 2012, Hurricane Sandy struck Staten Island. I read some articles about Hurricane Sandy in the Huffingon Post ("Staten Island, Hurricane Sandy and the Impact of New Homes in Storm-Ravaged Areas" 12/17/2012) Sandy survivors were quoted as saying ' the water was coming from all directions, not just from the shore.' Survivors said that the water had nowhere to go because wetlands had been filled in by developers. Some folks said that their back doors were knocked down by the storm, even though these doors were not facing the shore. The storm water was just looking for a place to go but too many wetlands had been paved over.

While many streets on the North Shore were saved due to the nearby wetlands others were also impacted by Sandy. I have been told that NYC Housing Authority housing at Mariner's Harbor, a few blocks away, was severely impacted and the boiler was ruined.

We all have heard numerous times that storms are getting worse and sea levels are rising. What happens if during the next storm, the waters rise in Newark Bay, the Elizabeth River and the Arthur kill ? What will happen to the hundreds of homes and residents in the dense developments across South avenue on Lisk Ave and Wolkoff and Wemple ?

According to a New York magazine article titled "When will New York sink" dated sept 5-18, 2016, Professor Klaus Jacob of Columbia University, states that sea level is rising and flash floods will happen more often even in areas that never experienced them. According to a map in the same article, based on the work by The NY Panel on Climate

Change and the Institute for Sustainable Studies at Hunter College, this area of Staten Island will be underwater decades from now. We can plan to preserve life now by saving our wetlands.

I have been told that NYC has money for storm resiliency. If so, why aren't we buying this land for inclusion in the Bluebelt or acquisition by NYC Parks ?

2. We must help preserve small businesses on Staten Island. At a recent NYC council hearing on 9/30/16 by the Committee on Small Business, policies to help preserve small business and neighborhood diversity were discussed. There was some discussion of putting restrictions on "chain stores" to help promote local business. Several cities (ex: San Francisco) have adopted ordinances allowing chain stores only where they're really needed to serve the community.

Do we really need another mega store in this area ? How many local small Staten Island businesses will be harmed if this project is completed ?

3. The Port Richmond Waste Water Treatment Plant treats a combination of storm and sewage water. During rainy weather when it can't handle the volume of water, it often diverts all the excess water including sewage into the Kill Van Kull. This problem will be exacerbated by building on these wetlands, as more storm water makes its way to the treatment plant. As more folks take to the waterfront for boating, fishing and kayaking, we can't keep dumping fecal material, vehicle emissions from (new) parking lots, and other noxious chemicals into our waterways. I believe that these problems will be exacerbated by this project. I do not think that the proposal for a stormwater retention basin will suffice to counter these problems.

For the environmental assessment, please provide stats on sewage currently entering our waterways along with future projections if the project is implemented.

Please include my comments and questions in your analysis.

Thank you,

Linda Cohen
81 Oakdale Street
Staten Island, NY 10308
Lindashoob@aol.com