

A. INTRODUCTION

Under the 2014 *City Environmental Quality Review (CEQR) Technical Manual* guidelines, a land use analysis evaluates the uses and development trends in the area that may be affected by a project, and determines whether that project is compatible with those conditions or may affect them. The analysis also considers the project's compliance with, and effect on, the area's zoning and other applicable public policies, including the City's Waterfront Revitalization Program (WRP).

As described in Chapter 1, "Project Description," the proposed project would result in a 426,576-gross-square-foot (gsf) enlargement of the Staten Island Mall (the Mall), a new structured parking facility, and landscaping improvements to the project site. This chapter considers the proposed project's potential impacts on land use, zoning, and public land use policies, including the WRP. This chapter provides an assessment of existing and future conditions with and without the proposed project for the project site and the surrounding study area, which are described below.

PRINCIPAL CONCLUSIONS

Overall, this analysis finds that the proposed project would not result in any significant adverse impacts to land use, zoning, and public policy.

The proposed actions would facilitate the proposed development of an approximately 426,576-gsf enlargement of the Mall on areas currently used for accessory parking, as well as a new structured parking garage and landscaping improvements throughout the project site. The new uses introduced by the proposed project would be consistent with existing uses on the project site. While the proposed project would result in a cinema (Use Group 8), which is a use not present on the project site, this use would be compatible with other uses and would not result in any land use conflicts. The addition of a structured parking garage is likely to be supportive of other uses on the project site, as it would provide convenient parking for Mall users. The replacement of certain underutilized parking areas with a structured parking garage and active commercial uses would not be considered an adverse land use change (potential parking-related transportation impacts are assessed in Chapter 10, "Transportation"). The proposed project would not alter the land use mix of the study area—which would continue to be characterized by a concentration of regional commercial uses—and the portions of the study area containing low- and medium-density residential communities would not be affected by the proposed project.

In the Future with the Proposed Project, 5,477 parking spaces would be provided on the project site, which represents a 47.5 percent reduction compared to the 10,438 spaces that would be required by zoning. Therefore, a 47.5 percent reduction in required spaces is necessary in order to facilitate the proposed project. As noted above, the surface parking lots surrounding the mall are currently underutilized, despite the commercial success of the Mall. The proposed supply of

parking at the Mall would be adequate to fulfill future needs with the proposed project (see the parking analysis in Chapter 10, “Transportation”). The proposed actions would apply only to the project site and would have no effect on zoning in the surrounding area. In addition, the proposed project would be consistent with the relevant policies of the City’s WRP, as it would result in commercial development in an appropriate area, and would incorporate measures to avoid impacts related to hazardous materials (see Chapter 6, “Hazardous Materials”). Therefore, the proposed project would not result in any significant adverse impacts to land use, zoning, and public policy.

B. METHODOLOGY

According to the *CEQR Technical Manual*, a preliminary land use assessment, which includes a basic description of existing and future land uses and public policy, should be provided for all projects that would affect land use or public policy, regardless of the project’s anticipated effects. Accordingly, a preliminary analysis has been prepared that describes existing and anticipated future conditions for the 2017 analysis year, assesses the nature of any changes on these conditions that would be created by the proposed project, and identifies those changes, if any, that could be significant or adverse. Section F, “Future with 2019 Completion Date” considers whether the 2019 Full-Build Scenario (i.e., a two-year lag in the completion of the Macy’s enlargement and a portion of the structured parking) could result in potential impacts that differ from those identified for the 2017 full-build analysis year.

The study area for this analysis of land use, zoning, and public policy encompasses the area within 400 feet of the project site. As shown on **Figure 2-1**, the 400-foot study area roughly extends north past Richmond Hill Road, east past Marsh Avenue, south between Yukon Avenue and Platinum Avenue, and west past Richmond Avenue. This chapter also provides an assessment of the proposed project’s consistency with the City’s coastal policies, including the WRP.

Sources for this analysis include field reconnaissance, the New York City Department of City Planning (DCP) and the New York City Department of Buildings (DOB).

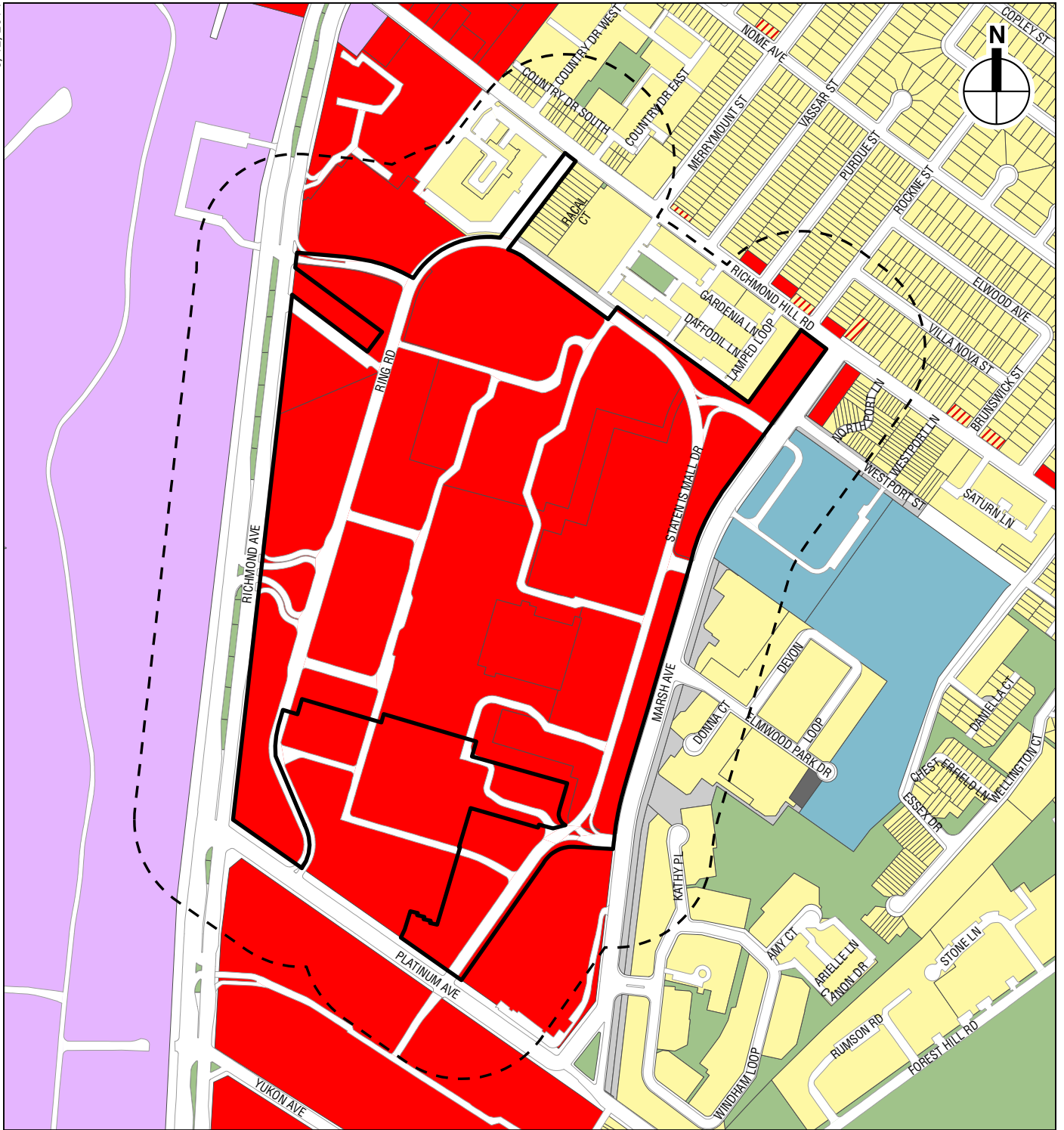
C. EXISTING CONDITIONS

LAND USE

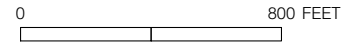
PROJECT SITE

The project site (Staten Island Block 2400, Lots 7, 118, 180, 210, 220, and 500) is a 3,700,605-square-foot area generally bounded by Richmond Hill Road, Marsh Avenue, Platinum Avenue, and Richmond Avenue (see **Figure 2-1**). The project site contains portions of the Staten Island Mall, a regional shopping center consisting of retail stores arranged as a mall with three department stores on the north (Macy’s), south (Sears), and east sides (JCPenney) of the Mall. The Sears zoning lot (tax lot 375), which is not under the control of the Applicants, is not subject to the proposed actions and would not be able to enlarge or change its parking layout without its own discretionary approvals; accordingly, it is not included as part of the project site.

The project site contains 1,228,814 gross square feet (gsf) of Use Group 6 and Use Group 10 retail uses, including department store and non-department store retail uses, restaurant and food court uses, and common space, receiving, and service areas. The worker population on the



- Project Site
- Study Area (400-foot boundary)
- Commercial and Office Buildings
- Open Space and Outdoor Recreation
- Parking Facilities
- Public Facilities and Institutions
- Residential
- Residential with Commercial Below
- Transportation and Utility
- Vacant Land



project site is approximately 2,750. The project site also contains approximately 5,844 accessory parking spaces.¹ Based on surveys conducted by the Applicants' consultants, these spaces are currently underutilized; 2013 surveys of parking lot utilization found that, at peak holiday conditions, no more than 65 percent of parking spaces on the site were in use. The built floor area ratio (FAR) of the project site is approximately 0.32, which is below the maximum allowable FAR of 1.0 (see "Zoning," below).

STUDY AREA

The study area contains a major concentration of commercial uses, as well as residential uses, and one institutional/community facility use.

In addition to the Mall, commercial uses are located to the north and south of the project site. In the northern portion of the study area, there are strip mall retail uses along Richmond Avenue, including a Staples, CVS, Dick's Sporting Goods, and DSW shoe store on the south side of Richmond Hill Road; and a P.C. Richard and Son, bank, liquor store, and grocery store on the north side of Richmond Hill Road, just outside of the study area. Also, there is a strip mall retail development on the west side of Richmond Avenue, containing a Duane Reade drug store and FedEx shipping store that is also just outside of the study area. In the southern portion of the study area, additional strip mall development includes uses such as a Best Buy, Toys "R" Us, and a Raymour and Flanigan furniture store.

To the north and east of the project site, the study area contains residential uses with supporting open space and community facility uses. Residential uses include town houses, semi-detached houses, and apartment buildings of between 3 and 7 stories. Many residential developments in the area include private open space and recreational amenities for residents. There is also a public school, P.S. 58, located at 77 Marsh Avenue.

Also in the study area, a New York City Sanitation Department (DSNY) garage facility is located on the west side of Richmond Avenue. Other than the DSNY facility and the retail development described above, the west side of Richmond Avenue in this area is currently vacant land that will become part of Fresh Kills Park in the No Action condition, as described below.

ZONING

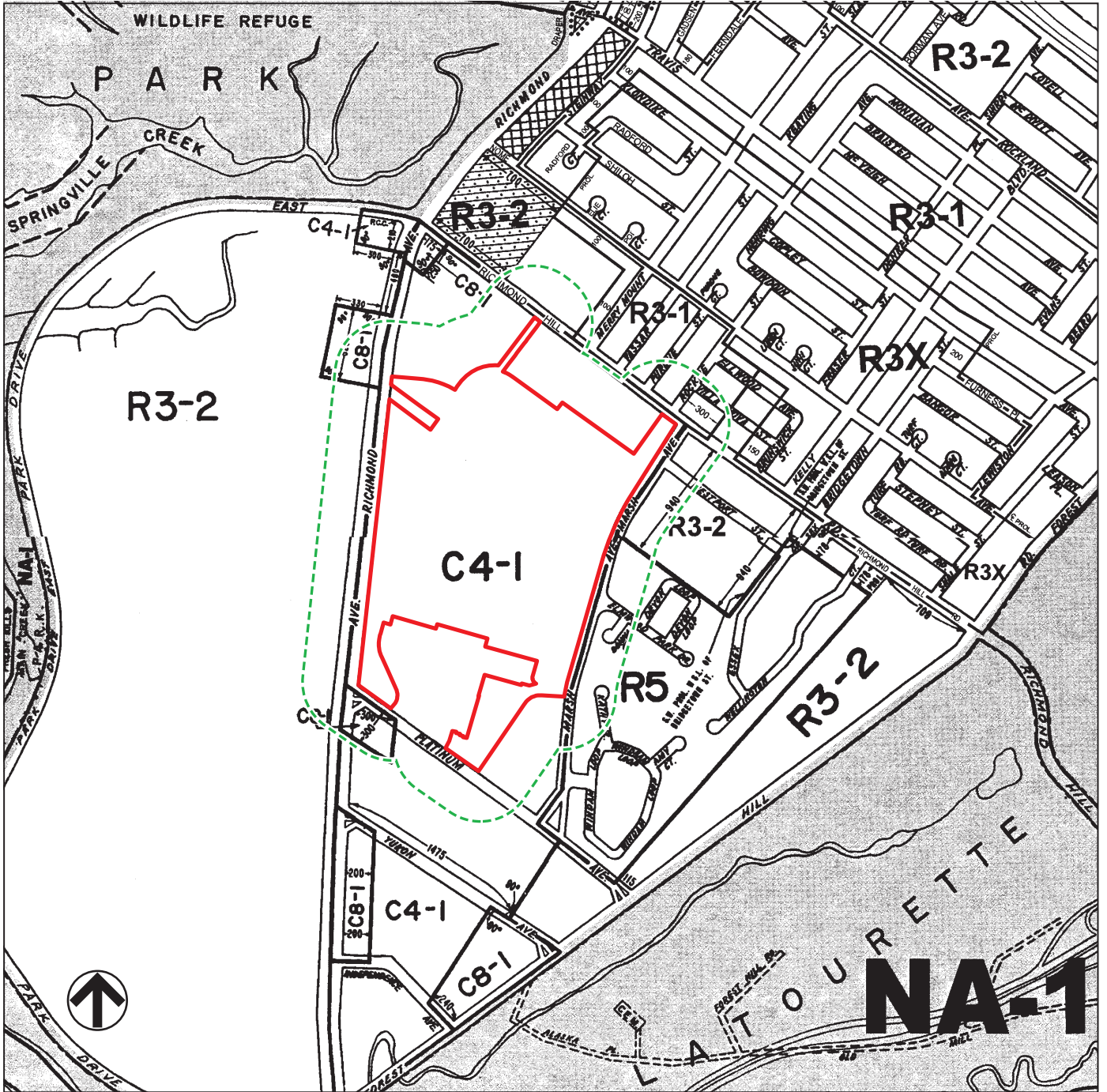
PROJECT SITE







As shown on **Figure 2-2**, the project site is within a C4-1 commercial zoning district, which allows commercial uses up to a maximum FAR of 1.0, residential uses of up to 1.25 FAR, and community facility uses of up to 2.0 FAR. C4-1 districts are generally mapped for outlying regional commercial centers and have high parking requirements.

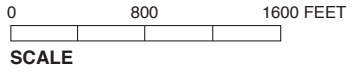
STUDY AREA

In addition to the C4-1 district, the study area also contains C8-1 commercial districts, and R3-1, R3-2, and R5 residential districts. A summary of these zoning districts is provided in **Table 2-1**.

¹ The project site does not include the zoning lot containing the Sears or its adjacent 1,018 space parking area. Together with the Sears portion, the total Staten Island Mall site contains approximately 1,416,585 gsf of retail uses and 6,926 parking spaces. Neither the project site's 5,844 existing parking spaces nor the Sears' 1,018 spaces include 64 spaces that straddle the project site and the Sears zoning lot.



-  Project Area
-  Study Area Boundary (400-Foot Perimeter)
-  Zoning District Boundary
-  C1-2 Overlay
-  C2-1 Overlay
-  Special Purpose District



**Table 2-1
Zoning Districts in the Study Area**

Zoning District	Maximum FAR¹	Uses/Zone Type
C4-1	1.0 commercial, 1.25 residential, 2.0 community facility	Regional commercial center district.
C8-1	1.0 commercial, 2.4 community facility	Automotive/heavy commercial uses district.
R3-1	0.5 residential (0.6 with attic bonus), 1.0 community facility	General residence district, low-density housing.
R3-2	0.5 residential (0.6 with attic bonus), 1.0 community facility	General residence district, low-density housing.
R5	1.25 residential, 2.0 community facility	General residence district, medium-density housing.
Notes: 1. FAR is a measure of density establishing the amount of development allowed in proportion to the base lot area. For example, a lot of 10,000 sf with an FAR of 1 has an allowable building area of 10,000 sf. The same lot with an FAR of 10 has an allowable building area of 100,000 sf. Source: <i>New York City Zoning Resolution.</i>		

C8-1 zones are located on the west side of Richmond Avenue (limited to the location of the DSNY facility) and at the southeast corner of Richmond Avenue and Platinum Avenue. C8-1 districts provide for automotive and other heavy commercial uses, such as automobile showrooms and repair shops, warehouses, and gas stations—although most commercial uses are also permitted. The maximum FAR in these districts is 1.0.

The residential uses located north of Richmond Hill Road are within an R3-1 residential district. R3-1 districts are low-density residential districts that allow semi-detached one- and two-family residences, as well as detached houses. The maximum FAR is 0.5, which can be increased to 0.6 with an attic bonus. The northeastern portion of the study area contains an R3-2 district, on the east side of Marsh Avenue. Similar to R3-1 districts, R3-2 districts allow for detached houses, semi-detached one- and two-family residences, and also allow for small apartment buildings, of up to 0.5 FAR (or 0.6 FAR with an attic bonus). R3-2 districts are the lowest density zoning district in which multiple dwellings are permitted. South of the R3-2 district on the east side of Marsh Avenue is an R-5 zoning district. R5 districts allow for the highest density of residential uses in the study area, as the maximum FAR is 1.25. These districts generally produce three- and four-story attached houses and small apartment buildings.

PUBLIC POLICY

WATERFRONT REVITALIZATION PROGRAM

New York City’s WRP is the City’s principal Coastal Zone management tool and establishes a broad range of public policies for the City’s coastal areas. The guiding principle of the WRP is to maximize the benefits derived from economic development, environmental conservation, and public use of the waterfront, while minimizing the conflicts among these objectives. The WRP was originally adopted by the City of New York in 1982, revised in 2002, and is currently in the process of being updated. The draft revisions were approved by the City Council in 2013. A local waterfront revitalization program, such as New York City’s, is subject to approval by the New York State Department of State with the concurrence of the United States Department of Commerce pursuant to applicable state and federal law, including the Waterfront Revitalization of Coastal Areas and Inland Waterways Act and the Federal Coastal Zone Management. All

proposed actions subject to CEQR, Uniform Land Use Review Procedure (ULURP), or other local, state, or federal agency discretionary actions that are situated within New York City's designated Coastal Zone boundary must be reviewed and assessed for their consistency with the WRP. As shown on **Figure 2-3**, the project site is located within the City's designated coastal zone. Therefore, an assessment of the proposed project's consistency with applicable WRP policies is warranted, and is provided below.

D. FUTURE WITHOUT THE PROPOSED PROJECT

LAND USE

PROJECT SITE

Absent the proposed project, no new development is anticipated to occur on the project site. Any such development or enlargement, including changes to the parking site plan, would require an authorization pursuant to Zoning Resolution (ZR) Section 36-023 (which is a discretionary action and subject to environmental review) to assure that the layout of parking space is arranged and located in relation to the uses on the site so as to provide adequate ingress, egress, and circulation with respect to the abutting streets. Therefore, in the future No Action condition, the project site is expected to remain unchanged from existing conditions.

STUDY AREA

No major changes in land use are anticipated in the study area by 2017. The portion of the study area along Richmond Avenue is expected to remain a regional commercial center, while low- and medium-density residential communities will continue to exist to the north and east of the project site.

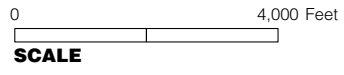
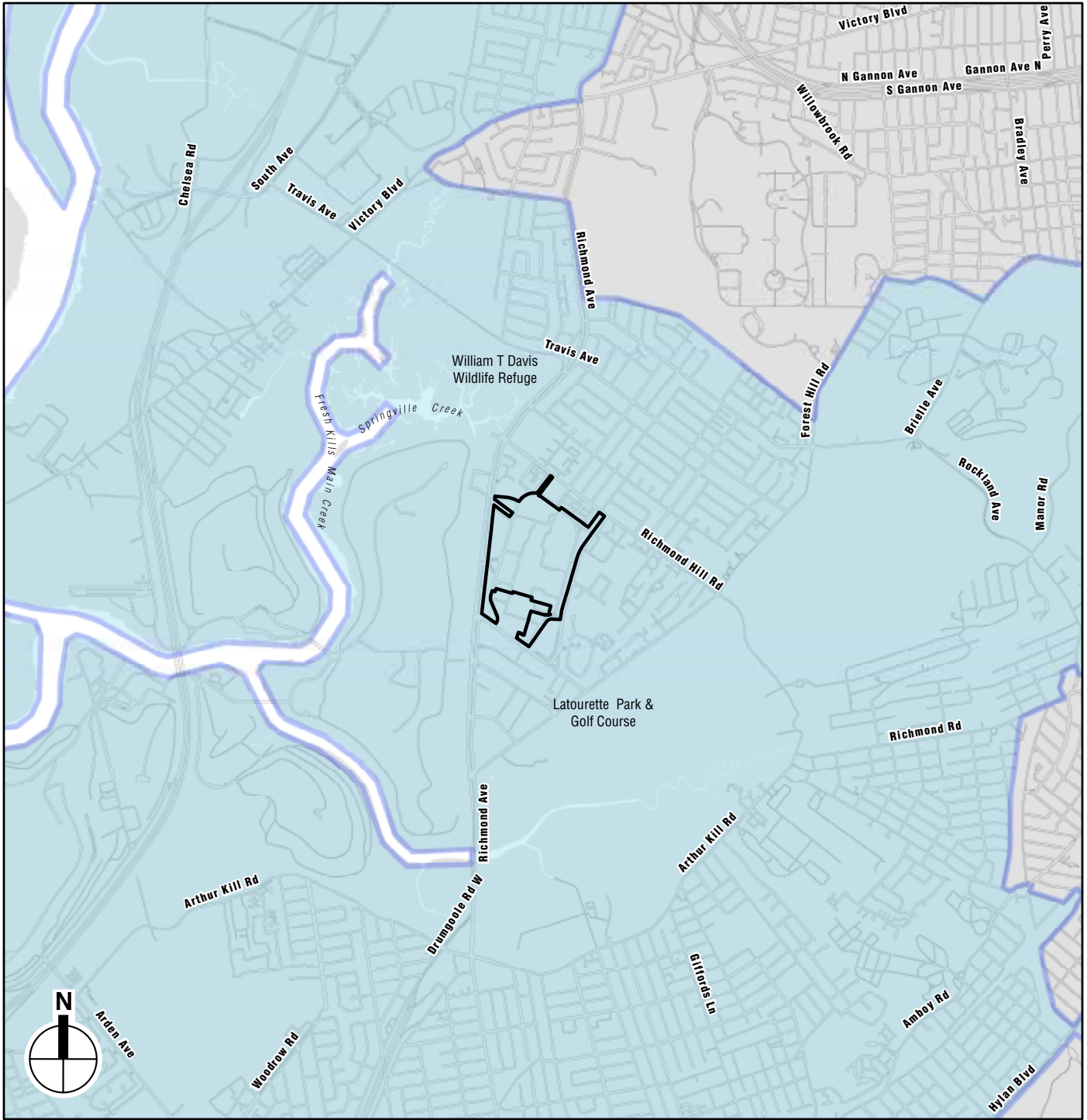
Well after 2017, the vacant land west of Richmond Avenue will be converted to open space uses and become part of Fresh Kills Park. Once completed, Fresh Kills Park will be a 2,200-acre resource on what was formerly the world's largest landfill. The park will be built in phases over the next 30 years, and will include natural areas such as creeks, wetlands, and expansive meadows, and uses that showcase vistas of the New York City region.

ZONING

No changes to zoning on the project site or in the study area are currently anticipated by 2017. Current zoning, as described above, is expected to remain in force.

PUBLIC POLICY

No changes to public policies affecting the project site or the study area are anticipated by 2017. The proposed updates to the WRP policies are expected to be adopted by the relevant state and federal agencies in 2015; nevertheless, the WRP assessment provided below considers these proposed policies.



E. FUTURE WITH THE PROPOSED PROJECT

LAND USE

PROJECT SITE

Approval of the proposed actions would facilitate the development of an approximately 426,576-gsf enlargement of the Mall on areas currently used for accessory parking.² Uses within the expanded areas are intended to include: 88,007 gsf of non-department store retail; 41,208 gsf of department store retail, 33,665 gsf of restaurants; 10,831 gsf of new food court; a 50,000-gsf supermarket; a 54,488-gsf cinema; a 75,000-gsf enlargement of the existing Macy’s department store; and 73,377 gsf of common, service and receiving areas. **Table 2-2** presents the size of each retail use component of the development program.

**Table 2-2
Proposed Development Program**

Use	ZR Use Group ¹	Floor Area (GSF)
Non-Department Store Retail	6	80,061
Department Store Retail	10	41,208
Restaurant	6	33,665
Food Court	6	10,831
Macy’s Enlargement	10	75,000
Conversion of Existing Loading Docks to Retail	6	7,946
Common, Service, and Receiving Areas	6/10	73,377
Supermarket	6	50,000
Cinema	8	54,488
		426,576
Note: ¹ Retail establishments could fall into Use Groups 6 or 10; the most common use group is indicated.		
Sources: S9 Architects and GGP Staten Island Mall LLC		

Use Group 6 includes a wide variety of local retail stores and personal service establishments. Examples of such uses include gift shops, toy stores, candy stores, clothing stores of 10,000 sf or less, furniture stores of 10,000 sf or less, and eating and drinking establishments with a capacity of 200 patrons or fewer and supermarkets. Use Group 8 primarily includes amusement uses such as cinemas and bowling alleys, and service establishments, such as automobile driving schools and television repair shops. Use Group 10 includes large retail uses intended to serve a wide area, including department stores, wholesale stores, and large clothing or furniture stores.

To accommodate the development of the proposed project, approximately 1,780 existing surface parking spaces on the project site would be displaced. These spaces would be replaced by a new structured garage with a capacity of 1,413 parking spaces. Thus, the proposed project would result in a net decrease of 367 parking spaces, as the overall number of parking spaces provided on the project site would decrease from 5,844 to 5,477. These 5,477 provided spaces would be

² Approximately 7,946 gsf of the proposed enlargement would involve converting existing loading docks, currently not calculated as parking in the BSA documents, to non-department store retail. The 7,946 gsf is noted as an addition in **Table 2-2**.

47.5 percent fewer than the 10,438 spaces required by Section 36-21, thus a 47.5 percent reduction in required spaces is requested by the Applicants.

With the 426,576 gsf of new uses that are expected to be added as a result of the proposed project, the project site would contain approximately 1,655,390 gsf of retail uses. The worker population of the project site would increase by approximately 943 in the With Action scenario, to approximately 3,693 employees.

The proposed project would include landscape improvements throughout the project's site surface parking areas, including planting new trees. These trees would be planted in areas including the perimeter of the proposed parking structure, as well as within and along the edges of various parking areas.

The proposed project would result in the addition of many uses that are already present on the project site. While the proposed project would result in a cinema (Use Group 8), which is a use not present on the project site, the Applicants believe that this use would be compatible with other uses and would not result in any land use conflicts. The Applicants believe that the addition of a structured parking garage is likely to be supportive of other uses on the project site, as it would provide convenient parking for Mall users and would replace some of the parking spaces that would be redeveloped. The replacement of certain underutilized parking areas with a structured parking garage and active commercial uses would not be considered an adverse land use change (potential parking-related transportation impacts are assessed in Chapter 10, "Transportation"). Therefore, the proposed development would be compatible and consistent with existing land uses on the project site.

STUDY AREA

The proposed project would not alter the land use mix of the study area, which would continue to be characterized by a concentration of regional commercial uses. The bulk of the new uses would be located on the west side of the Mall, facing Richmond Avenue, and the new grocery store on the east side of the Mall would be setback from Marsh Avenue by parking uses and landscaping. Therefore, the portions of the study area containing low- and medium-density residential communities with supporting open space and community facility uses—which are located east and north of the project site—would not be affected by the proposed project. Overall, the proposed project would be compatible with existing land use trends in the study area, and would not result in any significant adverse land use impacts.

ZONING

PROJECT SITE

In order to facilitate the proposed project, the Applicants are seeking a zoning authorization pursuant to the ZR Section 36-023 for:

- A reduction by up to 47.5 percent of the Section 36-21 parking requirement;
- Approval of the layout of a group parking facility accessory to a commercial development; and
- Approval to modify/waive the parking maneuverability and landscaping provisions of Sections 36-58 and/or 37-90.

Staten Island Mall Enlargement

In addition, the Applicants are seeking cross-access easement certifications pursuant to 36-592 to certify that cross-access connections have been provided (for locations where they are required); and pursuant to 36-596(a) that cross-access connections are not required (for locations where the presence of existing buildings preclude their provision). These certifications are ministerial actions and not subject to environmental review. Since the tax lots that comprise the proposed project were the subject of variances granted by the Board of Standards and Appeals (BSA) in 1971 and 1991, the Applicants anticipate that it will apply to BSA to modify, via Special Order Calendar or by letter, the plans accompanying those previously-granted variance(s).

As noted above, the project site is located within a C4-1 zoning district. According to Section 36-21 of the Zoning Resolution, C4-1 zoning districts require one accessory parking space for every 150 sf of floor area for retail/service uses. For other uses, one parking space must be provided for: every 100 sf of floor area for supermarket uses; and every 4 cinema seats.

In the With Action condition, 5,477 parking spaces would be provided on the project site, which represents a 47.5 percent reduction compared to the 10,438 spaces required by zoning. Therefore, an up to 47.5 percent reduction in required spaces is required in order to facilitate the proposed project. As noted above, the surface parking lots surrounding the mall are currently underutilized, despite the commercial success of the Mall. In 2013, surveys of parking utilization found that utilization of the existing parking lots was typically about 50 percent, and never exceeded 65 percent even during holiday peak periods. As detailed in the parking analysis in Chapter 10, "Transportation," the proposed supply of parking at the Mall would be adequate to fulfill future needs with the proposed project. Therefore, the proposed project would not result in any significant adverse impacts to zoning on the project site.

STUDY AREA

The proposed actions would apply only to the project site and would have no effect on zoning in the surrounding area. Existing zoning controls, as described above, would continue to be in force. Therefore, the proposed project would not result in a significant adverse impact to zoning in the surrounding study area.

PUBLIC POLICY

WATERFRONT REVITALIZATION PROGRAM

Introduction

In accordance with the City's WRP and the federal Coastal Zone Management (CZM) Act, the proposed project requires review for its consistency with the City's WRP policies. The WRP includes 10 principal policies designed to maximize the benefits derived from economic development, environmental preservation, and public use of the waterfront, while minimizing the conflicts among those objectives. *CEQR Technical Manual* guidelines note that the preparation of the WRP consistency assessment should begin with the completion of a WRP Consistency Assessment Form ([CAF]—see **Appendix 1** for the CAF). The questions presented in the CAF are designed to identify whether a proposed project has potential effects upon a policy. Where the answers to the CAF indicate that the proposed project does not have any potential effect upon the achievement of any particular policy, no further assessment of the project's potential effects on WRP policies is necessary. Where answers to the questions indicate that the project may have a potential effect on the achievement of a particular identified policy

or policies set forth in the WRP, further examination is warranted to assess the potential effects the proposed project may have on the achievement of the noted policy or policies.

WRP Consistency Assessment

For each policy and sub-policy question that was answered “yes” in the CAF, the analysis provided below includes a discussion of the policy’s applicability to the proposed project and the proposed project’s consistency with the respective policy.

Policy 1: *Support and facilitate commercial and residential redevelopment in areas well-suited to such development.*

Policy 1.1: Encourage commercial and residential redevelopment in appropriate Coastal Zone areas.

The project site is not located in a designated Special Natural Waterfront area not a Significant Maritime and Industrial Area. Although the project site is located within the Coastal Zone it is not a waterfront site, and does not contain wetlands or any other sensitive natural resources. The land that would be developed is Ccurrently, the project site contains occupied by the large surface accessory parking lot of an existing regional shopping mall, which is not located on the waterfront. The proposed project would be an enlargement of an existing retail use and would promote significant economic activity, including new jobs that would positively affect the City’s economy and tax base. Therefore, the proposed project is consistent with this policy and the proposed project would result in new commercial uses and structured parking on areas that are currently used as paved surface parking. In addition, the proposed project would result in landscaping improvements on the project site, including planting approximately 427 new trees. Therefore, the project site is appropriate for commercial development, and the proposed project would be consistent with this policy.

Policy 4: *Protect and restore the quality and function of ecological systems within the New York City Coastal Area.*

Policy 4.1: Protect and restore the ecological quality and component habitats and resources within the Special Natural Waterfront Areas.

While the proposed project is not located within a Special Natural Waterfront Area (SNWA), it is located across Richmond Avenue from the Northwest Staten Island/Harbor Herons SNWA. As described in Chapter 8, “Water and Sewer Infrastructure,” the overall volume of stormwater runoff and the peak stormwater runoff rate from the project site is expected to increase slightly as a result of the proposed project, due to the reconfiguration of the project site’s surface area to include additional rooftop area with a reduction of paved parking area, but would remain below the permitted flow rate for the project site under the New York City Department of Environmental Protection’s (DEP) site connection regulations. Best management practices (BMPs) would be implemented to reduce the amount of sanitary flow to the sewer system and treat stormwater before it is released as direct drainage. As discussed in Chapter 8, “Water and Sewer Infrastructure,” the proposed project would incorporate sanitary source control BMPs to reduce sanitary volumes to the separated sewer system, including the installation of low-flow fixtures to reduce water consumption. In addition, hydrodynamic separators would be implemented to treat stormwater before it is discharged to the City sewer system. Using hydrodynamic separators, the proposed project would meet NYSDEC’s water quality requirements for redevelopment

Staten Island Mall Enlargement

projects. Therefore, the proposed project would not have any adverse impacts on the Northwest Staten Island/Harbor Herons SNWA and would be consistent with this policy.

Policy 5: *Protect and improve water quality in the New York City coastal area.*

Policy 5.2: Protect the quality of New York City's waters by managing activities that generate nonpoint source pollution.

As described in Chapter 8, "Water and Sewer Infrastructure," the overall volume of stormwater runoff and the peak stormwater runoff rate from the project site is expected to increase slightly as a result of the proposed project, due to the reconfiguration of the project site's surface area to include additional rooftop area with a reduction of paved parking area, but would remain below the permitted flow rate for the project site under DEP's site connection regulations. BMPs would be implemented to reduce the amount of sanitary flow to the sewer system, including the installation of low-flow fixtures to reduce water consumption. In addition, hydrodynamic separators would be implemented to treat stormwater before it is discharged to the City sewer system. Overall, the proposed project would not result in a significant adverse impact on the City's wastewater conveyance and treatment system and would be consistent with this policy.

Policy 7: *Minimize environmental degradation and negative impacts on public health from solid waste, toxic pollutants, hazardous materials, and industrial materials that may pose risks to the environment and public health and safety.*

Policy 7.2: Prevent and remediate discharge of petroleum products.

As described in Chapter 7, "Hazardous Materials," previous studies conducted for the project site identified limited potential for subsurface contamination associated with: historical on-site airport and agricultural uses; on- and off-site petroleum storage; an auto service center in the adjacent Sears store; and dry cleaners and the Fresh Kills landfill (all of which are located in anticipated cross-gradient or down-gradient groundwater flow directions). To minimize the potential for hazardous materials impacts during or following construction, an (E) Designation for hazardous materials (E-361) has been assigned to the project site that will be administered by the New York City Office of Environmental Remediation (OER). A Subsurface (Phase II) Investigation of the project site will be implemented in accordance with a November 2014 Work Plan that has been reviewed and approved by the New York City Department of Environmental Protection (DEP)-approved Work Plan. Based upon the findings of the investigation, a DEP-or OER-approved Remedial Action Plan (RAP) will be implemented during construction. The RAP will address requirements for items such as soil stockpiling, soil disposal and transportation; dust control; quality assurance; and contingency measures, should petroleum storage tanks or contamination be encountered during soil disturbance. Additionally, a DEP-or OER-approved Construction Health and Safety Plan (CHASP) will be prepared for implementation during construction. The CHASP will identify potential hazards that may be encountered during construction and specify appropriate health and safety measures to be undertaken to ensure that subsurface disturbance is performed in a manner protective of workers, the community, and the environment (such as personal protective equipment, air monitoring, and emergency response procedures). With these measures in place, the proposed project would not result in any significant adverse hazardous materials impacts, and would be consistent with this policy.

Policy 7.3: Transport solid waste and hazardous materials and site solid and hazardous waste facilities in a manner that minimizes potential degradation of coastal resources.

Any hazardous materials would be remediated and disposed of in conformance with all applicable laws, rules, and regulations, thus avoiding the potential for adverse impacts on coastal resources. The proposed actions would not entail the siting of solid or hazardous waste facilities. Therefore, the proposed actions would be consistent with this policy.

F. FUTURE WITH 2019 COMPLETION DATE

As detailed in Chapter 1, “Project Description,” there is the possibility that Macy’s would elect to postpone commencement of construction of its proposed 75,000-gsf enlargement, in which case the Macy’s enlargement and a portion of the proposed structured parking garage would be expected to be complete by 2019, rather than by 2017. In this event, the effects of the proposed project on land use, zoning, and public policy would be substantially similar to those described above for the 2017 analysis year.

There are no additional background development projects that are currently expected to be built in the 400-foot study area between 2017 and 2019. In addition, no work on the portion of Fresh Kills Park within and adjacent to the study area is expected to be undertaken by 2019. This 2019 Full-Build Scenario would delay the introduction of some additional retail uses to the study area, but would not change the mix of uses that would exist on the project site as compared to the No Action condition and the 2017 With Action condition. The 2019 Full-Build Scenario would not require any new or different actions with regard to zoning, and would not result in any different effects on the City’s WRP policies as compared to the proposed project under the 2017 With Action condition. Therefore, the completion of the proposed project by 2019, rather than by 2017, would not result in any significant adverse impacts related to land use, zoning, or public policy. *