



---

**IN THE MATTER OF** an application submitted by the Department of Environmental Protection and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of property located at 69 Whitlock Avenue (Block 908, Lot 16) for use as a stormwater drainage feature, Borough of Staten Island, Community District 2.

---

This application was filed on May 1, 2019 by the New York City Department of Environmental Protection (DEP) and the New York City Department of Citywide Administrative Services (DCAS) to facilitate the site selection and acquisition of a privately-owned property located at 69 Whitlock Avenue (Block 908, Lot 16) for construction of a Mid-Island Bluebelt stormwater drainage feature, generally referred to as a Best Management Practice (BMP), in the Todt Hill neighborhood of Staten Island, Community District 2.

**BACKGROUND**

In 1989, in response to the need for improved sanitary and stormwater infrastructure in South Richmond and parts of Mid-Staten Island, the New York City Department of City Planning (DCP) issued a report entitled South Richmond’s Open Space Network, An Agenda for Action: Stormwater and Open Space Management, which recommended that wetlands be used for stormwater management and open space. In 1993, DEP began to implement the recommendations of the 1989 report and started to acquire property containing wetlands and streams while also developing management plans for selected drainage basins. The key stream corridors and wetlands found in South Richmond and other areas of Staten Island to be used for stormwater management are collectively called “the Bluebelt”.

The Bluebelt Program, which consists of natural drainage systems for handling stormwater runoff, reducing urban flooding, and improving the health of local waterways, is designed, constructed, and managed by DEP. In contrast to traditional storm sewers that use closed pipes, the Bluebelt system preserves and enhances streams, ponds, and wetlands to manage stormwater while providing open green space for communities and a diverse habitat for wildlife.

The NC-4 BMP would be designed to calm stormwater flow and slowly discharge it into Moravian Brook on an adjacent NYS Department of Environmental Conservation (DEC)-owned property that is leased to Richmond County Country Club for use as a golf course.

DEP and DCAS seek the acquisition and site selection of the project site (Block 908, Lot 16) to locate a new Bluebelt drainage feature (NC-4 BMP), in the Todt Hill neighborhood of Staten Island, Community District 2. The drainage system would receive stormwater flow and runoff from existing and new stormwater sewers along Todt Hill Road and Whitlock Avenue.

The project site is a 32,665 square-foot, undeveloped, privately-owned lot that fronts Whitlock Avenue to the north. The site resulted from a land use application approved by the City Planning Commission (CPC) in 1988 (N 860437 ZAR) to facilitate the subdivision of one zoning lot into five zoning lots and modification of natural features to locate a watercourse diversion pipe in the Whitlock Avenue roadbed. The subject property, 69 Whitlock Avenue, consists of two of these newly created zoning lots and is one tax lot. Despite CPC approval of authorization applications in 1989 (N 890193 ZAR) and 2006 (N 030012 ZAR) to further modify the natural features on the site for the development of single-family residences, 69 Whitlock Avenue remained undeveloped and the authorizations have since lapsed.

Whitlock Avenue is a mapped street that is partially built from Todt Hill Road west to the subject property. The site is bounded to the northeast, southeast and west by privately-owned residential properties developed with single-family residences, and to the southwest by the Richmond County Country Club golf course. Existing natural features on the project site include significant tree growth, steep topography, and a shallow stream bed that traverses the property and continues downslope to the adjacent golf course as part of the New Creek watershed, which is the largest of the Mid-Island Bluebelt watersheds.

The site is in an R1-1 zoning district, which permits single-family homes on large lots, and the surrounding area is predominantly developed with large single-family, detached homes on large lots. Other uses in the area surrounding the subject property consist of parks, such as the Staten Island Greenbelt parkland and Saint Francis Woodlands, and the Staten Island Academy.

No alterations of any kind to the project site are planned as part of this application. If the acquisition is approved, DEP plans to seek approvals from the CPC for Special Natural Area District (SNAD) authorizations required for any modifications to existing natural features on the site to facilitate the construction of the proposed BMP drainage feature.

## **ENVIRONMENTAL REVIEW**

This application (C 190431 PCR) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA) and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq., and the New York City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 07DEP063R and the lead agency is DEP. CEQR number 04DEP010R, for prior application C 040057 PCR concerning site selection and acquisition of 457 privately-owned parcels in the New Creek watershed, was determined to be a Type II action.

This application, 07DEP063R, modifies the prior application (C 040057 PCR) for preservation of Bluebelt wetland corridors for drainage purposes. A Technical Memorandum was issued on April 19, 2019 in connection with an application (C 190431 PCR). The Technical Memorandum examined whether the project modifications would result in any new or different significant environmental impacts from those identified in the FGEIS issued on November 4, 2013, and concluded that no new or greater impacts would result from the proposed modifications.

## **UNIFORM LAND USE REVIEW**

This application (C 190431 PCR) was certified as complete by the Department of City Planning on May 6, 2019 and was duly referred to Community Board 2, and the Staten Island Borough President, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

## **Community Board Public Hearing**

Community Board 2 held a public hearing on this application on June 4, 2019, and on June 18, 2019, by a vote of 32 in favor, none opposed, and no abstentions, adopted a resolution recommending approval of the application.

### **Borough President Recommendation**

This application was considered by the Borough President, who on July 17, 2019, issued a recommendation in favor of the application.

### **City Planning Commission Public Hearing**

On July 31, 2019 (Calendar No. 21), the City Planning Commission scheduled August 14, 2019, for a public hearing on this application (C 190431 PCR). The hearing was duly held on August 14, 2019 (Calendar No. 66). One speaker testified in favor of the application.

A representative from DEP spoke in favor of the application and provided an overview of Bluebelt stormwater drainage systems. She explained that the proposed acquisition and site selection would help DEP locate a new drainage feature to naturally collect, store, and gently discharge stormwater runoff in the upper New Creek watershed.

There were no other speakers and the hearing was closed.

### **Waterfront Revitalization Program Consistency Review**

This application (C 190431 PCR) was reviewed by the City Coastal Commission for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), as amended, approved by the New York City Council on October 30, 2013 and by the New York State Department of State on February 3, 2016, pursuant to the New York State Waterfront Revitalization and Coastal Resources Act of 1981, (New York State Executive Law, Section 910 et seq.). The designated WRP number is 19-012. This action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.

### **CONSIDERATION**

The Commission believes that the acquisition of property located at 69 Whitlock Avenue (Block 908, Lot 16), for an addition to the Bluebelt system in the New Creek watershed is appropriate.

DCP's 1989 report entitled An Agenda for Action: Stormwater and Open Space Management

identified the need for an alternative approach to traditional stormwater management methods. In 1993, DEP began the preparation of comprehensive sanitary and stormwater plans. The construction of storm sewers will collect street runoff and direct it to the BMP sites prior to discharge into wetlands and streams of the watershed. This protects and preserves natural open space corridors while providing a cost effective stormwater management system. The Commission believes that preserving these watersheds is an important component to developing an alternative approach to traditional stormwater management methods.

The Commission also believes that the proposed acquisition and site selection will help DEP manage and improve stormwater drainage in the northwestern upland portion of the New Creek watershed.

## **RESOLUTION**

**RESOLVED**, that the City Planning Commission, having considered the Final Generic Environmental Impact Statement (FGEIS), for which a Notice of Completion was issued on November 4, 2013, and a Technical Memorandum issued on April 19, 2019, with respect to this application (CEQR No. 07DEP063R), finds that the requirements of the New York State Environmental Quality Review Act and Regulations, have been met and that:

Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the action to be approved is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable

This report of the City Planning Commission, together with the FGEIS, constitute the written statement of facts, and of social, economic and other factors and standards, that form the basis of the decision, pursuant to Section 617.11(d) of the SEQRA regulations; and be it further

**RESOLVED**, that the City Coastal Commission finds that the action will not substantially hinder the achievement of any WRP policy and hereby determines that this action is consistent with WRP policies; and be it further

**RESOLVED**, by the City Planning Commission, pursuant to Sections 197-c of the New York City Charter, that this application submitted by the Department of Environmental Protection and the Department of Citywide Administrative Services, pursuant to 197-c of the New York City Charter, for the site selection and acquisition of property located at 69 Whitlock Avenue (Block 908, Lot 16) for use as a stormwater drainage feature, Borough of Staten Island, Community District 2, is approved.

The above resolution (C 190431 PCR), duly adopted by the City Planning Commission on September 11, 2019 (Calendar No. 17), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

**MARISA LAGO**, *Chair*

**KENNETH J. KNUCKLES, Esq.**, *Vice Chairman*

**DAVID J. BURNEY, ALLEN P. CAPPELLI, Esq., ALFRED C. CERULLO, III,**

**MICHELLE R. DE LA UZ, JOSEPH I. DOUEK,**

**RICHARD W. EADDY, HOPE KNIGHT, ANNA HAYES LEVIN,**

**ORLANDO MARIN, LARISA ORTIZ, RAJ RAMPERSHAD**, *Commissioners*