

## **South Avenue Retail Development Draft Scope of Work for Preparation of a Draft Environmental Impact Statement**

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### **A. INTRODUCTION**

This Draft 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 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 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 zsf<sup>1</sup> (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 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,

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<sup>1</sup> 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.



10/23/2014



 Project Site

0 2 MILES

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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 space<sup>1</sup>, 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 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 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 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 realign the intersection of Morrow Street and Forest Avenue.

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

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<sup>1</sup> 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.

<sup>2</sup> Per a 2012 Stipulation Agreement, DEC determined that the only individual permit necessary for the proposed development is a freshwater wetland permit and a SPDES general permit for stormwater discharges from construction (as applicable), and that tidal wetland permits are not required.



**Notes:** Building footprints, floor area, and Use Groups reflect the authorized site plan and are subject to CPC approval. Tenant use types and internal delineation are shown for illustrative RWCDs purposes. The UG 16 gas station and UG 6 automated bank teller shown on the plan are as-of-right. Gross square feet (gsf) numbers are approximate and based on a 3 percent adjustment to zoning square feet (zsf).

## DESCRIPTION OF THE PROJECT AREA

### *DEVELOPMENT SITE*

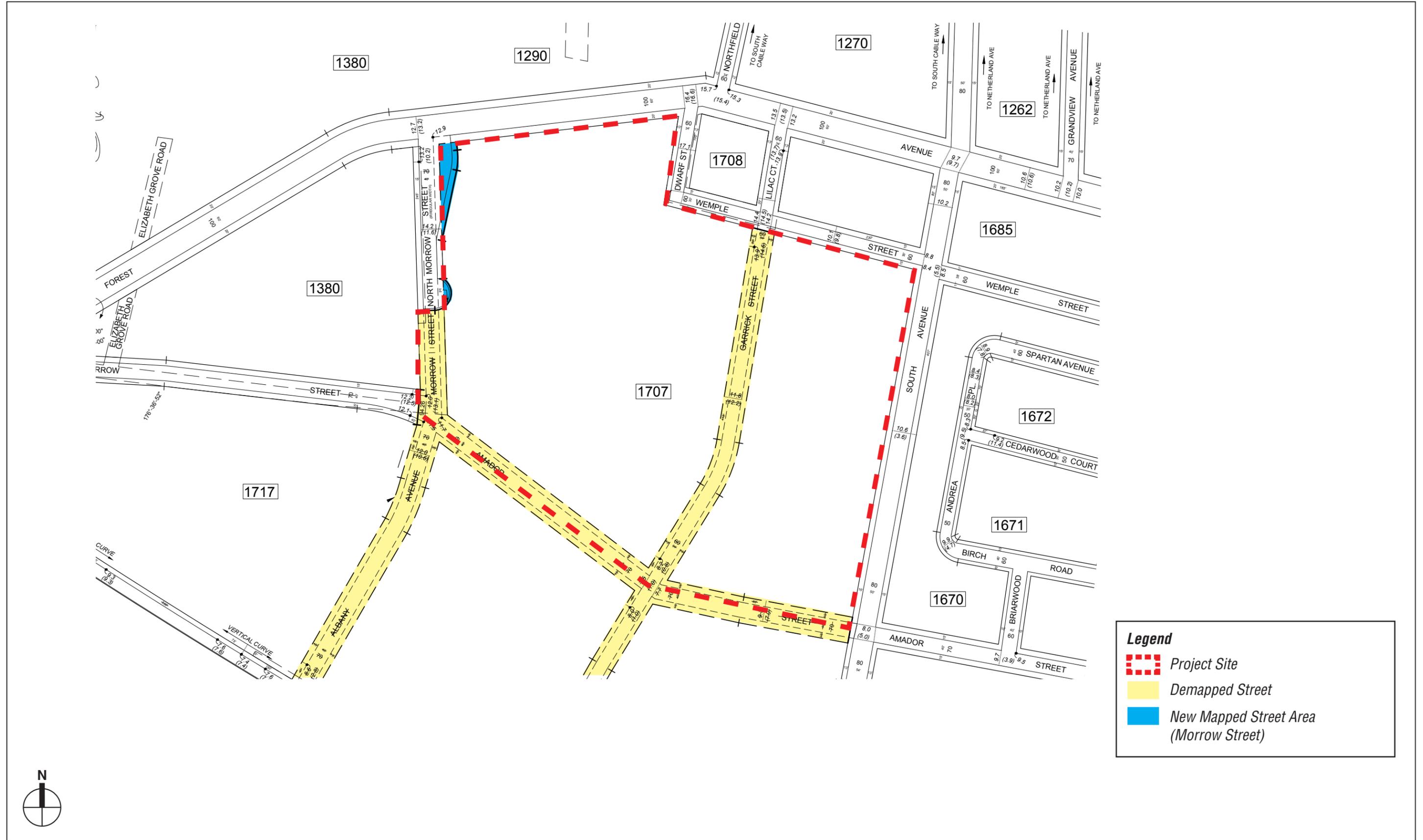
The development site is a vacant wooded parcel with approximately 6.93-acres of mapped DEC and USACE jurisdictional wetland areas along the southern portion of the 28.3-acre zoning lot. The 1,231,609-square foot (sf) site includes: Lot 1 (813,639 sf) and Lot 5 (285,951 sf) of Block 1707; the unbuilt 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, 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 calculation for the development site.

As noted above, the development site contains DEC and USACE mapped wetlands at its southern and western ends. 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).<sup>1</sup> 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 DEC, and requested revisions to the site plan, DEC 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 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, DEC confirmed that the proposed site plan, as shown on **Figure 2a**, is in substantial accordance with the 2012 agreement.

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<sup>1</sup> Totals do not include wetland areas located in the portion of Morrow Street at the northwest corner of the development site.



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### *ADDITIONAL DEMAPPING AREAS*

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.
- 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**

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, 10A, and 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 6 and 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 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 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 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**.

*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. 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.

**Table 1**  
**Proposed Development Program**

Map Label	Use Group	Zoning Floor Area (ZSF)	Gross Floor Area (GSF) <sup>1</sup>	Parking Required <sup>2</sup>
Retail A <sup>3</sup>	6 or 10A	14,500	15,000	49
Retail B <sup>3</sup>	6 or 10A	15,400	16,000	52
Retail C	6 or 10A	89,760	92,000	299
Retail D <sup>3</sup>	6 or 10A	33,965	35,000	113
Retail E	6 or 10A	65,000	67,000	325
Gas Station, Automated Bank Teller <sup>4</sup>	16/6	752	1,000	N/A
<b>TOTAL:</b>		<b>219,377</b>	<b>226,000</b>	<b>838</b>

Note: <sup>1</sup>Gross square foot (gsf) areas are approximate and are calculated based on a 3 percent adjustment to zoning floor area.  
<sup>2</sup>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.  
<sup>3</sup>Retail A, B, D, and E could be occupied by Use Group (UG) 6 or 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.  
<sup>4</sup>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.

*WETLANDS PRESERVATION*

The proposed project would result in development on a portion of the DEC FWAA and isolated USACE wetland areas, but would preserve 6.93 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 supermarket portion of the proposed development. In total, preserved DEC and USACE jurisdictional wetland, stormwater management, and landscaping areas total 10.78 acres. As noted above, DEC 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 DEC. After the ULURP process has been completed, the applicant will complete and finalize the DEC permit process.

**ANALYSIS YEAR**

The proposed project would take up to approximately 24 months to construct and would be built in a single phase. Assuming commencement of construction in early 2017, 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 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 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 6 and 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 streets), and the unbuilt section of Morrow Street within the wetlands area; and (3) mapping of a new section of Morrow Street to accommodate the realignment of the intersection of Morrow Street and Forest Avenue. In addition, as noted above, the development site contains DEC and USACE mapped wetlands. Therefore, a DEC 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 (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. 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 supermarket, 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, 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 DEC to preclude the potential for future development in adjacent undeveloped wetland areas.

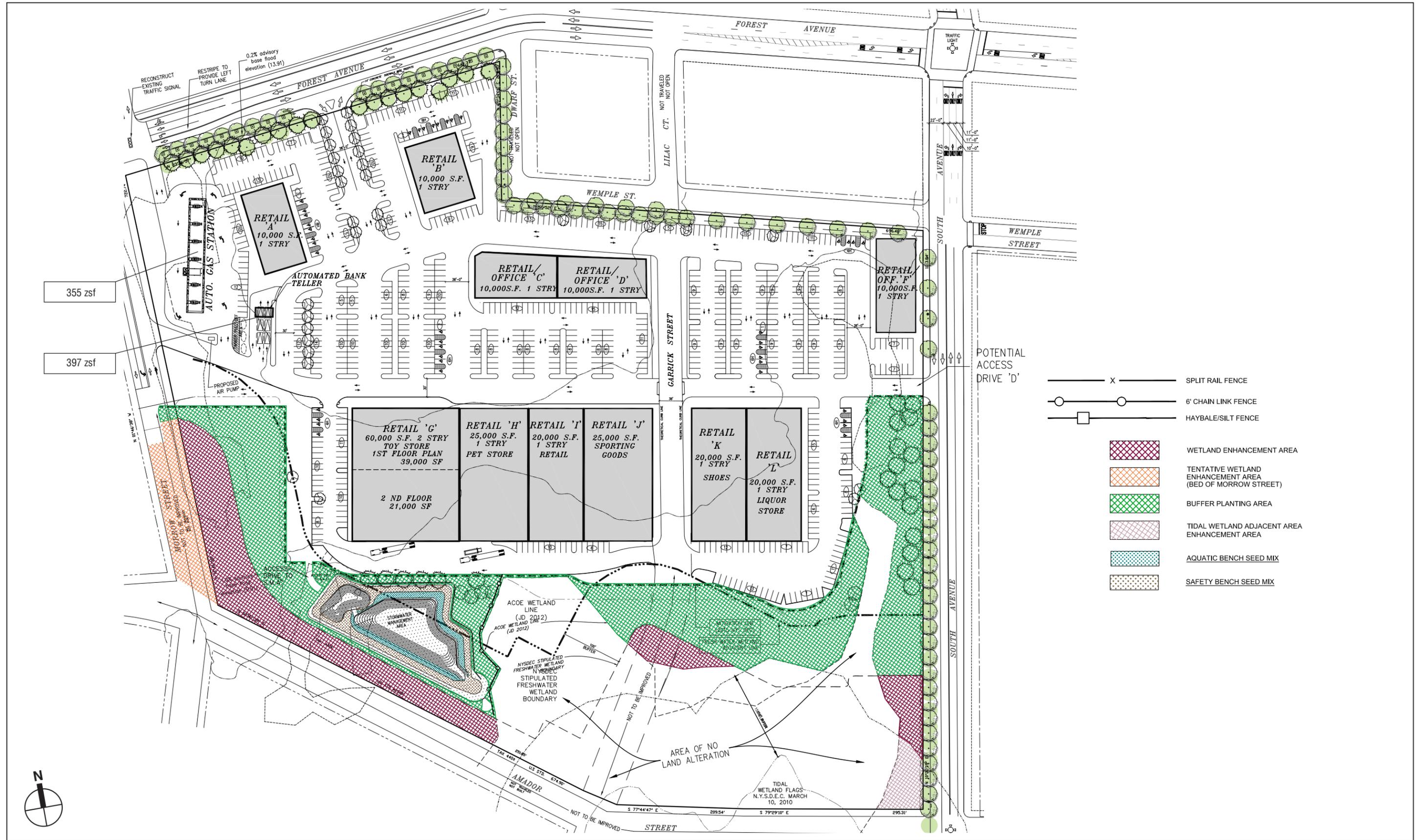
The applicant believes that the proposed project responds to the demand for commercial uses in the area—including a supermarket and wholesale warehouse. The site is accessible to major roadways, including Forest and South Avenues, and is in close proximity to the Staten Island Expressway. It is also located near west Staten Island’s numerous residential neighborhoods. The applicant intends to create a new active commercial development and provide a new 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. 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



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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 10.78 acres of mapped wetlands (including a buffer area and stormwater management area). The No Action development would be built in substantial accordance with the DEC-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 DEC-approved site plan and the parking requirements associated with the proposed commercial uses. The DEC-approved site plan constrains development by precluding the development of 10.78 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 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 <sup>1</sup>	Zoning Floor Area (ZSF)	Gross Floor Area (GSF) <sup>2</sup>	Parking Required <sup>3</sup>
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 <sup>4</sup>	16/6	752	1,000	2
<b>TOTAL:</b>			<b>220,752</b>	<b>228,250</b>	<b>736</b>

Note: <sup>1</sup>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.  
<sup>2</sup>Gross square foot (GSF) areas are approximate and are calculated based on a 3 percent adjustment to zoning floor area.  
<sup>3</sup>1 parking space is required for every 300 zsf of general retail or office uses.  
<sup>4</sup> 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.<sup>1</sup>

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 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, 10A, and 16 retail uses and 838 accessory parking spaces. Specific

<sup>1</sup> 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 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.

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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 10A general retail uses, an approximately 500-gsf UG 16 gas station, and an approximately 500-gsf UG 6 automated bank teller.<sup>1</sup>

These uses and sizes were chosen to provide a conservative analysis and are based on typical retail uses in similar developments 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 size 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 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 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 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 would be 0.17, 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 DEC-approved site plan and the parking requirements associated with the proposed commercial uses. The DEC-approved site plan constrains development by precluding the development of 10.78 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,

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<sup>1</sup> 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.

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).<sup>1</sup> As noted above, the proposed actions include a special permit to allow Use Group 6 and 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 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. The applicant does not believe that 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, GSF, 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
	<b>Total GSF</b>	0	228,250	226,000	-2,250

<sup>1</sup> 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 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. The period for comments on the Draft Scope of Work will remain open for 10 days following the meeting, at which point the scope review process will be closed. The lead agency will then oversee preparation of a Final Scope of Work, which incorporates all relevant comments made on the scope and revises the extent or methodologies of the studies, as appropriate, in response to comments made during scoping. The DEIS will be 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.

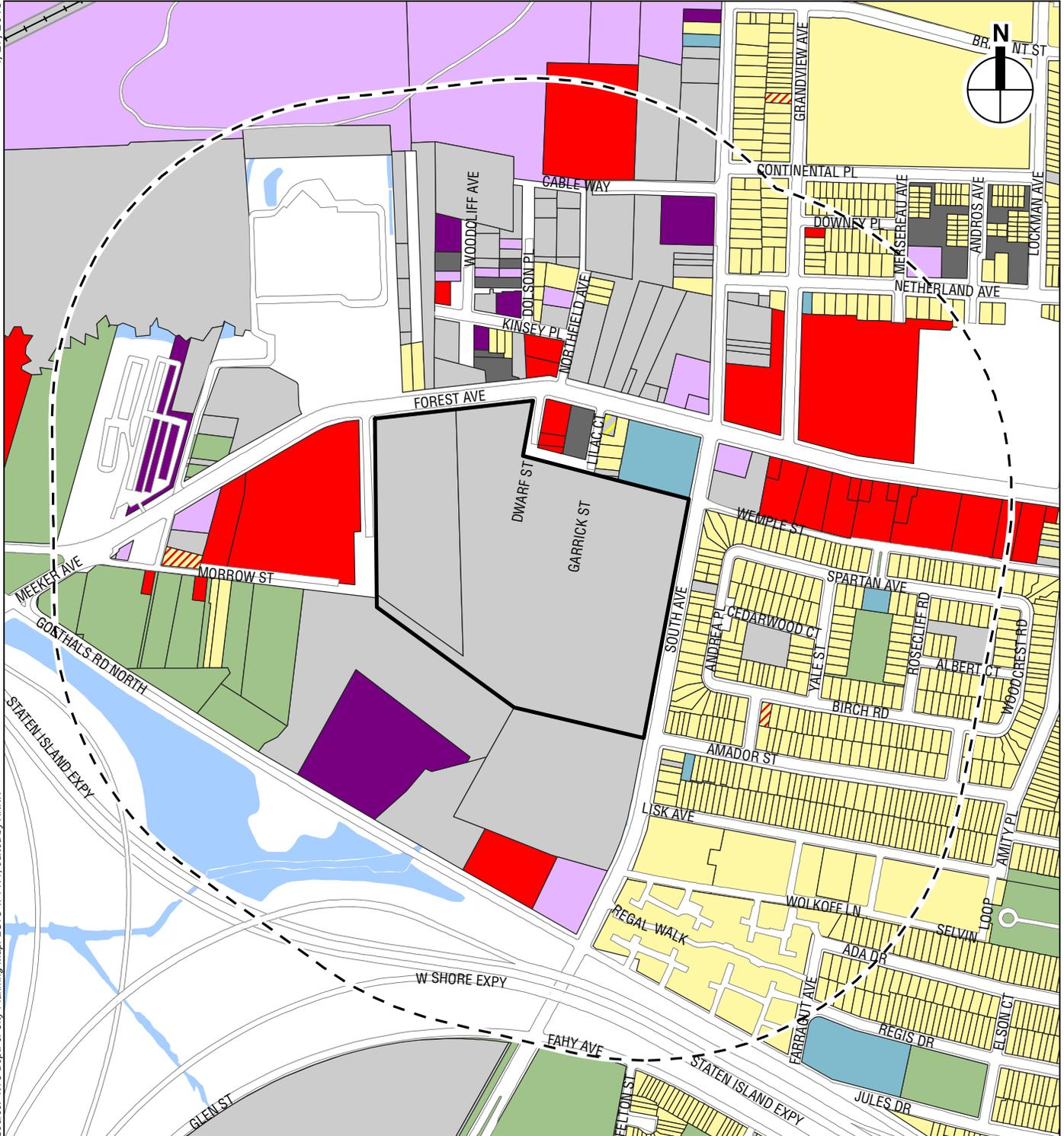
### LAND USE, ZONING, AND PUBLIC POLICY

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



- Project Site
- Study Area (1/4-Mile Boundary)
- Commercial and Office Buildings
- Hotels
- Industrial and Manufacturing
- Open Space and Outdoor Recreation
- Parking Facilities
- Public Facilities and Institutions
- Residential
- Residential with Commercial Below
- Transportation and Utility
- Vacant Land
- Vacant Building
- Under Construction

0 500 FEET

## **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.

## **Forest Avenue and South Avenue Retail Development**

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The archaeological sensitivity of the site was previously analyzed in a Phase 1A archaeological assessment that was prepared by Greenhouse Consultants, Inc. in 1996.<sup>1</sup> 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 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

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<sup>1</sup> 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.

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.

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- 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)<sup>1</sup> 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.
- 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.

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<sup>1</sup> 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.

- 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.

## **Forest Avenue and South Avenue Retail Development**

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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.
- 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. 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. 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. 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. 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.

## **Forest Avenue and South Avenue Retail Development**

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The projected number of heavy-duty trucks or equivalent vehicles will likely exceed the applicable fine particulate matter (PM<sub>2.5</sub>) screening thresholds in the *CEQR Technical Manual*. Therefore, a microscale analysis of PM<sub>2.5</sub> and PM<sub>10</sub> 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<sub>2.5</sub> 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<sub>2.5</sub> and PM<sub>10</sub> levels at multiple receptor locations sites will be analyzed in accordance with *CEQR Technical Manual* guidelines.
- *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<sub>2.5</sub> 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<sub>2.5</sub> and PM<sub>10</sub> 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 PM<sub>10</sub> National Ambient Air Quality Standards (NAAQS), and the City's CO and PM<sub>2.5</sub> *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 NO<sub>2</sub>, as well as SO<sub>2</sub>, from the proposed project. An analysis using the USEPA-approved AERSCREEN model will also be performed to evaluate potential impacts of PM<sub>2.5</sub> and one-hour average NO<sub>2</sub>. 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

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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:

- 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.

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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 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.
- *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. \*