

Technical Memorandum for 2875 Veterans Road West EAS

CEQR Number 10DCP050R

ULURP Number N140162ZCR

February 11, 2014

A. INTRODUCTION

On June 6, 2011, the New York City Planning Commission (CPC), as Lead Agency, issued a Negative Declaration for the proposed 2875 Veterans Road West project (CEQR No. 10DCP050R, and former ULURP Nos. 100414RAR, 100415RAR, 100416ZCR [now ULURP No. N140162ZCR]) based on analyses included in an Environmental Assessment Statement (EAS) completed on June 2, 2011 (the "June 2, 2011 EAS"). The CPC approved the proposed 2875 Veterans Road West project on April 4, 2012. The CPC is now considering a modification to the April 4, 2012 approved project (the "proposed modification") that is proposed by the Applicant in response to refinements to the building program, which development would take place in 2015.

Note that both the previously approved project and the proposed modification include three (3) tax lots, Lots 190, 193, and 196. These lots have been finalized on the tax maps and should be referred to for this project.

The purpose of this Technical Memorandum is to describe the proposed modification and to evaluate whether the proposed modification would result in any significant adverse impacts not identified in the June 2, 2011 EAS.

Based on a revised analysis framework that reflects the proposed modification, this Technical Memorandum evaluates the impact categories included in the June 2, 2011 EAS to assure compliance with the 2012 *CEQR Technical Manual*.

As disclosed in this Technical Memorandum, the proposed modification would not alter the conclusions of the June 2, 2011 EAS or the June 6, 2011 Negative Declaration and it would not result in any significant adverse environmental impacts.

B. DESCRIPTION OF PROPOSED CPC MODIFICATION

PROJECT AS ANALYZED IN JUNE 2, 2011 EAS

As described in detail below, the projected development analyzed in the June 2, 2011 EAS identified a 14,342 gsf commercial retail development with 83 accessory parking spaces, which resulted in no significant adverse impacts.

The June 2, 2011 EAS analyzed a 14,342 gsf commercial retail development with 83 accessory parking spaces comprised of three one-story retail buildings located on a site identified as Block 7469, lot 190 (tentative lots 190, 193, 196) and consisting of 70,690 square feet of undeveloped land located at the southeast corner of Veterans Road West and Tyrellan Avenue. Building A was proposed to contain 4,250 square feet of floor area on a 55'-0" wide pad. Building B was proposed to contain 4,912 square feet of floor area on a 75'-0" wide pad. Building C was proposed to contain 5,180 square feet of floor area on a 70'-0" wide pad.

The proposed project would be accessed via one 30'-0" wide curb cut onto Veterans Road West, which would provide one lane inbound and one lane outbound. Two Cross Access Connections would be provided to an access easement bordering the southerly property line of the site. To facilitate the development of the proposed buildings, parking, and loading areas, nearly all the existing trees on the site would need to be removed. Native trees and other vegetation and vegetation approved for use in the Special South Richmond Development District would be planted throughout the proposed parking areas and along the periphery of the property as required in order to mitigate the loss of existing vegetation on the site.

Based on the 2012 *CEQR Technical Manual* thresholds, the June 2, 2011 EAS included analyses of the following impact categories: Land Use, Zoning and Public Policy; Natural Resources; Hazardous Materials; Infrastructure; Transportation; Air Quality; and Noise.

PROJECT AS APPROVED BY CPC ON APRIL 4, 2012

On April 4, 2012, the CPC approved three separate building pads, corresponding to three retail buildings, totaling 14,290 square feet in floor area, as itemized in Table No. 1 below. The CPC approved project was 52 gsf smaller than the project analyzed in this Technical Memorandum.

Pad A was approved for 4,650 square feet of floor area on a 60'-0" wide pad. Pad B was approved for 5,240 square feet of floor area on an 80'-0" wide pad. Pad C was approved for 4,440 square feet of floor area on a 60'-0" wide pad.

The CPC also approved two 24'-0" wide Cross Access Connections to a 30'-0" wide access easement bordering the southerly property line of the site.

See attached Site Plan Drawing CPC-01 and Cross Access Connections Drawing CPC-06 dated 12/20/11.

ZONING DATA	
BLOCK	7469
EXISTING LOT:	190, TENANT LOT 190, 91, 96
ZONE:	W-1
MAP:	324
EXISTING HOUSE:	NA
OCCUPANCY GROUP:	C
SETBACKS:	S
CONST. CL.	NA
-SPECIAL SOUTH RICHMOND DISTRICT	
-OUTSIDE FLOOD ZONE	
-OUTSIDE THE FIRE DISTRICT	
-OUTSIDE THE METLANDS	

1. Future Schedule 107-08
2. Removal of trees 107-84
3. Modification of Existing Topography 107-85
4. Modification of Existing Topography 107-85
5. Certification of Cross Access Connections 38-592

ZONING COMPUTATIONS:
 LOT AREA: 7469 S.F.
 LOT 43-132 ALLOWABLE FAR = 1.0
 MAX FAR: 7469 S.F. x 1.0 = 7469 S.F.
 PAD A = 4,650 S.F.
 PAD B = 4,440 S.F.
 PAD C = 4,240 S.F.
 TOTAL = 13,330 S.F.
 (1% 44-1) REQUIRED PARKING: 14,200 / 300 = 47 CARS
 47 CARS x 150 S.F. = 7,050 S.F.
 47 CARS x 150 S.F. = 7,050 S.F.
 47 CARS x 150 S.F. = 7,050 S.F.

ABBREVIATIONS AND LEGEND:
 100001 LEGAL GRADES
 100002 EXISTING GRADES
 100003 PROPOSED GRADES
 T.C. TOP OF CURB ELEVATION
 B.E.L. BOTTOM OF CURB ELEVATION
 D.T. DRIVE THRU WINDOW
 I.V.Y. EL. MANHOLE INVERT ELEVATION
 Y.D. DR. YARD DRAIN
 C.B. CATCH BASIN
 M.H. MANHOLE
 T.W. TOP OF WALL ELEV.
 TRAF. DIR. TRAFFIC DIRECTION
 BLDG. ENT. BUILDING ENTRY
 H.A.C. HANDICAP ACCESSIBLE SIGN
 L.A. LANDSCAPING/ GRASS AREA

Shaded area denotes proposed building area increase for Building Prods B and C without setting with the NYC Planning Commission. The shaded area must meet all applicable zoning requirements for the proposed building. The shaded area also includes the proposed building and any other structures, parking spaces, bike racks, etc. that are proposed on the site. The shaded area will be removed if the proposed building is not approved or if the proposed building is removed or modified.

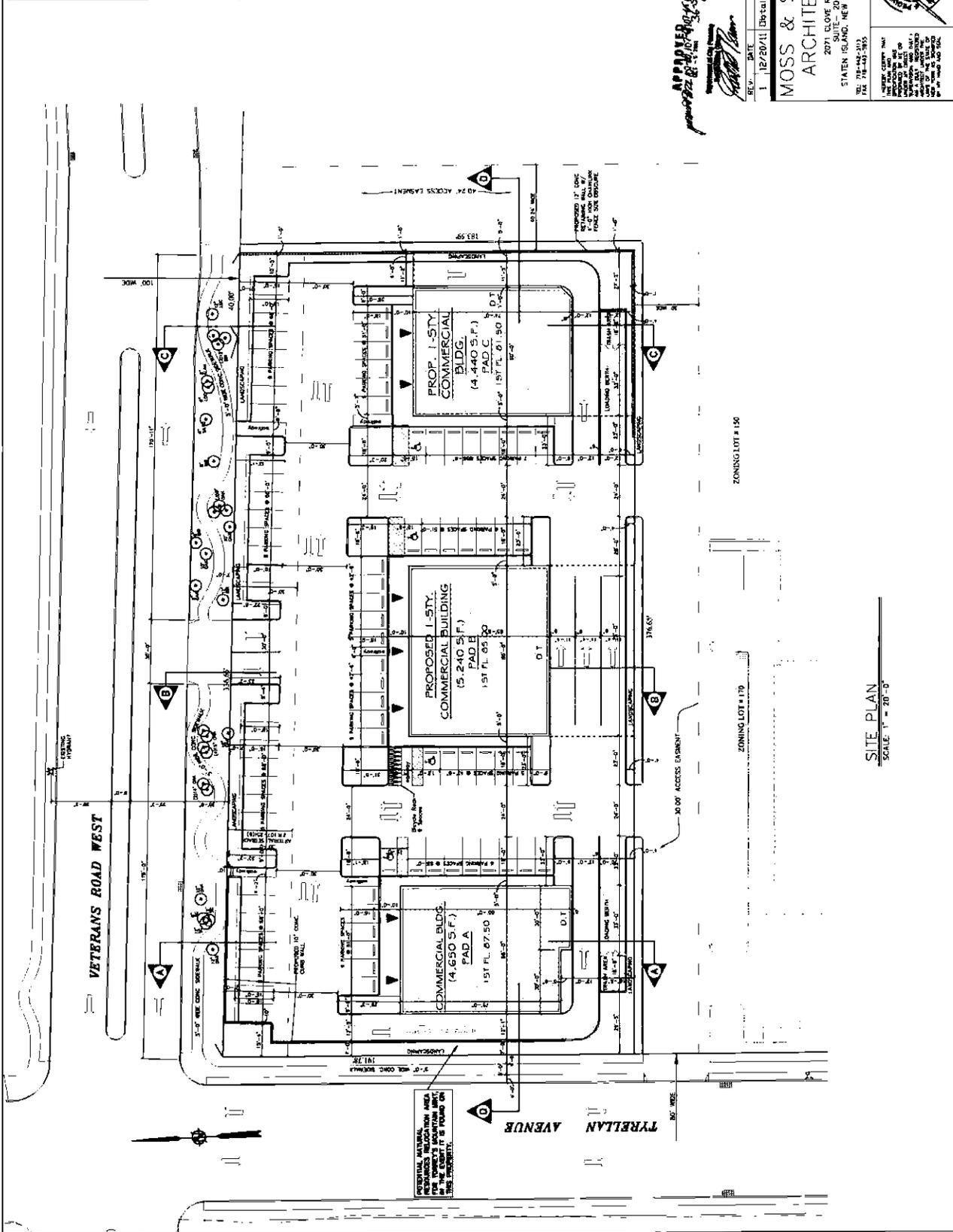
REV.	DATE	DESCRIPTION
1	12/20/11	Obtain substantial letter of compliance

PROPOSED (3) COMMERCIAL BUILDINGS
 VETERANS ROAD WEST, ST. NY
 DUMOR CHARLESTON PLACE, LLC
 PARTNERSHIP
 CITY PLANNING DIMENSIONAL SITE PLAN BOX PLAN

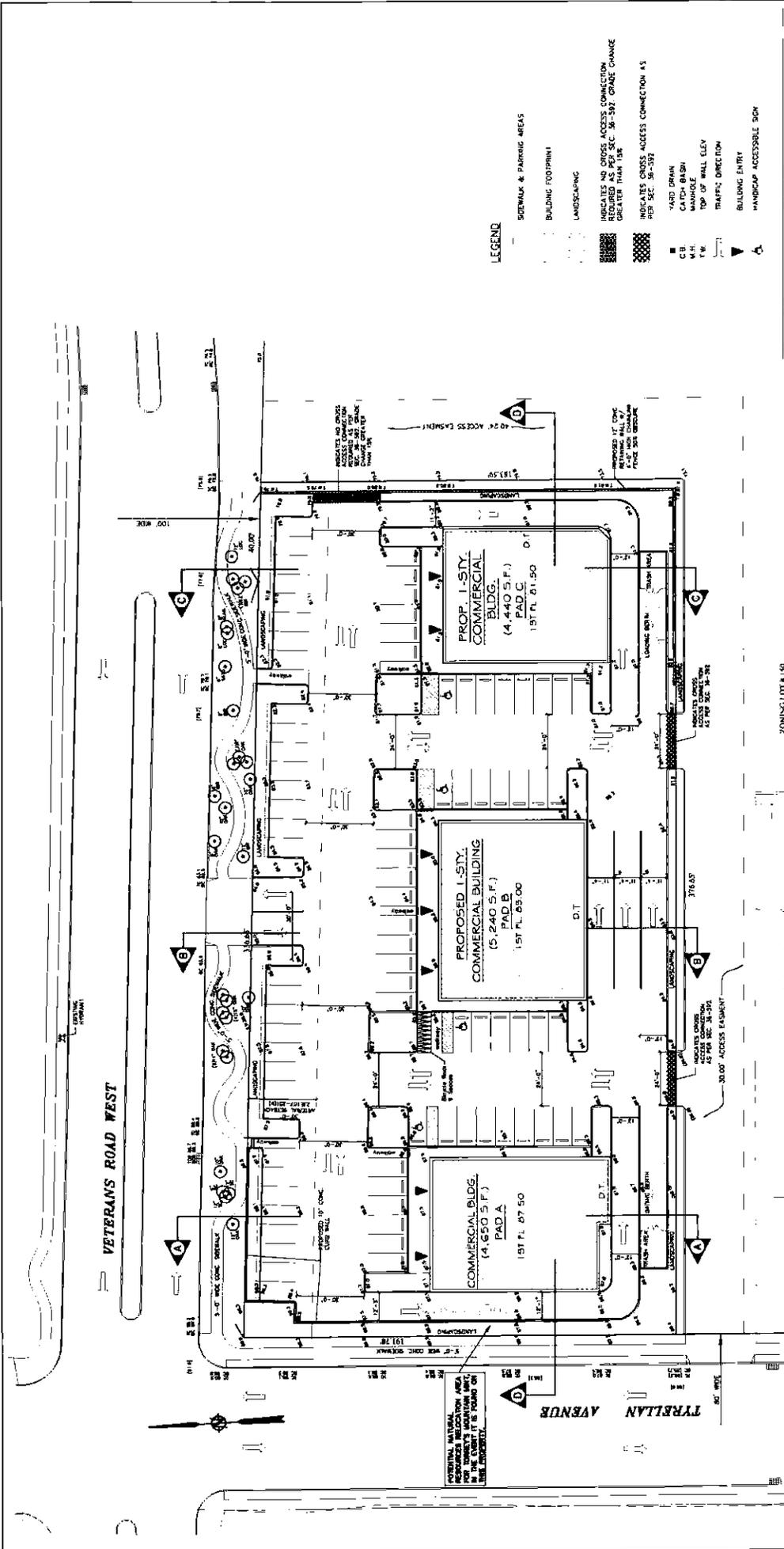
MOSS & SAYAD ARCHITECTS
 2071 CLOVE ROAD SUITE 204
 STATEN ISLAND, NEW YORK 10304
 TEL: 718-442-5955 FAX: 718-442-5955

DATE: 12/20/11 JOB NO.: 877
 DRAWN BY: J.S.
 CHECKED BY: J.S.
 SCALE: 1" = 20'-0"

PROJECT NO.: CPC-01



SITE PLAN
 SCALE: 1" = 20'-0"



REV.	DATE	DESCRIPTION
1	12/20/11	Obtain substantial letter of compliance

MOSS & SAYAD ARCHITECTS
 2071 CLOVE ROAD
 SUITE - 204
 STATEN ISLAND, NEW YORK 10314
 TEL: 718-442-3000
 FAX: 718-442-3005

PROPOSED (S) COMMERCIAL BUILDINGS VETERANS ROAD WEST ST. NY QUINCY CHARLESTON PLACE, LLC

CITY PLANNING CROSS ACCESS CONNECTIONS

SCALE: 1" = 20'-0"

CROSS ACCESS CONNECTIONS

CPC-06

APPROVED
 [Signature]
 [Signature]

PROJECT WITH PROPOSED MODIFICATIONS

With the proposed modifications ("08/06/13 Final Design"), the square footage breakdown of the proposed project and the locations of the proposed Cross Access Easements would differ from the projected development analyzed in the June 2, 2011 EAS as well as the April 4, 2012 CPC approved project.

While the previously CPC-approved project was 14,290 gsf in size and the EAS analyzed a development of 14,342 gsf in size, the project with the proposed modifications would be 16,251 gsf in size. The project with the proposed modifications would represent an incremental increase of 1,961 gsf relative to the previously CPC-approved project and 1,909 gsf relative to the approved EAS. 84 parking spaces would be provided, one space more than the EAS and the same as the previously CPC-approved project. The proposed development as modified is described as follows:

The 08/06/13 Final Design includes three separate building pads, corresponding to three retail buildings, totaling 16,251 square feet in floor area, as itemized in Table No. 1 below. Pad A is proposed for 3,000 square feet of floor area on a 50'-0" wide pad. Pad B is proposed for 8,264 square feet of floor area on a 105'-0" wide pad. Pad C is proposed for 4,987 square feet of floor area on a 62'-5" wide pad.

The western Cross Access Connection is proposed to be moved 10'-3" west from its previously approved location (from 102'-2" from the western property line at Tyrellan Avenue to 91'-11" from the western property line). The eastern Cross Access Connection is proposed to be moved 14'-10" east from its previously approved location (from 252'-2" from the western property line at Tyrellan Avenue to 267'-0" from the western property line). No other changes to the projected development analyzed in the June 2, 2011 EAS are proposed in the 08/06/13 Final Design.

See attached Site Plan Drawing and Cross Access Connections Drawing CPC-06 dated 08/20/13.

C. ANALYSIS FRAMEWORK

For reference purposes, Table No. 1 below provides a comparison of the project as analyzed in the June 2, 2011 EAS to the project as approved by the CPC on 04/04/12 and the project with proposed modifications in the Final Design dated 08/06/13.

D. POTENTIAL IMPACTS OF THE PROPOSED MODIFICATION

The changes to the proposed project are summarized below.

- The June 2, 2011 EAS analyzed a 14,342 gsf commercial retail development comprised of three one-story retail buildings with 83 accessory parking spaces.
- The April 4, 2012 CPC approval included three separate building pads, corresponding to three retail buildings, totaling 14,290 square feet in floor area with 84 accessory parking spaces.
- The 08/06/13 Final Design includes three separate building pads, corresponding to three retail buildings, totaling 16,251 square feet in floor area with 84 accessory parking spaces.

For each of the screening analyses and supplemental attachments provided in the EAS, the potential effect of the proposed modifications is summarized below.

Table No. 1

Comparison of Previously-Analyzed Projects (6/2/11 EAS & 4/4/12 CPC Approval) to Project with Proposed Modifications (8/6/13 Final Design)

ITEM	06/02/11 APPROVED EAS	4/4/12 CPC APPROVAL	8/6/13 FINAL DESIGN	INCREMENT (4/4/12 vs. 8/6/13)	INCREMENT (6/2/11 vs. 8/6/13)
Building/ Pad A	55'-0" wide 4,250 sf floor area 0 sf increase	60'-0" wide 4,650 sf floor area 0 sf increase	50'-0" wide 3,000 sf floor area 0 sf increase	-10'-0" wide -1,650 sf floor area 0 sf increase	-5'-0" wide -1,250 sf floor area 0 sf increase
Building/ Pad B	75'-0" wide 4,912 sf floor area 0 sf increase	80'-0" wide 5,240 sf floor area 3,160 sf increase	105'-0" wide 8,264 sf floor area 2,712 sf increase	+25'-0" wide +3,024 sf floor area -448 sf increase	+30'-0" wide +3,352 sf floor area +2,712 sf increase
Building/ Pad C	70'-0" wide 5,180 sf floor area 0 sf increase	60'-0" wide 4,440 sf floor area 3,549 sf increase	62'-5" wide 4,987 sf floor area 1,436 sf increase	+2'-5" wide +547 sf floor area -2,113 sf increase	-7'-7" wide -193 sf floor area + 1,436 sf increase
Total Floor Area	14,342	14,290 sf	16,251 sf	+1,961 sf	+1,909 sf
Proposed Parking	83 spaces	84 spaces	84 spaces	0 spaces	+1 space

LAND USE, ZONING, AND PUBLIC POLICY

As described above in Section B, the proposed modification would result in a modest increase to the proposed total floor area for the project of approximately 1,909 gsf. The proposed modification would also result in the addition of 1 (one) proposed accessory parking space on the site relative to the project approved in the June 2, 2011 EAS.

Given the modest nature of the changes, the proposed project, as modified, would not be expected to have an adverse effect on land use either on-site or in the land use study area. The proposed modification would not affect zoning either on-site or in the land use study area, and no applicable public policies would be affected by the proposed modification. Therefore, the proposed change has no impact on the analysis and conclusions of the Land Use, Zoning, and Public Policy section of the June 2, 2011 EAS.

NATURAL RESOURCES

The proposed development as approved in the June 2, 2011 EAS would essentially result in the removal of all existing vegetation on the project site. This condition would not differ under either the April 4, 2012 CPC approval or the 08/06/13 Final Design. The proposed development under each of the three aforementioned scenarios would change the project site from an undeveloped primarily wooded parcel to a fully developed site largely covered with buildings, parking areas, driveways, and other paved surfaces. Under each of the three scenarios, native trees and other vegetation and vegetation approved for use in the Special South Richmond Development District would be planted throughout the proposed parking areas and along the periphery of the property as required in order to mitigate the loss of existing vegetation on the site.

Because Torrey's Mountain Mint was known from nearby sites, if it is encountered on the project site during construction it will be relocated to the area along Tyrellan Avenue identified on the plan as "Potential Natural Resources Relocation Area for Torrey's Mountain Mint". The proposed modification to the Site Plan would not affect compliance with the protection plan. In addition, conditions relating to the preservation of late boneset and Torrey's mountain mint on the subject property would not differ under each of the three scenarios. All on-site and off-site impacts to natural resources including vegetation, wildlife, storm water, noise, and lighting would be essentially the same under each of the three scenarios. Therefore, the proposed change has no impact on the analysis and conclusions of the Natural Resources section of the June 2, 2011 EAS.

HAZARDOUS MATERIALS

As described in the June 2, 2011 EAS, an assessment was conducted to determine if the proposed development would be adversely affected by hazardous materials due to the location of the site within a manufacturing zone (M1-1) and the need for soils disturbance in order to construct the proposed buildings and parking areas. It was determined that no hazardous materials concerns would arise as the subject property is a wooded site that has never been developed and is bordered by other undeveloped wooded sites, a lot developed with a commercial office building, and roadways. No gasoline stations or other uses that could house potentially hazardous materials are located adjacent to or in close proximity to the project site. Therefore, there is no potential for human exposure to hazardous materials, including present and future users of the site and surrounding area, as well as construction workers. In addition,

there is no potential for environmental exposure to hazardous materials including hazardous materials affecting on-site or surrounding natural resources or exacerbating existing environmental contamination.

The conditions noted above would not differ under either of the development scenarios presented in the June 2, 2011 EAS, the April 4, 2012 CPC approval, or the 08/06/13 Final Design. Therefore, the proposed change has no impact on the analysis and conclusions of the Hazardous Materials section of the June 2, 2011 EAS.

INFRASTRUCTURE

As described in the June 2, 2011 EAS, the only infrastructure item of concern for the proposed action would relate to the management of sanitary sewage and storm water runoff generated by the proposed project. Although the somewhat larger project proposed under the 08/06/13 Final Design would result in the generation of additional sanitary sewage relative to that identified in the June 2, 2011 EAS, the total sanitary sewage generation of the project would still be very modest and would fall below the *CEQR Technical Manual* thresholds of concern.

As the project site and the surrounding area are not serviced by sanitary or storm sewers, sanitary sewage generated by the proposed development would be directed to a septic field to be installed under the surface of the project site. Storm water runoff would be collected in a series of drywells beneath the surface of the property. The septic system and the system of on-site drywells would, respectively, collect sanitary sewage and storm water runoff and gradually release the filtered water back into the groundwater table beneath the site so that no adverse impacts to groundwater volume or flow would occur from the project. These conditions would not materially differ under either the June 2, 2011 EAS, the April 4, 2012 CPC approval, or the 08/06/13 Final Design. Therefore, the proposed change has no impact on the analysis and conclusions of the Infrastructure section of the June 2, 2011 EAS.

TRANSPORTATION

As described in the June 2, 2011 EAS, an assessment was conducted to determine if the proposed development would result in any significant adverse impacts related to transportation. The applicable minimum development density for the location of the project site in Zones 4/5 is 10,000 square feet of retail space and 60 off-street parking spaces as shown in Table 16-1 of the transportation chapter of the *CEQR Technical Manual*. The proposed net increase of development of 5,342 square feet of retail space and 53 off-street parking spaces, as applied to the No-Action development scenario of 9,000 square feet of retail space and 30 off-street parking spaces, would not exceed the minimum development density potentially requiring a transportation analysis. Therefore, no significant adverse impacts related to transportation were anticipated to occur as a result of the proposed action as approved in the June 2, 2011 EAS.

As described above in Section B, the proposed modification would result in a modest increase to the proposed total floor area for the project analyzed in the June 2, 2011 EAS of approximately 1,909 gsf and 1 (one) additional accessory parking space. The proposed net increase of development of 7,251 square feet of retail space and 54 off-street parking spaces, as applied to the No-Action development scenario of 9,000 square feet of retail space and 30 off-street parking spaces, would not exceed the minimum development density potentially requiring a transportation analysis. Therefore, no significant adverse impacts related to

transportation are anticipated to occur based on the proposed total floor area in the August 6, 2013 Final Design.

Therefore, the proposed modifications would be unlikely to have any significant impact on the analysis and conclusions of the Transportation section of the June 2, 2011 EAS.

AIR QUALITY

The June 2, 2011 EAS concluded that the only potential air quality concern from the proposed project would pertain to stationary source air quality impacts. The project would use fossil fuels (fuel oil or natural gas) for heating/hot water, ventilation, and air conditioning systems. The proposed modified project would include three separate one-story buildings as were analyzed in the EAS but the proposed building sizes and boiler flue locations would differ.

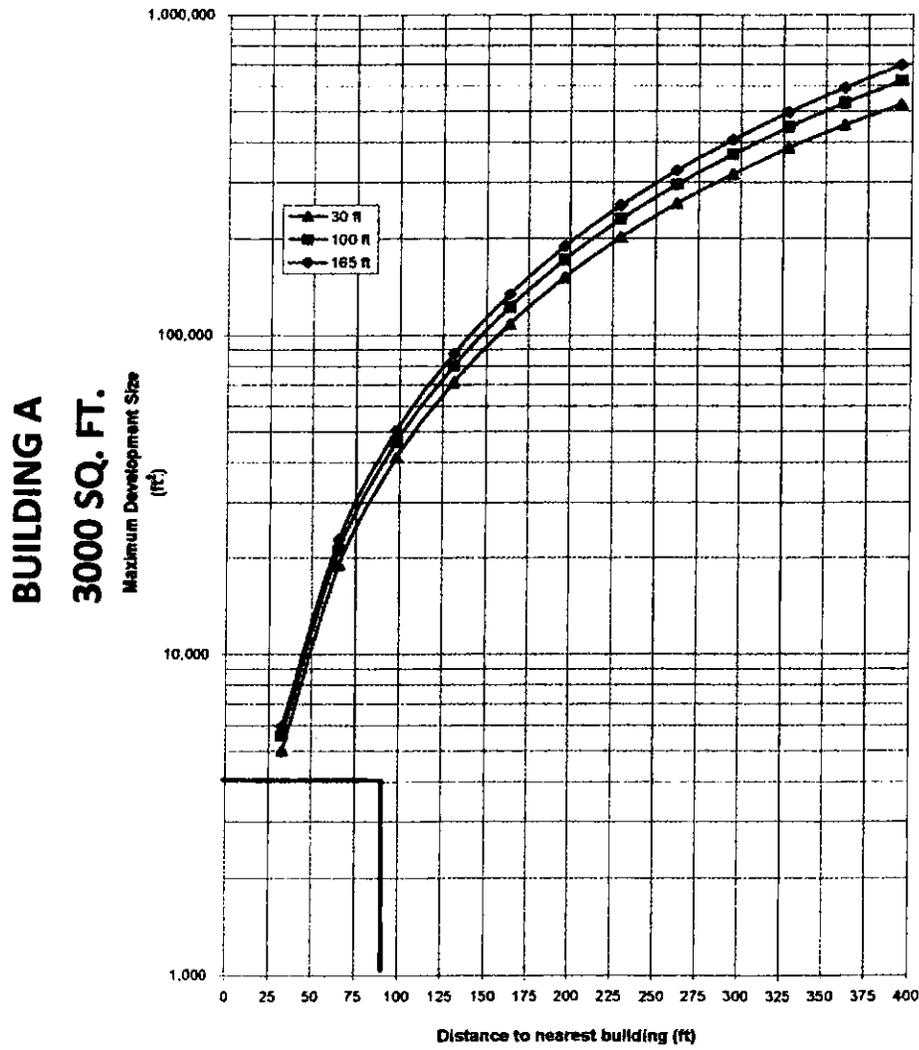
A new screening analysis was conducted using Figure 17-3 of the Air Quality chapter of the 2012 *CEQR Technical Manual* (see attached **Flue Location Site Plan** dated 02/04/14). The proposed buildings would range between 3,000 square feet and 8,264 square feet in size and the distances of the buildings' boiler flues from Tyrellan Avenue are provided below.

- The flue on the 3,000 square foot proposed Building A would be located 44'-3" from Tyrellan Avenue.
- The proposed 8,264 square foot Building B would have two separate boiler flues. The western flue on proposed Building B would be located 166'-8" from Tyrellan Avenue. The eastern flue on proposed Building B would be located 216'-8" from Tyrellan Avenue.
- The flue on the 4,987 proposed Building C would be located 345'-5" from Tyrellan Avenue.

On the basis of Figure 17-3 of the Air Quality chapter of the 2012 *CEQR Technical Manual*, the plotted point is below the applicable curve for all the proposed boiler flue locations relative to the adjacent building. A potential significant impact due to boiler stack emissions is unlikely and no further analysis is needed. Therefore, the conclusions of the Air Quality section of the June 2, 2011 EAS remain unchanged.



Figure 17-3:
Stationary Source Screen



95'
BUILDING B



Figure 17-3:
Stationary Source Screen

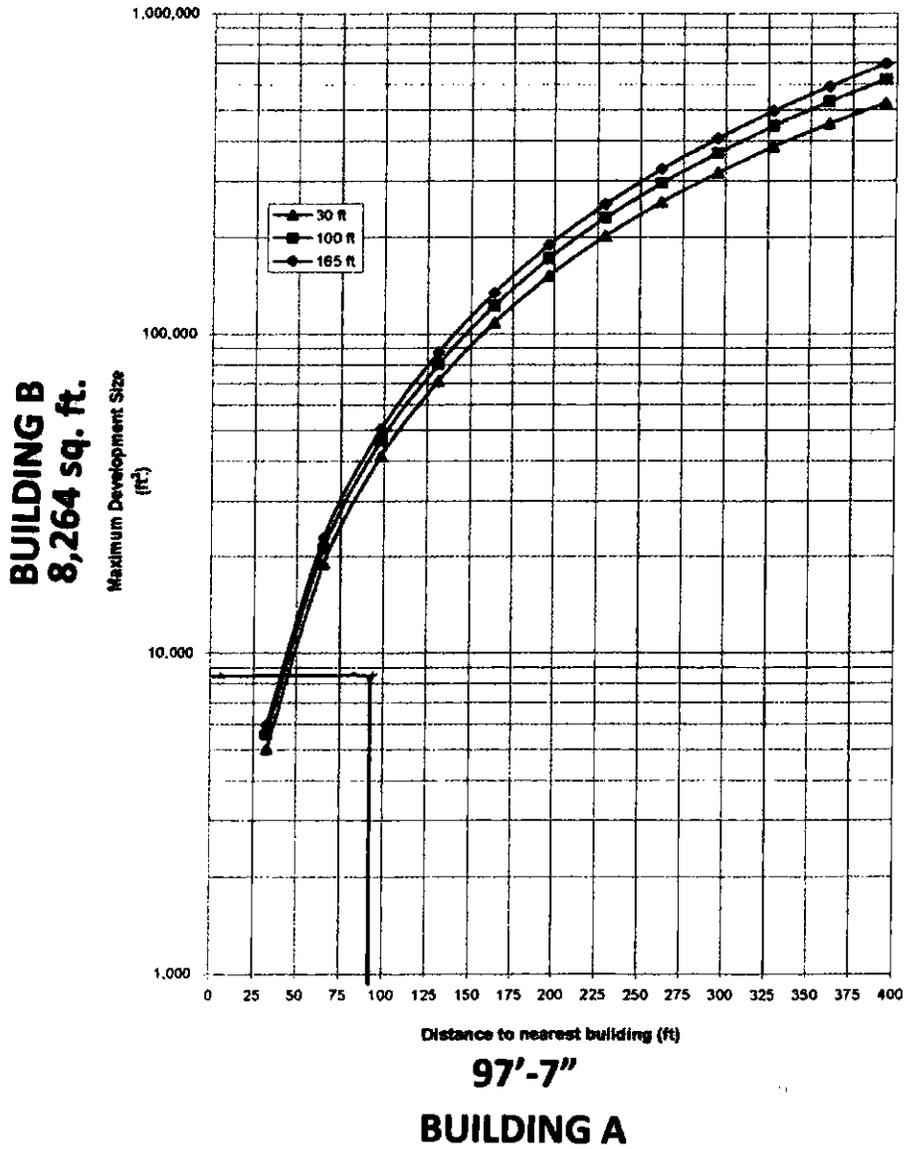
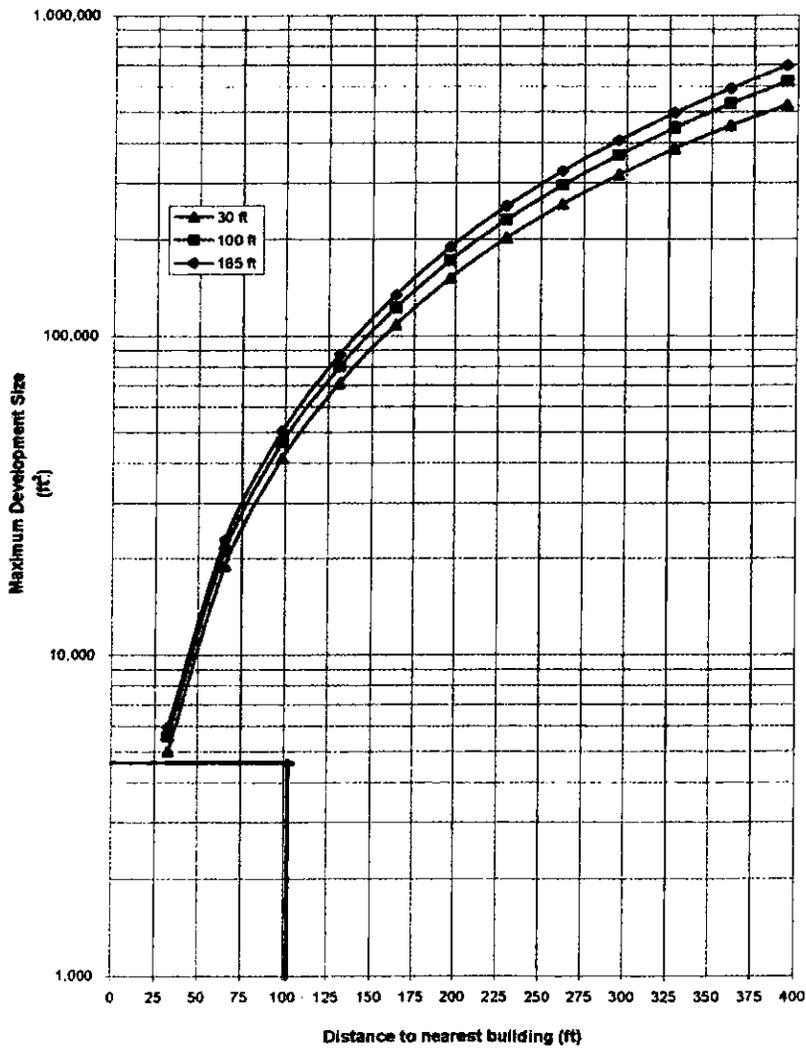




Figure 17-3:
Stationary Source Screen

BUILDING C
4,987 sq. ft.

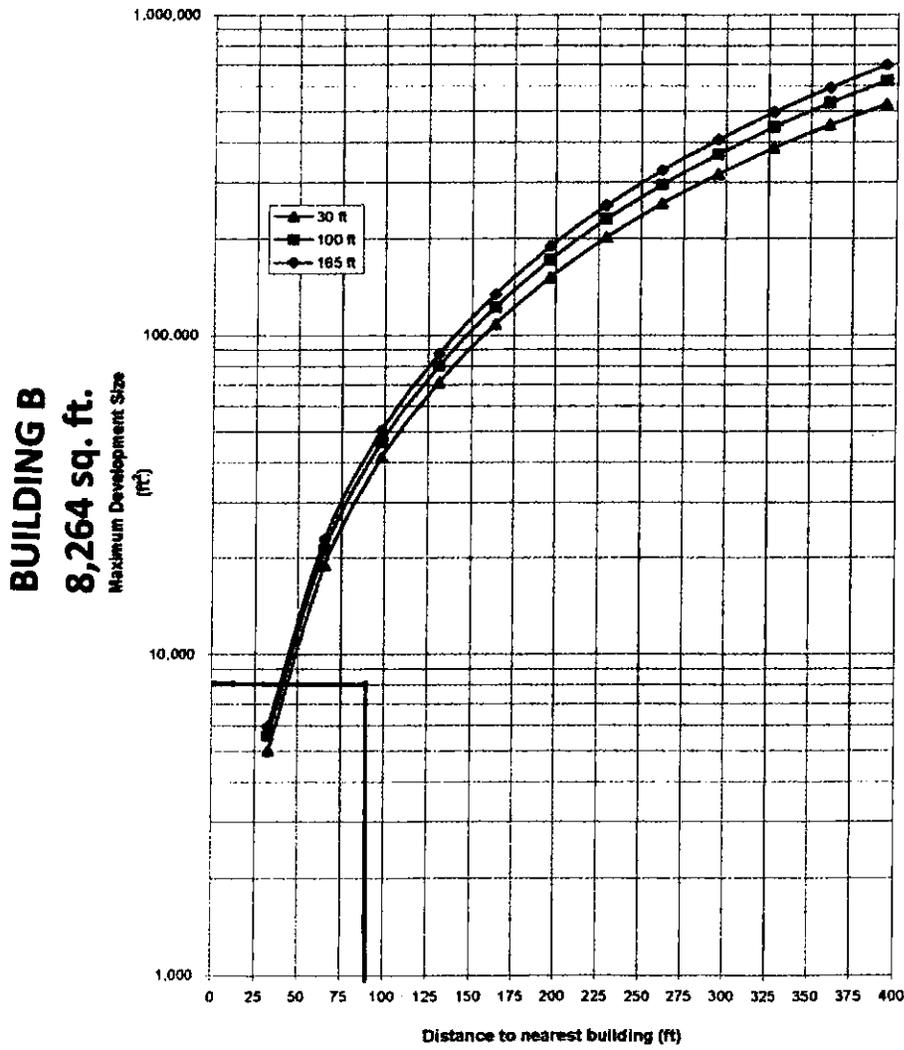


101'-2"

BUILDING B



Figure 17-3:
Stationary Source Screen



97'-7"
BUILDING C

NOISE

The June 2, 2011 EAS concluded that the only potential noise concern for the proposed project would pertain to mobile source noise impacts. The EAS concluded that traffic generated by the proposed project would not be sufficient to increase passenger car equivalent (PCE) values by 100 percent or more (3 dBA threshold between no-build and build) along Veterans Road West. The modest increase in floor area resulting from the proposed modification would similarly not be enough to increase PCE values by 100 percent or more along Veterans Road West. Therefore, the conclusions of the Noise section of the June 2, 2011 EAS remain unchanged.

E. CONCLUSIONS

As described above, the proposed modification for the 2875 Veterans Road West project would not result in new significant adverse environmental impacts. As stated in the Negative Declaration, the City Planning Commission has determined that the proposed action will have no significant effect on the quality of the environment. This determination is based on an environmental assessment which finds that no significant adverse effects on the environment which would require an Environmental Impact Statement are foreseeable.