



CITY PLANNING COMMISSION  
CITY OF NEW YORK

OFFICE OF THE CHAIR

## **CONDITIONAL NEGATIVE DECLARATION**

### **Project Identification**

CEQR No. 21DCP026R  
APPLICATION No. N 190220 ZAR,  
N 190221 ZAR, N 190218 ZAR,  
N 190217 ZAR  
SEQRA Classification: Unlisted

### **Lead Agency**

City Planning Commission  
120 Broadway, 31<sup>st</sup> Floor  
New York, NY 10271  
Contact: Olga Abinader  
(212) 720-3493

### **Name, Description and Location of Proposal**

#### **Harborlights Court Zoning Authorizations**

The Applicant, Grymes Hill Estates, LLC, requests four authorizations from the City Planning Commission ("CPC") to develop within the Special Hillides Preservation District ("SHPD"):

- Authorization of a development on a steep slope or steep slope buffer (ZR § 119-311);
- Modification of height and setback regulations (ZR § 119-315);
- Modification of grading controls (ZR § 119-316); and
- Modification of requirements for private roads and driveways (ZR § 119-317) (collectively, the "Proposed Action").

The Development Site is located at 20, 25, 35, and 40 Harborlights Court (Block 615, Tax Lots 34 and 36; proposed Tax Lots 34, 35, 36 and 37) (the "Development Site") in the Grymes Hill section of Staten Island Community District 1. The Development Site is a 75,346-square foot (sf) zoning lot within the SHPD in R1-1 and R-2 zoning districts and within a Lower Density Growth Management Area.

The requested CPC authorizations would facilitate the Proposed Development of four new detached single-family homes and a private road on a 75,346-sf zoning lot (the "Proposed Development"). The four homes in the Proposed Development would have a combined total of 38,316 gross sf (23,836 zoning sf) of residential floor area with a FAR of 0.32. The Proposed Development would have a lot coverage of 12.22 percent (8,592 sf) and open space ratio of 258 (61,686 sf), exceeding the minimum required open space ratio of 150. The site plan is configured with a minimal distance between the homes, approximately 20 to 22 feet, clustered at the turnaround of the private road.

**Harborlights Court**

CEQR No. 21DCP026R

*Conditional Negative Declaration*

On proposed Tax Lot 34 (25 Harborlights Court), a three-story single-family detached residence with 6,164 zsf of residential floor area (9,454 gsf) and a height of 46'-10" is proposed. The home would exceed the maximum height by 10'-10" subject to the requested height authorization.

On proposed Tax Lot 35 (35 Harborlights Court), a three-story single-family detached residence with 5,754 zsf of residential floor area (8,787) and a height of 49'-07" is proposed. The home would exceed the maximum height by 13'-7" subject to the requested height authorization.

On proposed Tax Lot 36 (20 Harborlights Court), a two-story single-family detached residence with 6,164 zsf of residential floor area (11,228 gsf) and a height of 42'-11" is proposed. The home would exceed the maximum height by 6'-11" subject to the requested height authorization.

On proposed Tax Lot 37 (40 Harborlights Court), a three-story single-family detached residence with 5,754 zsf of residential floor area (8,787 gsf) and a height of 47'-7" is proposed. The home would exceed the maximum height by 11'-7" subject to the requested height authorization.

Currently, the Development Site does not front on a mapped street; it is located approximately 107 feet east of Howard Avenue at its nearest point. A 30-foot-wide private roadway easement known as Harborlights Court runs through the adjacent property located at 269 Howard Avenue (Block 615, Lot 40) to provide access to the Development Site from Howard Avenue. The Development Site remains unimproved and is wooded.

The land uses in the immediate vicinity consists primarily of detached single-family homes and vacant land. The prevailing built form is generally consistent with the underlying zoning districts. The area to the west of the Development Site fronting Howard Avenue within the underlying R1-1 zoning district is developed predominantly with two- and three-story single-family homes on large lots. Between Howard Avenue and Van Duzer Street to the north, east and south is unimproved and undeveloped land within the SHPD. The eastern portion of the surrounding area is developed with two- and three-story single-family homes as well as denser three- and four-story townhomes within an underlying C4-1 zoning district mapped on the west side of Van Duzer Street. St. John's University Staten Island Campus is located southwest of the Development Site within an R3-1 zoning district.

The surrounding area is within the SHPD, which is intended to preserve natural terrain and vegetation for aesthetic reasons as well as to reduce erosion and control stormwater runoff and landslides. The SHPD imposes controls on development related to the average grade of the lot and defines areas of no disturbance where development of staging activities is not permitted. Land use in the surrounding area is consistent with conditions under the previously approved project.

Absent the proposed action, the affected area would remain unchanged. The proposed project is anticipated to be completed by 2023.

**Harborlights Court**  
CEQR No. 21DCP026R  
*Conditional Negative Declaration*

**Statement of No Significant Effect:**

The Environmental Assessment and Review Division of the Department of City Planning, on behalf of the City Planning Commission, has completed its technical review of the Environmental Assessment Statement, dated February 12, 2021 prepared in connection with the ULURP Application (Nos. N 190220 ZAR, N 190221 ZAR, N 190218 ZAR, N 190217 ZAR). Landmarks Preservation Commission (LPC), in correspondence dated, June 23<sup>rd</sup>, 2020 determined that the Proposed Project is adjacent to State/National Register (“S/NR”) eligible resource at 269 Howard Ave. In order to mitigate the potential for significant adverse impacts, a Restrictive Declaration, identifying means and measures to ensure that there is no potential for impacts during construction to the adjacent S/NR eligible resource is required. The City Planning Commission has determined that the proposed action will have no significant effect on the quality of the environment, once it is modified as follows:

The Applicant agrees via a Restrictive Declaration, that prior to commencement of construction on the Property, to develop and implement a Construction Protection Plan (“CPP”) to protect known architectural resources identified by the LPC with a lateral distance of 90 feet from construction activities at the Property. The CPP shall be developed in coordination with and approved by LPC and shall comply with the procedures set forth in the New York City Department of Building’s Technical Policy and Procedure Notice (“TPPN”) #10/88, “Procedures for the Avoidance of Damage to Historic Structures Resulting from Adjacent Construction.” Applicant shall include enforceable contractual requirements with its contractors (and require the contractors to include enforceable contractual requirements with their subcontractors) to implement the provisions of the CPP. The Restrictive Declaration also restricts the Applicant from submitting any permit applications to the Department of Buildings (“DOB”) that would allow for soil disturbance on the subject property until such time that LPC provides the necessary written notice to DOB.

**Supporting Statement:**

The above determination is based on an environmental assessment which finds that:

By letter dated June 23<sup>rd</sup>, 2020, LPC determined that 269 Howard Ave, Staten Island, a property adjacent to the Proposed Project is a S/NR eligible resource. LPC determined that any future construction on the Development Site must adhere to the requirements set forth in New York City Building Code Section (“BC”) 3309.4.4 (2014), (which requires that historic structures, contiguous to or within a lateral distance of 90-feet from the edge of the lot where an excavation is occurring, be monitored during the course of excavation work) and TPPN #10/88 for avoidance of adverse effects to S/NR eligible 269 Howard Avenue.

1. Additionally, LPC requested that a CPP for the property be prepared according to CEQR Technical Manual guidance (Historic Resources Chapter 9, section 522) and submitted for review and approval prior to start of construction.

**Harborlights Court**  
CEQR No. 21DCP026R  
*Conditional Negative Declaration*

The Restrictive Declaration is binding upon the property's successors and assigns. The declaration serves as a mechanism to assure that the application of BC3309.4.4 (2014) and TPPN #10/88 is complied with and a CPP for the property is prepared.

2. No other significant effects on the environment which would require an Environmental Impact Statement are foreseeable.

It is fully agreed and understood that if the foregoing conditions, modification, and alterations are not fully incorporated into the proposed action, this Conditional Negative Declaration shall become null and void. In such event, the Applicant shall be required to prepare a Draft Environmental Impact Statement before proceeding further with said proposal.

**Harborlights Court**  
CEQR No. 21DCP026R  
*Conditional Negative Declaration*

This Conditional Negative Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law 6NYCRR part 617.

I, the Undersigned, as the Applicant or authorized representative for this proposal, hereby affix my signature in acceptance of the above conditions to the proposed action.

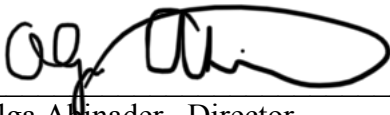


\_\_\_\_\_  
Signature of Applicant or Authorized Representative

Date: 2/12/2021

Kevin Williams, AICP

\_\_\_\_\_  
Name of Applicant or Authorized Representative



\_\_\_\_\_  
Olga Aminader, Director  
Environmental Assessment and Review Division  
Department of City Planning

Date: 2/12/2021

\_\_\_\_\_  
Marisa Lago, Chair  
City Planning Commission

Date: \_\_\_\_\_