



the Zoning Map to change a portion of an existing M1-1 District to an R3-2 District; and C 080204 MMQ (L.U. No. 933), elimination, discontinuance and closing of a portion of 152<sup>nd</sup> Street north of Powell's Cove Boulevard;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(1) of the City Charter;

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 78-313 of the Zoning Resolution of the City of New York;

WHEREAS, upon due notice, the Council held a public hearing on December 2, 2008 on the Decision and Application;

WHEREAS, the Council has considered the relevant environmental issues and the Conditional Negative Declaration, issued on October 29, 2008 (CEQR No. 08DCP028Q);

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application;

RESOLVED:

The Council finds that the action described herein will have no significant effect on the environment provided that the following conditions are adhered to:

For the property located at 151-45 Sixth Road (Block 4487, Lots 160, 169, 170, & 200; Block 4524, Lots 77 & 92; Block 4531, Lots 79 & 92), the applicant agrees via a restrictive declaration to prepare a hazardous materials sampling protocol including a health and safety plan, which would be submitted to the Department of Environmental Protection (DEP) for approval. The applicant agrees to test and identify any potential hazardous material impact pursuant to the approved sampling protocol and, if any such impact is found, submit a hazardous material remediation plan including a health and safety plan to DEP for approval. If necessary, remediation measures would be undertaken pursuant to the remediation plan

Pursuant to Sections 197-d and 200 of the New York City Charter and on the basis of the Decision and Application, the Council approves the Decision.

Adopted.

Office of the City Clerk, }  
The City of New York, } ss.:

I hereby certify that the foregoing is a true copy of a Resolution passed by The Council of The City of New York on December 9, 2008, on file in this office.

.....  
City Clerk, Clerk of The Council