



Legislation Details (With Text)

**File #:** Res 1792-2021      **Version:** \*      **Name:** LU 886 - Zoning, Gowanus Canal CSO Facility, Brooklyn (C 200320 MMK)

**Type:** Resolution      **Status:** Adopted

**In control:** Committee on Land Use

**On agenda:** 11/10/2021

**Enactment date:**      **Enactment #:**

**Title:** Resolution approving the decision of the City Planning Commission on ULURP No. C 200320 MMK, an amendment to the City Map (L.U. No. 886).

**Sponsors:** Rafael Salamanca, Jr., Francisco P. Moya

**Indexes:**

**Attachments:** 1. Res. No. 1792, 2. October 7, 2021 - Stated Meeting Agenda with Links to Files, 3. Calendar of the Zoning Subcommittee Meeting - October 12, 2021, 4. Hearing Transcript - Stated Meeting 10-7-21, 5. Calendar of the Zoning Subcommittee Meeting - November 9, 2021, 6. Calendar of the Zoning Subcommittee and Land Use Meetings - November 10, 2021, 7. November 10, 2021 - Stated Meeting Agenda with Links to Files, 8. November 23, 2021 - Stated Meeting Agenda with Links to Files, 9. Hearing Transcript - Stated Meeting 11-23-21, 10. LOCATING ENVIRONMENTAL REVIEW MATERIALS FOR CERTAIN LAND USE APPLICATIONS, 11. Committee Report, 12. Hearing Transcript - Stated Meeting 11-10-21, 13. Minutes of the Stated Meeting - November 10, 2021, 14. Minutes of the Stated Meeting - November 23, 2021

| Date       | Ver. | Action By             | Action                | Result |
|------------|------|-----------------------|-----------------------|--------|
| 11/10/2021 | *    | Committee on Land Use | Approved by Committee |        |
| 11/10/2021 | *    | City Council          | Laid Over by Council  |        |
| 11/23/2021 | *    | City Council          | Approved, by Council  | Pass   |

**THE COUNCIL OF THE CITY OF NEW YORK  
RESOLUTION NO. 1792**

**Resolution approving the decision of the City Planning Commission on ULURP No. C 200320 MMK, an amendment to the City Map (L.U. No. 886).**

**By Council Members Salamanca and Moya**

WHEREAS, New York City Department of City Planning, filed an application pursuant to Sections 197-c and 199 of the New York City Charter for an amendment to the City Map involving:

- 1) the elimination of 5<sup>th</sup> Street between 2<sup>nd</sup> Avenue and the Gowanus Canal;
- 2) the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. X-2758 dated May 3, 2021 and signed by the Borough President, which in conjunction with the related actions would facilitate the construction of combined sewer overflow (CSO) control facilities and the onsite relocation of a DSNY salt and equipment storage facility in the Gowanus neighborhood of Brooklyn, Community District 6 (ULURP No. C 200320 MMK) (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on October 8, 2021 its decision dated October 6, 2021 (the "Decision"), on the Application;

WHEREAS, the Application is related to applications C 200319 PCK (L.U. No. 885), a site selection and acquisition of real property by the City for salt and equipment storage, environmental education activities and additional space as needed for the CSO control facility; C 200321 PSK (L.U. No. 887), a site selection of real property by the City to facilitate new CSO infrastructure and C190039 MMK (L.U. No. 844), a city map amendment;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on October 12, 2021;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Positive Declaration issued March 1<sup>st</sup>, 2017 (CEQR No. 17DEP040K) and a Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on February 1, 2018, which identified significant adverse impacts with respect to historic and cultural resources (architectural and archeological) and potential temporary significant adverse noise impacts during the construction period. The impacts to historic and cultural resources would be mitigated to the maximum extent practicable through additional analyses, archaeological monitoring, or an alternative method developed in consultation with the New York State Historic Preservation Office (SHPO) and the New York City Landmarks Preservation Commission (LPC). The Council also considered the Technical Memorandum dated April 23, 2021 (the "Technical Memorandum") which concludes that the application would not result in any significant adverse impacts that were not already identified in the FEIS.

RESOLVED:

Having considered the FEIS and Technical Memorandum with respect to the Decision and Application, the Council finds that:

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic, and other essential considerations, from among the reasonable alternatives thereto, the action is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval those project components related to the environment and mitigation measures that were identified as practicable.

The Decision, together with the FEIS and Technical Memorandum constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 199 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 200320 MMK, incorporated by reference herein, and the record before the Council, the Council approves the Decision for an amendment to the City Map involving:

- 1) the elimination of 5<sup>th</sup> Street between 2<sup>nd</sup> Avenue and the Gowanus Canal;
- 2) the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. X-2758 dated May 3, 2021 and signed by the Borough President.

All such approvals being subject to the following conditions:

- a. The subject amendment to the City Map shall take effect on the day following the day on which certified counterparts of Map No. X-2758 dated May 3, 2021 are filed with the appropriate agencies in accordance with Section 198 subsection c of the New York City Charter.

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 \_\_\_\_\_, 2021, on file in this office.

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