



Legislation Text

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THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 759

Resolution approving the transfer of city-owned property currently owned or to be acquired by the City of New York to the Metropolitan Transportation Authority/New York City Transit for purposes of constructing the Number 7 Line Extension (20055114 TAM; L.U. No. 357).

By Council Member Katz and Avella

WHEREAS, by letter dated July 1, 2004 the Metropolitan Transportation Authority-New York City Transit Authority (“MTA-NYCTA”) informed Community Boards 4 and 5 in Manhattan of its intention to acquire real property from the City of New York for purposes of constructing the Number 7 Line Extension and of the extension of the review period (the “Application”);

WHEREAS, neither Community Board adopted a resolution pursuant to §1266(c)(5) respecting this transfer;

WHEREAS, Section 1266(c)(5) of the New York State Public Authorities Law affords the Council, as successor to the Board of Estimate, a forty-five (45) day period in which to approve or disapprove such application;

WHEREAS, the Application is related to ULURP No. C 040504 PQM;

WHEREAS, by letter dated November 24, 2004, MTA-NYCTA submitted its request to the Council;

WHEREAS, upon due notice, the Council held a public hearing on the Application on December 13, 2004;

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

RESOLVED, pursuant to Section 1266(c)(5) of the New York State Public Authorities Law, the Council approves the transfer of real property currently owned: consisting of interests in and under public rights of way along the proposed route as identified in Chapter 2 of the Final Generic Environmental Impact Statement, pages 2-23 through 2-32 a copy of which is attached hereto, or to be acquired: as identified in ULURP No. C 040504 PQM.

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

WHEREAS, the Council has considered the relevant environmental issues; and

WHEREAS, a positive declaration was issued on April 21, 2003 and distributed, published and filed, and the applicant was asked to prepare or have prepared a Draft Generic Environmental Impact Statement (“DGEIS”). A public meeting for the Draft Scope of Work for the DGEIS was held on June 6, 2003 and the Final Scope of Work for the DGEIS was issued on May 28, 2004;

The co-lead agencies prepared a DGEIS and a Notice of Completion for the DGEIS was issued on June 21, 2004. Pursuant to the SEQRA regulations and CEQR procedures, a joint public hearing was held on the DGEIS on September 23, 2004 in conjunction with the public hearing on this application (N 040500 (A) ZRM) and related items (C 040499 (A) ZMM, N 040500 ZRM, C 040501 PCM, C 040502 PCM, C 040503 PQM, C 040504 PQM, C 040505 PQM, C 040506 PPM, C 040507 MMM, C 040508 MMM); and

WHEREAS, a Final Generic Environmental Impact Statement (“FGEIS”) was completed and Notices of Completion for

the FGEIS were issued by the co-lead agencies on November 8, 2004.

WHEREAS, the FGEIS identified significant adverse impacts and proposed mitigation measures that are summarized in the Co-Lead Agency Findings Statement set forth in Exhibit A to the Reports of the City Planning Commission approving said application and such summary is incorporated by reference herein; and

WHEREAS, modifications of the applications adopted by the City Planning Commission in the form of changes to ULURP Applications Nos. N 040500 (A) ZRM and C 040507 MMM were considered in a Technical Memorandum of the Co-Lead Agencies, dated November 17, 2004; and

WHEREAS, modifications of ULURP Applications Nos. C 040499 (A) ZMM and N 040500 (A) ZRM adopted by the City Council are considered in a Technical Memorandum of the Co-Lead Agencies, dated January 14, 2005;

Now, therefore be it

RESOLVED:

Having considered the FGEIS, with respect to the Application, the Council finds that:

- (1) The FGEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with the social, economic and other essential considerations, from among the reasonable alternatives thereto, the actions to be approved are ones which minimize or avoid adverse environmental impacts to the maximum extent practicable; and
- (2) The adverse environmental impacts revealed in the FGEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval those mitigative measures that were identified as practicable;
- (2) The Decision and the FGEIS and the Technical Memoranda described above constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of the decision, pursuant to 6 N.Y.C.R.R. §617.11(d).

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 January 19, 2005, on file in this office.

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City Clerk, Clerk of The Council