



## Legislation Text

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**File #:** Res 0552-2006, **Version:** \*

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### THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 552

Resolution approving the decision of the City Planning Commission on Application No. C 020332 MLQ, for a landfill of approximately 123,000 cubic yards in an area generally located easterly of 121<sup>st</sup> Street and its northerly prolongation and northwesterly of Lax Avenue (Block 3916, Lots 90, 100, 120, 300 and 400), in an R4 District in Community District 7, Queens (L.U. No. 192).

By Council Members Katz and Avella

WHEREAS, the City Planning Commission filed with the Council on September 15, 2006 its decision dated September 13, 2006 (the "Decision"), on the application submitted by Powell Cove Associates LLC, pursuant to Section 197-c of the New York City Charter, for a landfill of approximately 123,000 cu. yd. in an area generally located easterly of 121<sup>st</sup> Street and its northerly prolongation and northwesterly of Lax Avenue (Block 3916, Lots 90, 100, 120, 300 and 400), in an R4 District, to facilitate development of 202 dwelling units in College Point, Community District 7, Borough of Queens (the "Application");

WHEREAS, the Application is related to Application Number N 060426 ZRQ (L.U. No. 273), an amendment of the text of the Zoning Resolution relating to Section 78-06, regarding ownership requirements for the modification of previously approved large-scale residential developments;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on October 3, 2006;

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 and the Conditional Negative Declaration, issued on July 24, 2006 (CEQR No. 02DCP036Q);

#### RESOLVED:

The Council finds that the action described herein will have no significant effect on the environment, provided it is modified as follows:

The applicant agrees via a restrictive declaration to prepare a hazardous materials sampling protocol including a health 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 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 October 11, 2006, on file in this office.

City Clerk, Clerk of The Council