



Legislation Text

File #: Res 1732-2008, **Version:** *

THE COUNCIL OF THE CITY OF NEW YORK RESOLUTION NO. 1732

Resolution approving the decision of the City Planning Commission on ULURP No. C 080204 MMQ, an amendment to the City Map (L.U. No. 933).

By Council Members Katz and Avella

WHEREAS, the City Planning Commission filed with the Council on October 31, 2008 its decision dated October 29, 2008 (the "Decision"), on the application submitted by 151-45 Sixth Road Whitestone Partners, LLC, pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 *et seq.* of the New York City Administrative Code, for an amendment to the City Map involving:

- the elimination, discontinuance and closing of a portion of 152nd Street between Powell's Cover Boulevard and the U.S. Bulkhead Line;
- the delineation of a permanent sewer easement;
- the adjustment of grades necessitated thereby; and
- any acquisition or disposition of real properties related thereto,

in accordance with Map No. 5004, dated May 15, 2008, and signed by the Borough President (ULURP No. C 080204 MMQ), Community District 7, Borough of Queens (the "Application");

WHEREAS, the Application is related to ULURP Applications Numbers C 080203 ZMQ (L.U. No. 932), an amendment of the Zoning Map to change a portion of an existing M1-1 District to an R3-2 District; and C 080207 (A) ZSQ (L.U. No. 934), a special permit pursuant to Section 78-312(f) to waive the requirements of Section 23-71 for distances between buildings on the same zoning lot in a Large Scale Residential Development.

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 December 2, 2008;

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 October 29, 2008 (CEQR No. 08DCP028Q);

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 199 of the New York City Charter, 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.

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City Clerk, Clerk of The Council