



CITY PLANNING COMMISSION

April 13, 2005 / Calendar No. 16

C 050176 PSK

IN THE MATTER OF an application submitted by the Department of Sanitation pursuant to section 197-c of the New York City Charter, for site selection of property located at 488 Hamilton Avenue (Block 625, part of lot 2 and part of lot 250), Community District 7, Borough of Brooklyn, for use as a Marine Transfer Station.

The application (C 050176 PSK) for site selection of property for the construction of a marine transfer station at 488 Hamilton Avenue (Block 625, part of lot 2 and part of lot 250), Community District 7, Borough of Brooklyn, was filed by the Department of Sanitation (DSNY) on November 9, 2004.

BACKGROUND

Each day, the City's 8.2 million residents, businesses, commuters and visitors generate very large and diverse quantities of solid waste material. This material must be collected and disposed of daily. Historically, the Department of Sanitation (DSNY) used a network of eight partly enclosed marine transfer stations (MTS) for the collection and shipment of municipal solid waste (MSW) on open hopper barges to Fresh Kills Landfill in Staten Island. Since delivery of waste to Fresh Kills ceased in 2001, the City has relied on interim export contracts for disposal. Under these interim export contracts, all DSNY-managed MSW is either unloaded at in-City private transfer stations and transferred primarily by truck to out-of-City disposal sites, or is direct-hauled in collection vehicles to out-of-City disposal facilities. This mode of disposal has increased reliance on trucks with their associated air and noise pollution and has increased the City's costs for waste management. Reducing the City's dependence on truck transport to disposal sites is a City priority.

Ninety three percent of all truck-transferred DSNY-managed waste is disposed in landfills. A combination of factors is causing the depletion of nearby landfill capacity and increase in disposal price. While nearby landfill disposal capacity is depleting, remote disposal capacity is not. However, remote capacity is not economically accessible by truck-based transfer.

Solid Waste Management Plan (SWMP)

The City is developing a new Solid Waste Management Plan for handling MSW pursuant to New York State's Solid Waste Management Act (New York Environmental Conservation Law [Section 27-0707]) and implementing regulations. DSNY has prepared a draft new SWMP which is now before the City Council. The new SWMP will define the City's goals and objectives for solid waste management over a 20-year period and will describe the major new programs that will supplement existing successful City programs to accomplish these goals.

A significant component of the new SWMP is the Long-Term Export Plan for DSNY-managed MSW. The Long Term Export Plan constitutes a comprehensive and balanced approach to the City's MSW long term export needs and includes the following elements:

The development of four new marine transfer stations (MTS) proposed to be located at sites of existing MTSs in Queens, Brooklyn, and Manhattan, with supporting 20-year service agreements for transport and disposal of containerized waste by barge or rail;

Contracts with up to five in-City private transfer stations for waste transfer, including transport and disposal by barge or rail of containerized waste and;

An intergovernmental agreement with the Port Authority of New York and New Jersey for the use of a waste-to-energy facility in Newark, New Jersey to receive and process truck deliveries of DSNY-managed MSW from a portion of Manhattan.

The proposed new marine transfer facilities were included in the City-wide Statement of Needs for FY 2004-05. Under the draft Long Term Export Plan, all boroughs would share the burden of waste transfer operations. Each borough would export its own waste as follows:

Manhattan

- a) Proposed East 91st Street MTS for the 91st Street wasteshed.
- b) Direct truck transfer to the Essex County Resource Recovery Facility in Newark N.J.

Queens

- a) Proposed North Shore MTS.
- b) One private transfer station (either truck to barge or truck to rail).

Brooklyn

- a) Proposed Hamilton Avenue and Southwest Brooklyn MTSs.
- b) Either one or two private truck-to-rail or truck-to-barge transfer stations.

Bronx

One or two private truck-to-rail or truck-to-barge transfer facilities.

Staten Island

Waste will be containerized at DSNY's new transfer station presently under construction at Fresh Kills and exported by truck on an interim basis and by rail when rail connections are made.

DSNY also proposes to reserve the West 59th Street MTS in Manhattan for use as a commercial waste transfer station. The proposed MTS's will also provide capacity that could be available to containerize commercial waste for barge/rail export. In addition, DSNY will negotiate arrangements with private transfer facilities in the Bronx, Brooklyn and Queens that are part of the Long Term Export Plan to export privately collected commercial waste by barge or rail.

The proposed combination of facilities provides the City with redundancy in the DSNY managed waste system that accommodates future increases in waste generated in the City as a function of population growth. This redundancy will also prevent occasional conditions that may affect certain components of the system from seriously disrupting future waste export.

All proposed DSNY MTS facilities would be developed on existing DSNY MTS sites. After collecting MSW from their assigned routes, collection vehicles would travel through the nearest local truck route leading to the MTS for that borough and enter the MTS through a truck access ramp designed to accommodate more arriving trucks than the maximum number that might need to enter a queue for unloading at the facility. Trucks would enter the facility and unload from the highest of three levels onto a middle level processing area where MSW would be gathered and pushed by heavy equipment into waiting specially designed containers positioned at the lowest level. Containers would be tamped, sealed and loaded onto specially designed container barges. Each of the new facilities, including the Hamilton Avenue facility

that is the subject of this application, would be similar in design and consist of a three level structure, 200 feet wide by 300 feet long and 98 feet high. Several features of the proposed MTS design represent substantial improvements over existing facilities.

New MTSs would containerize waste for barge transport using lidded, sealed, leak-proof containers. Barges would be towed by tugs between the MTS and in-City or out- of-City intermodal facilities where containers would be transloaded onto ocean-going barges or railcars. Alternatively, the barges would be towed directly to out-of-City disposal sites.

New MTSs would have a state-of-the-art ventilation and odor control system combined with rapid roll-up doors, which will be more effective in preventing the release of odors from the facility. Facilities are designed to maintain negative pressure within the building and exhaust all air through exhaust fans, even when the access/egress doors are open. The odor control system for the exhaust system will include a scrubber and neutralizing agent misting system capable of removing between 90 percent and 99 percent of odorous compounds.

Operational procedures will include requiring that all waste handling operations be conducted within the enclosed building; limiting the amount of time MSW is retained on site; requiring that doors in the receiving area be kept closed except during deliveries; and using covered or enclosed collection vehicles.

Site

The proposed Hamilton Avenue MTS would be located along the Gowanus Canal at Hamilton Avenue in Brooklyn. The facility would accept MSW from the central portion of Brooklyn encompassing Community Districts 2, 6, 7, 8, 9, 10, 14, 16, 17, and 18. Additionally, the facility may accept limited amounts of commercial waste.

The Hamilton Avenue MTS would be constructed within the boundaries of a DSNY parcel that contains an existing inactive incinerator and MTS that would both be demolished. The site also includes a narrow strip of land, along the Gowanus Canal to the south of the existing MTS, that would be used to moor barges. The site is located in an M3-1 district, which allows the proposed use. Immediately adjacent to the site are a New York City Department of Transportation asphalt plant and storage yard to the north, a home improvement center to the south and east, and the Sunset Park Industrial Park to the south. Southeast of the home improvement center is a large food distribution center.

The site is accessible from truck routes including (Gowanus Expressway, Prospect Expressway, Hamilton Avenue, Third Avenue, Fourth Avenue, 20th Street, and Prospect Avenue). The facility is designed to accommodate 36 collection vehicles per hour. A maximum of 5 trucks are anticipated to have to queue on the entrance ramp at any given time. The ramp will be able to accommodate up to 10 trucks at a time.

ENVIRONMENTAL REVIEW

This application (C 050176 PSK) is an element of New York City's proposed Solid Waste Management Plan (SWMP), which is required by New York State Environmental Conservation Law. The SWMP was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq and the New York City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 03DOS004Y. The Department of Sanitation (DSNY) is the lead agency.

It was determined that the proposed actions described in the SWMP may have a significant impact on the environment, and that an environmental impact statement would be required for the following reasons:

The actions, as proposed, may result in significant traffic impacts to traffic flow, air quality, solid waste and sanitation services, socioeconomic conditions, neighborhood character, open space and natural resources and significant adverse impacts from noise, odors and hazardous materials.

A positive declaration was issued on May 3, 2004 and distributed, published and filed and the applicant prepared a Draft Environmental Impact Statement (“DEIS”). Ten public meetings for the Draft Scope of Work for the DEIS were held on June 16th, 17th, 21st, 22nd, 23rd, 24th, 28th, 29th, 30th and July 1st, 2004 and the Final Scope of Work for the DEIS was issued on October 22, 2004.

The lead agency prepared a DEIS and a Notice of Completion for the DEIS was issued on October 22, 2004. Pursuant to the SEQRA regulations and CEQR procedures, eight public hearings were held on the DEIS on December 1st, 2nd, 6th, 8th, 13th, 14th, 15th, and 20th, 2004. Public comments on the DEIS were accepted from October 22, 2004 through January 24, 2005.

A Final Environmental Impact Statement (“FEIS”) was completed and a Notice of Completion for the FEIS was issued on April 1, 2005. The Notice of Completion for the FEIS identified the following potentially significant adverse impacts with respect to the subject MTS site and proposed the following mitigation measures to address these impacts:

Traffic Impacts

Two intersections may experience impacts great enough to be considered significant during one of the peak times analyzed. All such impacts can be fully mitigated with the measures proposed below.

Hamilton Avenue/Hamilton Place/14th Street - During the AM peak hour, a potential impact was identified on the westbound approach when the delay is expected to increase from 178.3 seconds to 225.6 seconds (Level of Service [LOS] F in both cases). During the Facility peak hour, the same (westbound) approach is expected to experience an increase in delay from 87.6 seconds to 111.4 seconds (LOS F in both cases). During the PM peak hour, the delay of the westbound approach is expected to increase from 99.0 seconds to 106.1 seconds (LOS F in both cases).

During the AM peak hour, an increase in green time of 13 seconds for the eastbound and westbound approaches would eliminate this unacceptable increase in delay. This mitigation measure would eliminate the 13-second exclusive eastbound phase, leaving the northbound and southbound approach green time unchanged. This mitigation would improve the LOS for the westbound approach to below Future No-Build Condition levels.

During the Facility peak hour, an increase in green time of two seconds for the eastbound and westbound approaches would eliminate this unacceptable increase in delay. This mitigation measure would subtract two seconds from the northbound and southbound approach green time, but would improve the LOS for the westbound approach to below Future No-Build Condition levels with minimal increases to the delay of the northbound and southbound approaches.

During the PM peak hour, an increase in green time of one second for the eastbound and westbound approaches would eliminate this unacceptable increase in delay. This mitigation measure would subtract one second of green time from the northbound and southbound approach, but would improve the LOS for the westbound approach (again) to below Future No-Build Condition levels with minimal increases to the delay of the northbound and southbound approaches.

Prospect Avenue/Third Avenue - During the AM peak hour, a potential impact was identified on the westbound through and right movements when the delay increased from 53.3 seconds to 147.3 seconds (LOS D to LOS F). During the PM hour, the delay of the westbound approach is expected to increase from 109.6 seconds to 113.0 seconds (LOS F in both cases).

During the AM peak hour, an increase in green time of eight seconds for the westbound approach would eliminate this unacceptable increase in delay. This mitigation measure would subtract five seconds of green time from the northbound left and through movements and three seconds of green time from the northbound and southbound approach phases, but would reduce the delay for the westbound through and right movements from 147.3 seconds to 55.2 seconds. The delay of both the northbound and southbound approaches would increase within acceptable levels. This mitigation would not generate any adverse impacts on other lane groups during other time periods.

During the PM peak hour, an increase in green time of one second for the eastbound and westbound approaches would eliminate this unacceptable increase in delay. This mitigation measure would detract one second of green time from the northbound and southbound approach, but would improve the LOS for the westbound approach with minimal increase to the delay of the northbound and southbound approaches.

Overall, the mitigation measures proposed would greatly enhance the intersection performance by reducing delays to LOSs similar to those under the Future No-Build Condition.

Noise Impacts

A detailed off-site noise analysis predicted an impact at a noise-sensitive receptor during the 2:00 a.m. to 3:00 a.m. hour along 20th Street west of 4th Avenue. Therefore, as mitigation, DSNY will limit to four (rather than six) the distribution of its collection trucks during this hour, a number that can be routed through this location without causing a significant impact.

An off-site noise analysis of the potential for off-site noise impacts from commercial waste hauling vehicles at night found that such truck trips must be limited during various hours within the 8:00 p.m. to 8:00 a.m. period to avoid causing potentially significant impacts at noise-

sensitive receptors on the approach routes these vehicles would take to the Converted MTS. With this proposed mitigation, the amount of available capacity that can be used to process commercial waste during the hours of 8:00 p.m. to 8:00 a.m., without causing any significant adverse noise impacts, is 1,306 tons (or 124 commercial waste hauling vehicles, assuming an average of 11 tons per truck) over this 12-hour period.

Other Impact Categories

No significant adverse impacts were identified with respect to the proposed Hamilton Avenue Converted MTS in other CEQR impact categories.

UNIFORM LAND USE REVIEW

This application (C 050176 PSK) was certified as complete by the Department of City Planning on November 15, 2004 and was duly referred to Community Board 7 and the Brooklyn Borough President in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

Community Board Public Hearing

Community Board 7 held a public hearing on this application (C 050176 PSK) on January 13, 2005 and on January 19, 2005, by a vote of 22 in favor, 6 opposed and 7 abstaining adopted a resolution recommending approval subject to the following conditions:

Reduce the numbers of Community Districts being served by Hamilton Avenue from 10 to 5.

Support the creation of a community advisory committee, which will have monitoring access to the facility with the cooperation of the Sanitation Department. Visits may be unannounced.

Put an indefinite moratorium on an increase in tonnage served by the facility other than what is currently proposed in the plan including additional commercial garage.

Install electronic sensors to count incoming truck traffic into the facility. The sensors will be located at the main gate.

Cede the 52nd Street pier to EDC for the express purpose of being included in the CB 7 park plan.

Plant trees around the community (locations to be determined later) to beautify Sunset Park and to enhance overall air quality.

Install an air meter along the Gowanus corridor to continually monitor air quality.

Ensure that the 65th Street rail yards are no longer part of the SWMP.

Place a prohibition on any garbage from outside of the borough of Brooklyn.

Borough President Recommendation

This application (C 050176 PSK) was considered by the Borough President of Brooklyn, who issued a favorable recommendation on February 23, 2005 subject to the following conditions:

In regard to the Hamilton Avenue Marine Transfer Station specifically, the City Council should:

Reduce the number of Community Districts being served at Hamilton Avenue. Sanitation should take a close look at the routing and destinations of Brooklyn residential trash. The SWMP provides that the residential waste from ten community districts would be handled at the Hamilton Avenue MTS, for a total daily tonnage of over 3,544 tons. CB 7 recommends that the number of districts being serviced at Hamilton Avenue be reduced to five; the Borough President recommends that the current plan be reviewed in consideration of operational efficiency and equity.

Create a Community Advisory Committee - The Borough President agrees that a community advisory committee, chaired by Community Board 7, be created and that such committee be empowered to oversee the City's operating standards.

Install electronic truck counters - The Department of Sanitation (DSNY) should keep records of the number of trucks entering and exiting the facility and make such records available to the committee and the public.

Impose an indefinite moratorium on increase in tonnage served by the facility, including commercial waste. Any community with a disproportionate burden should be ensured that such burden will not increase by any means, whether by addition of waste throughput or the opening of a new transfer station. Siting rules should be amended to ensure that no new capacity can be added in an overburdened district such as Community District 7.

Truck Traffic - The Borough President believes that DSNY must work vigilantly to ensure that impacts from truck traffic are minimized on the area surrounding the Hamilton Avenue MTS. DSNY should study the cumulative effect of the multitude of sanitation facilities in the Community District, and consider a plan for relocating the District 10 garage.

Additional Trucks - Require that a Manhattan facility for barging recyclables be properly permitted and opened as part of the City's Solid Waste Plan. The plan must guarantee that no recyclables from other boroughs will arrive to the proposed Hugo Neu facility by truck, particularly in Sunset Park, which will already be significantly burdened by the Hamilton Avenue MTS.

Install air monitoring equipment along Gowanus corridor to continually monitor air quality - Brooklyn has too few air monitoring devices, and the addition of pollution burdens on the Sunset Park community requires that one be installed in the neighborhood.

Ensure that the 65th St. Rail Yards are no longer part of the SWMP - Sunset Park should be granted a prohibition on any additional waste infrastructure other than that approved in the existing SWMP, the 65th St. Rail Yards should be specifically prohibited from being converted into a transfer facility.

In addition, regarding the marine Transfer Stations in Brooklyn in general, the Borough President recommends that the City Council should:

Community Advisory Committees - Direct DSNY to create Community Advisory Committees for each Marine Transfer Station area and Community Board 1 and empower those panels to review initial planning for the design and operation of the MTSs, including the designation of truck routes.

Manhattan waste Generally - Ensure that under the final approved plan no Manhattan or other borough residential or putrescible commercial waste be transferred through the Borough of Brooklyn;

Manhattan Commercial Waste - Require DSNY to guarantee that commercial carters will utilize the new Manhattan Marine Transfer Stations, by more specifically detailing the plan to use a pricing mechanism to encourage private carters to export waste from the West 59th Street transfer station and other potential transfer stations in Manhattan, and to initiate a study and pilot program for franchising commercial waste.

Capacity Reduction at Private Waste Transfer Facilities - Enact legislation to ensure that the opening of these MTSs will not result in an overall net increase in residential and /or commercial waste handled by public or private facilities in the Borough of Brooklyn. To accomplish this, the City Council should mandate a minimum of a one-for-one ton reduction in the permitted tonnage of waste throughput at private commercial waste transfer stations in Brooklyn

Truck Traffic - Ensure that DSNY works with the communities and the Department of Transportation to recommend and review existing and potential truck routes, to ensure data from the Environmental Impact Statement is complete and accurate, reflecting recent land-use changes that might affect operations at the facilities.

Waste Reduction and Reuse - Require DSNY to continually reduce the amount of waste processed at the Hamilton Avenue, Southwest Brooklyn and Greenpoint Transfer Stations, to reduce the burden on these communities, reduce costs to the City and reduce the burden on the environment, by revising the 20-year plan to significantly improve waste prevention, composting and reuse initiatives. The Department can aid achievement of this objective by expanding the waste prevention budget, reinstating the community-waste prevention coordinators and improve composting.

MTS Operation - Require the Marine Transfer Stations to be able to handle export of sorted recyclables and compostables, to enable the City to utilize the new infrastructure while improving waste diversion rates.

City Planning Commission Public Hearing

On February 16, 2005 (Calendar No. 5), the City Planning Commission scheduled March 2, 2005 for a public hearing on this application (C 050176 PSK). The hearing was duly held on March 2, 2005, (Calendar No. 10). There were five speakers in favor of the subject application. At the start of the public hearing for the related Southwest Brooklyn MTS, the Commissioner of the Department of Sanitation spoke generally about the City's need and obligation to develop and implement a new Solid Waste Management Plan (SWMP) and its advantages to the City over alternative proposals. A more detailed description of the Commissioner's testimony appears in the report for the proposed Southwest Brooklyn MTS (C 050175 PSK).

A representative of DSNY's Bureau of Long Term Export described the proposed site and operation of the Southwest Brooklyn MTS. Other speakers in favor included a representative of the New York Lawyers for the Public Interest and two community organizations, Uprose and Outrage. Their comments in favor focused on the need to distribute the burden of disposition of municipal waste more equitably throughout the City and reduce the concentration of private transfer facilities in Community District 1 in Brooklyn. They stressed that the over-concentration of these facilities in Community District 1 contributed to the excessive air pollution in the area and negatively affected the health of CD 1 residents, especially children. There were no other speakers and the hearing was closed.

Waterfront Revitalization Consistency Review

This application was reviewed by the Department of City Planning for consistency with the policies of the New York City Waterfront Revitalization Program (WRP), as amended, approved by the New York City Council on October 13, 1999 and the New York State Department of State on May 28, 2002, pursuant to the New York State Waterfront Revitalization and Coastal Resources act of 1981 (New York State Executive Law, Section 910 et seq.). The designated WRP number is WRP #04-112.

This action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.

CONSIDERATION

The Commission believes that the application for site selection of property located at 488 Hamilton Avenue (Block 625, part of lot 2 and part of lot 250), Community District 7, Borough of Brooklyn for a DSNY marine transfer station is appropriate.

New York State's Solid Waste Management Act (New York Environmental Conservation Law [section 27-0707]) and implementing regulations require the City to develop a new Solid Waste Management Plan (SWMP). The City's proposed new SWMP is currently before the City Council. The Commission believes that the Hamilton Avenue MTS, along with three additional transfer stations in Brooklyn, Queens and Manhattan and a fifth facility currently under construction in Staten Island, which are part of the City's new SWMP will help put into place an effective, reliable, environmentally sensitive and equitable system for handling the very large quantity of putrescible solid waste generated in the City daily. The Long Term Export component of the SWMP constitutes a comprehensive and balanced approach to the City's MSW long term export needs.

The proposed Hamilton Avenue MTS site was used as a transfer station until it was closed in 2000. It is located in an M3-1 zoning district in a heavily industrial area along Gravesend Bay and is adjacent to existing DSNY facilities as well as other industrial uses. It is accessible from truck routes including Gowanus Expressway, Prospect Expressway, Hamilton Avenue, Third Avenue, Fourth Avenue, 20th Street and Prospect Avenue. This and the other proposed facilities that are part of the SWMP are designed to address many of the adverse effects previously associated with solid waste transfer facilities, such as noise, water and air pollution, resulting from transfer operations. The following design and operational features will be incorporated in the proposed facility to eliminate or reduce these impacts:

The new MTS would containerize waste for barge transport using lidded, sealed, leak-proof, containers.

The new MTS would have a state-of-the-art ventilation and odor control system which will include a scrubber and neutralizing agent misting system capable of removing between 90 percent and 99 percent of odorous compounds.

Rapid roll-up doors will be more effective in preventing the release of odors from the processing building than was possible with the old MTS's.

The facility is designed to maintain negative pressure within the building and exhaust all air through the odor control system even when the access/egress doors are open.

Operational procedures will include: requiring that all waste handling operations be conducted within the enclosed building; limiting the amount of time MSW is retained on site; requiring that doors in the receiving area be kept closed except during deliveries and; using covered or enclosed collection vehicles.

In a communication dated March 25, 2005, DSNY replied to questions and issues raised during the public review. DSNY stated in it's response that the wasteshed assignments were made on the basis of the efficiencies and economies realized in DSNY's waste collection operations that still apply. DSNY further stated that the Hamilton Avenue MTS is an integral component of the SWMP and that there is an urgent need to implement this plan as quickly as possible to reduce reliance on transfer trailer trucks and stabilize the long term cost of waste export.

In a letter to Community Board 7 subsequent to the Board's Public Hearing, DSNY indicated its willingness to hold periodic, regularly scheduled meetings with the Board once the facility is operational. At these meetings, DSNY would provide reports on facility operations and address enforcement issues. Regarding a moratorium on increased tonnage handled by the facility, DSNY noted in the letter that maximum tonnage would be controlled by the New York State Department of Environmental Conservation (NYSDEC) Part 60 Solid Waste facility Permit, which will be issued after the required NYSDEC public review process. DSNY further noted that it was willing to explore ceding the 52nd Street Pier after final approval of the SWMP and that it is willing to work with the Board and other City agencies to promote the planting of trees in Sunset Park.

RESOLUTION

RESOLVED, that the City Planning Commission finds that having considered the Final Environmental Impact Statement (FEIS) for which a notice of completion was issued on April 1, 2005 with respect to the City's proposed Solid Waste Management Plan, which this application (C 050176 PSK) is a part of, the City Planning Commission finds that the requirements of the New York State Environmental Quality Review Act and regulations, have been met and that, consistent with social, economic and other essential considerations:

1. From among the reasonable alternatives thereto, the action to be approved is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable and;

2. The adverse environmental impacts revealed in the environmental impact statement will be minimized or avoided to the maximum extent by incorporating as conditions to this approval those mitigative measures that were identified as practicable.

The report of the City Planning Commission, together with the FEIS, constitutes the written statement of facts, and of social, economic and other factors and standards, that form the basis of the decision, pursuant to section 617.11 (d) of the SEQRA regulations;

and be it further

RESOLVED that the City Planning Commission, in it's capacity as the City Coastal Commission has reviewed the waterfront aspects of this application and finds that the proposed action is consistent with WRP policies;

and be it further

RESOLVED that pursuant to section 197-c of the New York City Charter, that based on the environmental determination and consideration described in this report, the application (C 050176 PSK) of the Department of Sanitation for the site selection of property located at 488 Hamilton Avenue (Block 625, part of lot 2 and part of lot 250), Community District 7, Borough of Brooklyn, for use as a marine transfer station is approved.

The above resolution, duly adopted by the City Planning Commission on April 13, 2005 (Calendar No. 16.

Is filed with the Office of the Speaker, City Council and the Borough President of Brooklyn, in accordance with the requirements of section 197-d of the New York City Charter.

AMANDA M. BURDEN, AICP, Chair
KENNETH J. KNUCKLES, ESQ., Vice-Chairman
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Commissioners

ANGELA R. CAVALUZZI, R.A., Commissioner, Abstaining