



CITY PLANNING COMMISSION

July 25, 2007/Calendar No. 17

C 070010 MMX

IN THE MATTER OF an application, submitted by the Department of Parks and Recreation and the Department of Environmental Protection pursuant to Sections 197-c and 199 of the New York City Charter, for an amendment to the City Map involving:

- the establishment of Barretto Point Park Addition within an area generally bounded by Viele Avenue, Tiffany Street pier, the U.S. Bulkhead Line and Manida Street; and
- any acquisition or disposition of real property related thereto,

Community District 2, Borough of the Bronx, in accordance with Map No. 13118 dated December 28, 2006 and signed by the Borough President.

The application (C 070010 MMX) for an amendment to the City Map was filed by the Department of Parks and Recreation (DPR) and the Department of Environmental Protection (DEP), pursuant to Sections 197-c and 199 of the New York City Charter on July 10, 2006. It involves: the establishment of Barretto Point Park addition within an area generally bounded by Viele Avenue, Tiffany Street pier, the U.S. Bulkhead Line and Manida Street; and any acquisition or disposition of real property related thereto.

RELATED ACTIONS

In addition to the amendment to the City Map which is the subject of this report, implementation of the applicant's proposal also requires action by the City Planning Commission on the following applications which are being considered concurrently with this application:

C 070008 PSX	Site selection for property located on block 2777, lots 100, 105 and 600
C 070009 MMX	Amendment to the City Map involving the establishment of Barretto Point Park.

BACKGROUND

A full background discussion and project description appears in the report on the related application for the site selection (C 070008 PSX).

ENVIRONMENTAL REVIEW

This application (C 070010 MMX), in conjunction with the applications for the related actions (C 070008 PSX, C 070009 MMX) 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 City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR No. is 05DEP023X. The lead agency is the Department of Environmental Protection.

A summary of the environmental review and the Final Environmental Impact Statement appears in the report on the related application for the site selection (C 070008 PSX).

UNIFORM LAND USE REVIEW

This application (C 070010 MMX), in conjunction with the applications for the related actions (C 070008 PSX, C 07009 MMX), was certified as complete by the Department of City Planning on February 26, 2007 and was duly referred to Community Board 2 and the Bronx Borough President in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

COMMUNITY BOARD PUBLIC HEARING

Community Board 2 held a public hearing on this application (C 070010 MMX) on March 28, 2007, and on that date, by a vote of 24 to 1 with 0 abstentions, adopted a resolution recommending approval of the application.

BOROUGH PRESIDENT RECOMMENDATION

This application (C 070010 MMX), together with the related applications (C 070008 PSX, C 070009 MMX), was considered by the Borough President of the Bronx who issued a recommendation approving the application with conditions on May 30, 2007.

A summary of the Borough President's recommendation appears in the report on the related application for the site selection (C 070008 PSX).

CITY PLANNING COMMISSION PUBLIC HEARING

On May 23, 2007 (Calendar No. 4), the City Planning Commission scheduled June 6, 2007 for a public hearing on this application (C 070010 MMX). The hearing was duly held on June 6, 2007 (Calendar No. 18) in conjunction with the hearing on the related actions (C 070008 PSX, C 070009 MMX).

There were a number of appearances, as described in the report on the related application for the site selection (C 070008 PSX) and the hearing was closed.

Waterfront Revitalization Program Consistency Review

This application (C 070010 MMX), in conjunction with the related actions (C 070008 PSX, C 070009 MMX), 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 by 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 06-071.

This action was determined to be consistent with the policies of the New York City

Waterfront Revitalization Program.

CONSIDERATION

The City Planning Commission believes that this amendment to the City Map is appropriate.

A full consideration of the issues and the reasons for approving this application appears in the report on the related application for the site selection (C 070008 PSX).

RESOLUTION

Therefore, the City Planning Commission, deeming the proposed amendment to the City map and any related acquisition or disposition to be appropriate, adopts the following resolution:

RESOLVED, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on July 13, 2007, with respect to this application (CEQR No. 05DEP023X), the City Planning Commission finds that the requirements of Part 617, State Environmental Quality Review, have been met and that, consistent with social, economic and other essential considerations:

1. 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 FEIS 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.

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 its 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, by the City Planning Commission, pursuant to Sections 197-c and 199 of the New York City Charter, that based on the environmental determination and the consideration described in this report, the application (C 070010 MMX) for the amendment to the City Map involving:

- the establishment of Barretto Point Park addition within an area generally bounded by Viele Avenue, Tiffany Street pier, the U.S. Bulkhead Line and Manida Street; and
- any acquisition or disposition of real property related thereto,

Community District 2, Borough of the Bronx, in accordance with Map No. 13118 dated December 28, 2006 and signed by the Borough President, is approved; and be it further

RESOLVED that, 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. 13118 are filed with the appropriate agencies in accordance with Section 198 subsection c of the New York City Charter.
- b. The subject amendment of the City Map shall be filed only when the applicant (DEP) completes the construction of the water pollution control plant and this area is no longer required for construction staging purposes.

The above resolution (C 070010 MMX), duly adopted by the City Planning Commission on July 25, 2007 (Calendar No. 17), is filed with the Office of the Speaker, City Council and the Borough President, 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 Chair

ANGELA BATAGLIA, IRWIN G. CANTOR, P.E.

BETTY CHEN, RICHARD W. EADDY

LISA A. GOMEZ, NATHAN LEVENTHAL

JOHN MEROLO, KAREN A. PHILLIPS

DOLLY WILLIAMS, Commissioners