



CITY PLANNING COMMISSION

March 26, 2008/Calendar No. 7

C 050525 PQK

IN THE MATTER OF an application submitted by the Department of Environmental Protection and the Department of Citywide Administrative Services pursuant to Section 197-c of the New York City Charter for the acquisition of property located at 1095 East 45th Street (Block 7729, Lot 25) Borough of Brooklyn, Community District 18, for continued use as a sewer maintenance facility.

The application was filed by the Department of Environmental Protection (DEP) and the Department of Citywide Administrative Services (DCAS) on June 27, 2005. The application for acquisition of property by the city would facilitate the continued operation of the Glenwood Road sewer maintenance unit at 1095 East 45th Street and Glenwood Road (Block 7729, Lot 25) in Brooklyn, Community District 18.

BACKGROUND

The Department of Environmental Protection (DEP) seeks to continue using 14,000-square feet of an existing one-story 60,000 square-foot building as a sewer maintenance yard, located at 1095 East 45th Street and Glenwood Road (Block 7729, Lot 25) in an M1-1 zoning district in Community District 18, Brooklyn. In 1994, the City Planning Commission approved an application (C 930134 PCK) for site selection and acquisition to utilize this site as a sewer maintenance yard and DEP has occupied this site since then.

The Glenwood Road facility is located at the northern boundary of Community District 18, abutting Community District 17, in an M1-1 zoning district. The site is bounded by the Long Island Rail Road (LIRR) and Glenwood Road to the north, the rear yards of small homes fronting on Schenectady Avenue to the east and the rear yards of small homes fronting on Glendale Court to the south, and East 45th Street to the west.

The facility is located within a single-story, 60,000 square-foot building which also houses other, privately-owned uses including a senior citizen center, a newspaper delivery and distribution business, an office for a cable television company, and a used vehicle dealership. The site is

accessed via a driveway on Glenwood Road. The immediate surrounding area is characterized by a mix of light industrial and commercial uses along Glenwood Road, and one- and two-family homes to the south.

This facility, one of eight operated by DEP in the city, is staffed by 23 employees and houses 20 vehicles (2 pump trucks, 5 pickups, 6 catch basin machines, 2 power rodders, and 5 flush trucks).

The personnel and equipment based at the Glenwood Road facility clean and maintain catch basins and sewers, address sink holes, and do sewer maintenance, including the flushing of sewers, and serve Brooklyn Community Districts 5, 11, 12, 13, 14, 15, and 16.

DEP expects to relocate the Glenwood Road facility to DEP's new Remsen Yards facility which was approved by the Commission on August 9, 2006 (C 060365PSK). The new facility would allow DEP to consolidate their Brooklyn operations. Currently, crews based at Glenwood Road must travel 1.25 miles to the existing Remsen facility for fuel, equipment and materials, and to dispose of debris. Construction of the Remsen Yards facility is scheduled to commence in 2008 and projected to be completed by 2010.

This area is served by the B6 and B103 buses that run east and west on Glenwood Road, and by the B7 bus running north and south along Kings Highway three blocks from the site.

ENVIRONMENTAL REVIEW

This application (C 050525 PQK) 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 lead agency is Department of Environmental Protection. The designated CEQR number is 93DEP025K.

A Negative Declaration was issued for the previous action (C 930134 PCK) on January 22, 1993. DEP prepared a technical memorandum for the proposed action, dated May 4, 2005, that included a field analysis conducted on April 14, 2005 for the Sewer Maintenance Yard facility.

The technical memorandum found that the conclusions of the environmental review have not changed, therefore the Negative Declaration issued on January 22, 1993, remains valid and no further environmental review is required.

UNIFORM LAND USE REVIEW

This application (C 050525 PQK) was certified as complete by the Department of City Planning on December 3, 2007, and was duly referred to Community Board 18 and the Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

Community Board Public Hearing

Community Board 18 held a public hearing on this application on January 16, 2008, and on that date, by a vote of 35 to 0 with 0 abstentions, adopted a resolution recommending approval of the applications.

Borough President Recommendation

This application was considered by the Brooklyn Borough President, who issued a recommendation approving the application on February 15, 2008.

City Planning Commission Public Hearing

On February 13, 2008 (Calendar No. 10), the City Planning Commission scheduled February 27, 2008, for a public hearing on this application (C 050525 PQK). The hearing was duly held on February 27, 2008 (Calendar No. 30).

A representative from DEP spoke in favor of the application. There were no other speakers and the hearing was closed.

CONSIDERATION

The City Planning Commission believes that the acquisition of property located at 1095 East 45th Street and Glenwood Road (Block 7729, Lot 25), for continued use as a sewer maintenance facility is appropriate.

DEP has occupied the premises continuously since January, 1994, serving South Brooklyn Community Districts 5, 11, 12, 13, 14, 15, and 16. The proposed facility is an as of right use permitted in the M1-1 zoning district.

The acquisition of this property will allow DEP to remain here until construction of a new facility, located at 855 Remsen Avenue, is completed.

RESOLUTION

RESOLVED, that the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

RESOLVED, by the City Planning Commission, 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 050525 PQQ) submitted by the Department of Environmental Protection and the Department of Citywide Administrative Services for the acquisition of property located at 1095 East 45th Street and Glenwood Road (Block 7729, Lot 25), Borough of Brooklyn, Community District 18, for continued use as sewer maintenance facility is approved. The above resolution (C 050525 PQQ), duly adopted by the City Planning Commission, on March 26, 2008 (Calendar No. 7), 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-Chairman

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SHIRLEY A. MCRAE, KAREN A. PHILLIPS, Commissioners