#### **CITY PLANNING COMMISSION**

September 27, 2006/Calendar No. 3

C 060293 MMR

**IN THE MATTER OF** an application, submitted by the Department of City Planning and the Economic Development Corporation (EDC) 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 establishment of Front Street between Bay Street and Hannah Street, Canal Street between Bay Street and Front Street, Water Street between Bay Street and Front Street, Cross Street between Bay Street and the Staten Island Rapid Transit R.O.W., Prospect Street between Bay Street and Front Street, Sands Street between Bay Street and the Staten Island Rapid Transit R.O.W., and Baltic Street between Bay Street and Front Street;
- the elimination, discontinuance and closing of Marginal Street, Wharf or Place within an area bounded by the extension of Hannah Street, the U.S. Bulkhead Line, the extension of Greenfield Avenue, and the Staten Island Rapid Transit R.O.W.;
- the elimination, discontinuance and closing of a portion of Murray Hulbert Avenue between the north and south exits of Hannah Street;
- the realignment of Thompson Street and Hannah Street at the intersection with Front Street;
- the extinguishment of Murray Hulbert Avenue from Hannah Street to Edgewater Street, and Front Street from Murray Hulbert Avenue to Bay Street;
- the adjustment of grades necessitated thereby; and
- any acquisition or disposition of real property related thereto,

all within an area bounded by Willow Avenue, Bay Street, Hannah Street, and the U.S. Bulkhead Line, Community District 1, Borough of Staten Island, in accordance with Map No. 4202 dated May 3, 2006 and signed by the Borough President.

The application (C 060293 MMR) for an amendment to the City Map was filed by the Department of City Planning and Economic Development Corporation (EDC), pursuant to Sections 197-c and 199 of the New York City Charter on January 12, 2006.

## **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 application which is being considered concurrently with this application:

N 060468 ZRR Zoning text amendment to establish the Special Stapleton

Waterfront District:

C 060469 PPR Disposition of city-owned property pursuant to zoning for six

development parcels;

C 060470 PPR Disposition of city-owned property (up to 10,000 square feet)

within the public areas of the Special Stapleton Waterfront District;

C 060471 ZMR Zoning map amendment.

#### **BACKGROUND**

A full background discussion and project description appears in the report on the related application for amendment of the zoning map (C 060471 ZMR).

#### **ENVIRONMENTAL REVIEW**

This application (C 060293 MMR), in conjunction with the applications for the related actions (C 060469 PPR, C 060470 PPR, C 060471 ZMR, N 060468 ZRR), 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 06DME001R. The lead agency is the Office of the Deputy Mayor for Economic Development and Rebuilding.

A summary of the environmental review appears in the report on the related application for amendment of the zoning map (C 060471 ZMR).

#### UNIFORM LAND USE REVIEW

This application (C 060293 PPR), in conjunction with the applications for the related actions (C 060469 MMR, C 060470 PPR, C 060471 ZMR) was certified as complete, by the Department of City Planning on May 8, 2006, and was duly referred to Community Board 1 and the Staten Island Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules along with the related text change application (N 060468 ZRR) which was referred for review and comment.

Page 2 C 060293 MMR

## **Community Board Public Hearing**

A summary of the recommendation of Community Board 1 appears in the report on the related application for amendment of the zoning map (C 060471 ZMR).

# **Borough President Recommendation**

This application (C 060293 MMR) was considered by the Borough President of Staten Island who issued a recommendation approving the application on June 27, 2006.

### **City Planning Commission Public Hearing**

On August 9, 2006 (Calendar No. 3), the City Planning Commission scheduled August 23, 2006 for a public hearing on this application (C 060293 MMR). The hearing was duly held on August 23, 2006 (Calendar No. 18) in conjunction with the hearing on the related actions (C 060469 PPR, C 060470 PPR, C 060471 ZMR, N 060468 ZRR).

There were a number of appearances, as described in the report on the related application for amendment of the zoning map (C 060471 ZMR), and the hearing was closed.

## Waterfront Revitalization Program Consistency Review

This application (C 060293 MMR) 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 06-007.

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

Page 3 C 060293 MMR

report on the related application for amendment of the zoning map (C 060471 ZMR).

#### 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 **September 14, 2006**, with respect to this application (CEQR No. 06DME001R), 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:

- 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
- The adverse environmental impacts revealed in the final environmental impact statement will be minimized or avoided to the maximum extent practicable 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 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 and Section 5-430 *et seq.* of the New York City Administrative Code, that based on the environmental determination and the consideration described in this report, the

Page 4 C 060293 MMR

application (C 060293 MMR) for the amendment to the City Map involving:

- the establishment of Front Street between Bay Street and Hannah Street, Canal Street between Bay Street and Front Street, Water Street between Bay Street and Front Street, Cross Street between Bay Street and the Staten Island Rapid Transit R.O.W., Prospect Street between Bay Street and Front Street, Sands Street between Bay Street and the Staten Island Rapid Transit R.O.W., and Baltic Street between Bay Street and Front Street;
- the elimination, discontinuance and closing of Marginal Street, Wharf or Place within an area bounded by the extension of Hannah Street, the U.S. Bulkhead Line, the extension of Greenfield Avenue, and the Staten Island Rapid Transit R.O.W.;
- the elimination, discontinuance and closing of a portion of Murray Hulbert Avenue between the north and south exits of Hannah Street:
- the realignment of Thompson Street and Hannah Street at the intersection with Front Street:
- the extinguishment of Murray Hulbert Avenue from Hannah Street to Edgewater Street, and Front Street from Murray Hulbert Avenue to Bay Street;
- the adjustment of grades necessitated thereby; and
- any acquisition or disposition of real property related thereto,

all within an area bounded by Willow Avenue, Bay Street, Hannah Street, and the U.S. Bulkhead Line, Community District 1, Borough of Staten Island, in accordance with Map No. 4202 dated May 3, 2006 and signed by the Borough President, is approved; and be it further

**RESOLVED** that, pursuant to Section 5-432 of the New York City Administrative Code, the City Planning Commission determines that "such closing or discontinuance will further the health, safety, pedestrian or vehicular circulation, housing, economic development or general welfare of the City"; and be it further

**RESOLVED** that pursuant to Section 5-433 of the New York City Administrative Code, the City Planning Commission adopts three (3) counterparts of Map No. 4202 dated May 3, 2006

Page 5 C 060293 MMR

providing for the discontinuance and closing of Marginal Street, Wharf or Place; Thomson Street and Murray Hulbert Avenue, more particularly described as follows:

# DISCONTINUANCE AND CLOSING OF MARGINAL STREET, WHARF OR PLACE BETWEEN THE PROLONGATION OF GREENFIELD AVENUE AND HANNAH STREET

Starting at a **Point of Beginning** at the southerly line of Hannah Street and the easterly line of Staten Island Rapid Transit Company and being located the following five (5) courses from the intersection formed by the southerly line of Hannah Street with the easterly line of Bay Street:

- A) North 68 degrees 30 minutes 23 seconds east, a distance of 57.15 feet to point, thence;
- B) North 12 degrees 10 minutes 00 second east, a distance of 3.00 feet to a point, thence;
- C) North 68 degrees 30 minutes 23 seconds east, a distance of 51.20 feet to a point of curvature, thence;
- D) Along a curve to the right, having a radius of 553.69 feet, an arc length of 77.42 feet, a central angle of 08 degrees 00 minutes 42 seconds, bearing a chord of north 72 degrees 30 minutes 45 seconds east, a chord distance of 77.36 feet to a point of tangency, thence;
- E) North 76 degrees 31 minutes 07 seconds east, a distance of 89.05 feet to the **Point of Beginning** and from said point of beginning and along the southerly line of Hannah Street the following four (4) courses;
- 1. Running thence, north 76 degrees 31 minutes 07 seconds east, a distance of 159.90 feet to a point of curvature;
- 2. Running thence, along a curve to the right, having a radius of 100.00 feet, an arc length of 120.60 feet, a central angle of 69 degrees 05 minutes 48 seconds, bearing a chord of south 68 degrees 55 minutes 58 seconds east, a chord distance of 113.42 feet to a point of tangency,
- 3. Running thence, south 34 degrees 23 minutes 05 seconds east, a distance of 185.99 feet to a point of curvature,
- 4. Running thence, along a curve to the right, having a radius of 50.00 feet, an arc length of 23.97 feet, a central angle of 27 degrees 28 minutes 05 seconds, bearing a chord of south 20 degrees 39 minutes 02 seconds east, a chord distance of 23.74 feet to a point of tangency,
- 5. Running thence, crossing Murray Hulbert Avenue north 83 degrees 05 minutes 00 second east, a distance of 51.68 feet to a point on the easterly line of Murray Hulbert Avenue,

Page 6 C 060293 MMR

- also being the bulkhead line determined by the Commissioner of Docks dated October 22, 1919 and approved by the Commissioner of the Sinking Fund dated November 29, 1919;
- 6. Running thence, south 06 degrees 55 minutes 00 seconds east, a distance of 746.20 feet to a point;
- 7. Running thence, south 11 degrees 53 minutes 55 seconds west, a distance of 584.51 feet to a point;
- 8. Running thence; south 08 degrees 14 minutes 41 seconds east, a distance of 1,886.23 feet to a point;
- 9. Running thence, south 82 degrees 06 minutes 20 seconds west, a distance of 100.00 feet to a point;
- 10. Running thence, south 08 degrees 14 minutes 41 seconds east, a distance of 851.76 feet to a point;
- 11. Running thence, south 28 degrees 55 minutes 53 seconds east, a distance of 1,390.81 feet to a point;
- 12. Running thence, south 48 degrees 09 minutes 37 seconds west, a distance of 334.20 feet to a point in Front Street; running thence, along the lands of Staten Island Rapid Transit Railway Company, the following twenty-nine (29) courses:
- 13. North 31 degrees 50 minutes 29 seconds east, a distance of 130.42 feet to a point of curvature,
- 14. Running thence, along a curve to the left, having a radius of 92.55 feet, an arc length of 97.54 feet, a central angle of 60 degrees 23 minutes 03 seconds, bearing a chord of north 03 degrees 13 minutes 20 seconds east, a chord distance of 93.09 feet to a point;
- 15. Running thence, north 32 degrees 47 minutes 38 seconds west, a distance of 164.00 feet to a point;
- 16. Running thence, north 32 degrees 17 minutes 05 seconds west, a distance of 184.02 feet to a point;
- 17. Running thence, north 34 degrees 57 minutes 10 seconds west, a distance of 76.77 feet to a point;
- 18. Running thence, north 29 degrees 01 minute 38 seconds west, a distance of 217.34 feet to a point;

Page 7 C 060293 MMR

- 19. Running thence, north 27 degrees 32 minutes 04 seconds west, a distance of 211.72 feet to a point;
- 20. Running thence, south 64 degrees 49 minutes 02 seconds west, a distance of 82.28 feet to a point;
- 21. Running thence; south 59 degrees 22 minutes 14 seconds west, a distance of 13.79 feet to a point;
- 22. Running thence, along a curve to the left, having a radius of 1,462.69 feet, an arc length of 128.20 feet, a central angle of 05 degrees 01 minute 19 seconds, bearing a chord of north 35 degrees 29 minutes 37 seconds west, a chord distance of 128.16 feet to a point;
- 23. Running thence, north 38 degrees 00 minutes 16 seconds west, a distance of 353.80 feet to a point of curvature;
- 24. Running thence, along a curve to the right, having a radius 1,615.11 feet, an arc length of 112.39 feet, a central angle of 03 degrees 59 minutes 13 seconds, bearing a chord of north 36 degrees 00 minutes 40 seconds west, a chord distance of 112.37 feet to a point;
- 25. Running thence, south 67 degrees 05 minutes 03 seconds west, a distance of 15.28 feet to a point of curvature;
- 26. Running thence; along a curve to the right, having a radius of 1,630.11 feet, an arc length of 169.40 feet, a central angle of 05 degrees 57 minutes 15 seconds, bearing a chord of north 30 degrees 56 minutes 10 seconds west, a chord distance of 169.33 feet to a point of compound curvature;
- 27. Running thence, along a curve to the right, having a radius of 7,258.91 feet, an arc length of 428.76 feet, a central angle of 03 degrees 26 minutes 14 seconds, bearing a chord of north 26 degrees 14 minutes 29 seconds west, a chord distance of 428.70 feet to a point of compound curvature;
- 28. Running thence, along a curve to the right, having a radius of 1,287.50 feet, an arc length of 46.66 feet, a central angle of 02 degrees 04 minutes 36 seconds, bearing a chord of north 23 degrees 28 minutes 26 seconds west, a chord distance of 46.66 feet to a point on the southerly line of Thompson Street;
- 29. Running thence, north 82 degrees 26 minutes 47 seconds east, a distance of 150.13 feet to a point;
- 30. Running thence, north 58 degrees 04 minutes 35 seconds east, a distance of 11.45 feet to a point;

Page 8 C 060293 MMR

- 31. Running thence, north 08 degrees 14 minutes 44 seconds west, a distance of 45.28 feet to a point;
- 32. Running thence, south 82 degrees 26 minutes 47 seconds west, a distance of 176.07 feet to a point on the easterly line of lands of the Staten Island Rapid Transit Company;
- 33. Running thence, north 08 degrees 15 minutes 46 seconds west, a distance of 18.86 feet to a point;
- 34. Running thence, along a curve to the left, having a radius of 1,287.14 feet, an arc length of 83.28 feet, a central angle of 03 degrees 42 minutes 26 seconds, bearing a chord of north 17 degrees 27 minutes 38 seconds west, a chord distance of 83.27 feet to a point;
- 35. Running thence, north 82 degrees 20 minutes 12 seconds east, a distance of 13.30 feet to a point;
- 36. Running thence, north 08 degrees 15 minutes 45 seconds west, a distance of 100.92 feet to a point;
- 37. Running thence, north 09 degrees 37 minutes 43 seconds west, a distance of 56.03 feet to a point;
- 38. Running thence, north 07 degrees 40 minutes 00 seconds west, a distance of 136.12 feet to a point;
- 39. Running thence, south 82 degrees 36 minutes 13 seconds west, a distance of 22.08 feet to a point;
- 40. Running thence, north 07 degrees 23 minutes 34 seconds west, a distance of 45.00 feet to a point;
- 41. Running thence, north 82 degrees 36 minutes 26 seconds east, a distance of 15.96 feet to a point;
- 42. Running thence, north 05 degrees 08 minutes 39 seconds west, a distance of 74.93 feet to a point;
- 43. Running thence, north 82 degrees 25 minutes 04 seconds east, a distance of 27.26 feet to a point;
- 44. Running thence, north 07 degrees 54 minutes 29 seconds west, a distance of 401.00 feet to a point on the southerly line of Prospect Street;
- 45. Running thence, along the southerly line of Prospect Street, south 82 degrees 14 minutes 55 seconds west, a distance of 23.91 feet to a point;

Page 9 C 060293 MMR

- 46. Running thence, north 05 degrees 09 minutes 57 seconds west, a distance of 45.05 feet to a point on the northerly line of prospect Street;
- 47. Running thence, north 05 degrees 02 minutes 11 seconds west, a distance of 150.17 feet to a point on the southerly line of Sands Street;
- 48. Running thence, north 05 degrees 12 minutes 50 seconds west, a distance of 45.04 feet to a point on the northerly line of Sands Street;
- 49. Running thence, north 05 degrees 09 minutes 57 seconds west, a distance of 150.15 feet to a point on the southerly line of Wave Street;
- 50. Running thence, north 82 degrees 14 minutes 56 seconds east, a distance of 154.69 feet to a point;
- 51. Running thence, north 07 degrees 56 minutes 32 seconds west, a distance of 45.00 feet to a point;
- 52. Running thence, south 82 degrees 14 minutes 56 seconds west, a distance of 152.67 feet to a point on the easterly line of lands of the Staten Island Rapid Transit Company;
- 53. Running thence, north 05 degrees 11 minutes 03 seconds west, a distance of 30.77 feet to a point
- 54. North 04 degrees 56 minutes 54 seconds west, a distance of 3.96 feet to a point of curvature;
- 55. Running thence, along a curve to the right, having a radius of 1,417.69 feet, an arc length of 397.55 feet, a central angle of 16 degrees 04 minutes 01 second, bearing a chord of north 03 degrees 10 minutes 17 seconds east, a chord distance of 396.25 feet to a point;
- 56. Running thence, continuing along a curve to the right, having a radius of 1,417.69 feet, an arc length of 264.41 feet, a central angle of 10 degrees 41 minutes 10 seconds, bearing a chord of north 16 degrees 13 minutes 33 seconds east, a chord distance of 264.03 feet to a point;
- 57. Running thence, north 21 degrees 46 minutes 32 seconds east, a distance of 320.06 feet to a point of curvature;
- 58. Running thence, along a curve to the left, having a radius of 1,161.28 feet, an arc length of 149.21 feet, a central angle of 07 degrees 21 minutes 42 seconds, bearing a chord of north 18 degrees 05 minutes 41 seconds east, a chord distance of 149.11 feet to a point;
- 59. Running thence, south 69 degrees 59 minutes 58 seconds east, a distance of 15.07 feet to a point of curvature;

Page 10 C 060293 MMR

- 60. Running thence, along a curve to the left, having a radius 1,176.28 feet, an arc length of 228.67 feet, a central angle of 11 degrees 08 minutes 18 seconds, bearing a chord of north 08 degrees 54 minutes 47 seconds east, a chord distance of 228.31 feet to a point;
- Running thence, south 89 degrees 22 minutes 57 seconds west, a distance of 15.04 feet to a point of curvature;
- 62. Running thence, along a curve to the left, having a radius of 1,161.28 feet, an arc length of 213.02 feet, a central angle of 10 degrees 30 minutes 36 seconds, bearing a chord of north 01 degree 51 minutes 32 seconds west, a chord distance of 212.72 feet to a point of tangency;
- 63. Running thence, north 07 degrees 03 minutes 53 seconds west, a distance of 591.68 feet to a point;
- 64. Running thence, north 06 degrees 59 minutes 42 seconds west, a distance of 184.43 feet to the point, said point being the Point or Place of Beginning.

# DISCONTINUANCE AND CLOSING OF A PORTION OF THOMPSON STREET AT THE INTERSECTION WITH FROM FRONT STREET

Starting at a **Point of Beginning** located south 82 degrees 26 minutes 47 seconds east, a distance of 269.09 feet from a point formed by the intersection of the northerly line of Thompson Street with the easterly line of Bay Street;

- 1. Running thence, continuing along the northerly line of Thompson Street, south 82 degrees 26 minutes 47 seconds east, a distance of 20.68 feet to a point formed by the intersection of newly established northerly line of Thompson Street and the westerly line of Front street:
- 2. Running thence, following the newly established westerly line of front street, north 08 degrees 14 minutes 41 seconds west, a distance of 9.32 feet to a point;
- Running thence, along the former northerly line of Thompson Street, south 58 degrees 04 3. minutes 35 seconds west, a distance of 22.58 feet to a point, said point being the Point or Place of Beginning.

# DISCONTINUANCE AND CLOSING OF A PORTION OF MURRAY HULBERT AVENUE BETWEEN THE NORTH AND SOUTH EXITS OF HANNAH STREET

**Beginning** at a point on the westerly line of Murray Hulbert Avenue, said point being on the prolongation of the centerline of Hannah Street and being the following seven (7) courses from a

Page 11 C 060293 MMR point formed by the intersection of the easterly line of Bay Street with the southerly line of Hannah Street;

- A. North 68 degrees 30 minutes 25 seconds east, a distance of 57.15 feet to a point;
- B. Running thence, north 12 degrees 10 minutes 00 seconds east, a distance of 3.00 feet to a point;
- C. Running thence, north 68 degrees 30 minutes 24 seconds east, a distance of 51.20 feet to a point of curvature;
- D. Running thence, along a curve to the right, having a radius of 553.69 feet, an arc length of 77.42 feet, a central angle of 08 degrees 00 minutes 42 seconds, bearing a chord of north 72 degrees 30 minutes 45 seconds east, a chord distance of 77.36 feet to a point of tangency;
- E. Running thence, north 76 degrees 31 minutes 07 seconds east, a distance of 89.05 feet to a point on the easterly line of the Staten Island Rapid Transit Railway Company;
- F. Running thence, through Hannah Street, north 06 degrees 59 minutes 42 seconds west, a distance of 19.88 feet to a point in the centerline of Hannah Street;
- G. Running thence, along the centerline of Hannah Street, north 76 degrees 28 minutes 27 seconds east, a distance of 357.48 feet to the point and place of beginning and from said beginning point running, thence; following the westerly line of Murray Hulbert Avenue, the following three (3) courses:
- 1. North 06 degrees 33 minutes 30 seconds west, a distance of 38.11 feet to a point;
- 2. Running thence, north 07 degrees 06 minutes 58 seconds west, a distance of 59.90 feet to a point of curvature;
- 3. Running thence, along a curve to the right, having a radius of 78.34 feet, an arc length of 91.10 feet, a central angle of 66 degrees 37 minutes 50 seconds, bearing a chord of north 26 degrees 11 minutes 57 seconds east, a chord distance of 86.06 feet to a point on the easterly line of Murray Hulbert Avenue;
- 4. Running thence, along the easterly line of Murray Hulbert Avenue, south 06 degrees 55 minutes 00 seconds east, a distance of 454.07 feet to a point;
- 5. Running thence, through Murray Hulbert Avenue, south 83 degrees 09 minutes 49 seconds west, a distance of 52.85 feet to a point on the easterly line of Front Street; running thence, along the easterly line of Front Street, the following two (2) courses:

Page 12 C 060293 MMR

- 6. North 07 degrees 38 minutes 17 seconds west, a distance of 31.45 feet to a point of curvature:
- 7. Running thence, along a curve to the left, having a radius of 295.00 feet, an arc length of 83.58 feet, a central angle of 16 degrees 13 minutes 57 seconds, bearing a chord of north 15 degrees 08 minutes 15 seconds west, a chord distance of 83.30 feet to a point; running thence, along Murray Hulbert Avenue, the following three (3) courses:
- 8. South 34 degrees 23 minutes 03 seconds east, a distance of 19.17 feet to a point of curvature;
- 9. Running thence, along a curve to the left, having a radius of 4.30 feet, an arc length of 11.42 feet, a central angle of 152 degrees 10 minutes 27 seconds, bearing a chord of north 69 degrees 31 minutes 43 seconds east, a chord distance of 8.35 feet to a point of tangency;
- 10. Running thence, north 06 degrees 33 minutes 30 seconds east, a distance of 185.07 feet to a point, said point being the **Point or Place of Beginning**.

and be it further

**RESOLVED** that, pursuant to subdivision 1a of Section 5-433 of the New York City Administrative Code, public utility facilities within the subsurface of the streets cited herein which are to be discontinued and closed by this action, may be maintained in place or relocated within such subsurface by the public utility, so that such maintenance in place or relocation of such facilities is consistent with the proposed use of the closed portion or portions of such subsurface, and the requirements of other facilities located therein; 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. 4202 are filed with the appropriate agencies in accordance with Section 198 subsection c of the New York City Charter and Section 5-435 of the New York City Administrative Code; and
- b. The subject streets to be discontinued and closed shall be discontinued and closed on the day following the day on which such maps adopted by this resolution shall be filed in the

Page 13 C 060293 MMR

offices specified by law.

The above resolution (C 060293 MMR), duly adopted by the City Planning Commission on September 27, 2006 (Calendar No. 3), 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 M. BATTAGLIA, IRWIN G. CANTOR, P.E. ANGELA R. CAVALUZZI, R.A., ALFRED C. CERULLO, III RICHARD W. EADDY, JANE D. GOL LISA A. GOMEZ, CHRISTOPHER KUI JOHN MEROLO, KAREN A PHILLIPS, Commissioners

Page 14 C 060293 MMR