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## THE CITY RECORD

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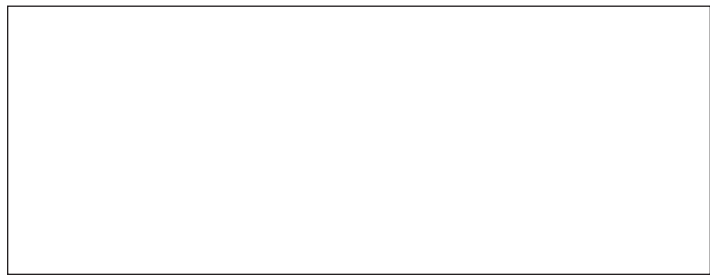
## PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

### BOROUGH PRESIDENT - BRONX

#### ■ PUBLIC HEARINGS

A PUBLIC HEARING IS BEING CALLED BY the President of the Borough of The Bronx, Honorable Ruben Diaz Jr. on Thursday, January 11, 2018, commencing at 11:00 A.M. The hearing will take place in the office of the Borough President, 851 Grand Concourse, Room 206, The Bronx, NY 10451. The following matter will be heard:



#### CD #1-ULURP APPLICATION NO: C 180130 HAX-Park Haven Rezoning:

IN THE MATTER OF an application submitted by the New York City Department of Housing, Preservation and Development (HPD);

- 1) Pursuant to Article 16 of the General Municipal Law of New York State for:
  - a) The designation of property located at 335-349 S. Ann's Avenue and 542-544 East 142<sup>nd</sup> Street (Block 2268. Lots 23-32, 48 and 50) as an Urban Development Action Area; and
  - b) An Urban Development Action Area Project for such area; and
- 2) Pursuant to Section 197-c of the New York City Charter for the disposition of such property located at 335-349 St. Ann's Avenue and 542-544 East 142<sup>nd</sup> Street (Block 2268, Lots 23-32) to a developer to be selected by HPD;

To facilitate a multi-story building containing residential, community facility and commercial space in the Borough of The Bronx, Community District #1.

#### CD #1-ULURP APPLICATION NO: C 180131 ZMX-Park Haven Rezoning:

IN THE MATTER OF an application submitted by the New York City Department of Housing Preservation and Development (HPD) pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 6a:

- 1) Changing from an R6 District to an R7D District property bounded by East 142<sup>nd</sup> Street; Sat. Ann's Avenue; East 141<sup>st</sup> Street; the southeasterly, southwesterly, and northeasterly boundary lines of a playground; and a line 140 feet northwesterly of S. Ann's Avenue; and
- 2) Establishing within the proposed R7D District a C1-4 District bounded by East 142<sup>nd</sup> Street; S. Ann's Avenue; East 141<sup>st</sup> Street; the southeasterly, southwesterly, and northeasterly boundary lines of a playground; and a line 140 feet northwesterly of St. Ann's Avenue;

Borough of The Bronx, Community District 1, as shown on a diagram (for illustrative purposes only) dated October 30, 2017. ANYONE WISHING TO SPEAK MAY REGISTER AT THE HEARING. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS MATTER TO THE BOROUGH PRESIDENT'S OFFICE, (718) 590-6124.

Accessibility questions: Sam Goodman (718) 590-6124, by: Wednesday, January 10, 2018, 5:00 P.M.



j4-10

**CITY PLANNING COMMISSION**

**■ PUBLIC HEARINGS**

**NOTICE IS HEREBY GIVEN** that resolutions have been adopted by the City Planning Commission, scheduling public hearings on the following matters to be held at 22 Reade Street, Spector Hall, New York, NY 10007, on Wednesday, January 17, 2018, at 10:00 A.M.

**CITYWIDE  
Supplemental Cal. No. 1**

**(Proposed modification of Title 62 of the Rules of the City of New York pursuant to Sections 1043 and 191(b)(2) of the City Charter to facilitate the implementation of the Department of City Planning's Paperless Filing System)**

**PLEASE TAKE NOTICE** that in accordance with Sections 1043 and 191(b)(2) of the New York City Charter, the New York City Department of City Planning ("City Planning"), on behalf of the City Planning Commission (the "Commission"), proposes to amend rules within Chapters 1, 2, 3, 5, 6, 8, 9 & 10 of Title 62 of the Rules of the City of New York.

This rule was not included in the regulatory agenda, as City Planning did not publish a regulatory agenda for fiscal year 2018.

The time and place of the hearing have been scheduled as follows:

DATE: January 17, 2018  
TIME: 10:00 A.M.  
LOCATION: Spector Hall  
22 Reade Street  
New York, NY 10007

Any person in attendance at this hearing shall be given a reasonable opportunity to present oral or written statements and to submit other documents concerning the proposed changes. Each speaker shall be allotted a maximum of three (3) minutes.

Persons who require that a sign language interpreter or other form of reasonable accommodation for a disability be provided at the hearing are asked to notify Dominick Answini at the address set forth below, or by telephone at (212) 720-3676, by January 10, 2018. In addition, written statements may be submitted to the Department of City Planning at the address stated below, provided the comments are received by 5:00 P.M. on January 17, 2018:

New York City Department of City Planning  
Office of the Counsel  
120 Broadway, 31<sup>st</sup> Floor  
New York, NY 10271  
Attention: Dominick Answini

Written comments received and a tape recording of oral comments received at the hearing will be available for public inspection within a reasonable time after receipt between the hours of 9:00 A.M. and 5:00 P.M. at the Freedom of Information Law Desk, 120 Broadway, 31<sup>st</sup> Floor, telephone number (212) 720-3454.

**The purpose of the hearing is to provide the public with an opportunity to comment on the proposed rule set forth herein.**

Title 62 of the Rules of the City of New York is amended to read as follows:

**Chapter 1: Practice and Procedure of City Planning Commission**

\* \* \*

**§ 1-02 The Calendar Officer: Notices, Calendars, Minutes, Record, and Communications.**

(a) Notices of all special meetings shall be given to each member by the Calendar Officer.

(b) The Calendar Officer shall prepare a calendar of the business to be presented and considered at each public meeting. The matters thereon shall be arranged in the order prescribed by § 1-01(f), and shall be properly classified. The Calendar Officer shall also keep a record of undetermined matters which have been laid over.

(c) *Record.* The record of a public meeting, including a public hearing, shall consist of either an audio [tape] recording or verbatim

stenographic record of the proceedings; a list of speakers' names and affiliations, if any; a notation of each speaker's own indication, on a form provided for that purpose, of support or opposition to the proposal; and any exhibits or written statements offered by speakers. The record shall be available online from the Department of City Planning's website or at the Calendar Office, City Planning Commission, [Room ]120 Broadway, 31st Floor, [2E, 22 Reade Street], New York, NY 10271[007-1216]. The Department of City Planning shall make available for public inspection, at the above location, a complete transcript of all public hearings of the Commission within sixty (60) days of such hearing.

(d) The Calendar Officer shall maintain the minutes of each public meeting, and shall make them available for examination by the public in the Office of the Calendar Officer.

(e) Minutes and a record of votes shall be taken at any executive session to the extent required by § 106 of the Public Officers Law.

(f) All communications, petitions and reports intended for consideration shall be [addressed] sent to the Commission's attention through the Department of City Planning's website or the [and delivered at or mailed to the] Calendar Office [and shall consist of an original accompanied by seventeen copies].

(g) The Calendar Officer shall transmit to the City Council and other City departments affected thereby true copies of all reports and resolutions adopted.

\* \* \*

**Chapter 2: Uniform Land Use Review Procedure (ULURP)**

\* \* \*

**§ 2-02 Applications**

(a) *Applications: general provisions.*

(1) *Presentation of application.* A request for any action shall be submitted to the Department of City Planning [, Central Intake Room]. The application must be submitted [upon] as provided for in the instructions on the Department of City Planning's website. This includes the submission of [the proper forms for the action as provided by the Department, including] forms requesting information required for the "doing business database" established by Local Law 34 for the year 2007, and must [be accompanied by] include all of the information and documents required by such instructions and forms [in the appropriate number of copies specified thereon]. For purposes of the acquisition of property by the City, pursuant to §§ 2-01(e) and 2-01(k) of these rules, the applicant shall be the requesting agency and the Department of Citywide Administrative Services. For purposes of the approval of housing or urban renewal plans and projects or amendments thereof pursuant to City, State or Federal laws in accordance with § 2-01(h) of these rules, the applicant shall be the New York City Department of Housing Preservation and Development or the New York City Housing Authority, as appropriate, or their designees. [When presented at Central Intake, the application shall be accompanied by payment of the required fee, if any. Central Intake will not accept incomplete] The Department may refuse to accept applications without all required components. An application shall only be accepted if the fee has been paid or is paid concurrently with the submission of the application. [or applications without the required fee.]

(2) *Initial Review.* The Department of City Planning shall, within five (5) days, review each application to [i]ensure that all required forms, documents and other exhibits supplied have been submitted and prepared [in the manner]as required by the instructions. If any of the documentation is missing or has been improperly prepared, the application will be returned with a listing of its deficiencies. If the documentation is in order, the Department shall assign a docket number and shall [send ] transmit a Notice of Receipt[s] of the application to all the appropriate Department divisions and other agencies which review such application, and to the community board(s), Borough President(s), borough board (when appropriate), the City Council and the applicant in accordance with § 2-02(b). Such Notice of Receipt, when sent to the community board(s), Borough President(s), borough boards and City Council shall include a copy of the application form and all documents [and exhibits attached thereto] included therewith.

(3) *Substantive Review.* The application form, documents and other exhibits shall be subject to review by the appropriate divisions of the Department in order to [i]ensure that the requirements for completeness in § 2-02(a)(5) have been met prior to certification of the application into ULURP. The Department may request any additional documents, maps, plans, drawings or information necessary to complete or organize the submission, or to clarify its substance and the land use issues attendant to it. The Department of City Planning shall refer such additional application documents or amendments within five (5) days to each affected borough president, community board or borough board, and to the City Council. Not later than sixty (60) days after the Notice of Receipt has been sent, the Department of City Planning shall notify the applicant of any deficiencies or errors in the application, documents and other exhibits, and shall make any requests for revised or supplementary documents and exhibits. The applicant is expected to respond within a reasonable time. Upon receipt of the corrected, revised or supplementary material, the Department of City Planning shall review it within [a period of not] no more than sixty (60) days and make any additional request for further corrections or supplements if needed. If the applicant fails to respond within sixty (60) days after

the receipt of a request for revisions, corrections or supplement, the Department of City Planning shall give notice to the applicant that the application will be deemed withdrawn.

(4) *Appeal for Certification.* At any time after one hundred and eighty (180) days have elapsed from the date of the Notice of Receipt of any application, the applicant may appeal in writing to the Commission to certify the application as complete. The affected Borough President may also appeal in writing if the Borough President finds that the application is consistent with the land use policy or strategic policy statement of the borough formulated pursuant to § 82, subsection 14 of the Charter. Upon receipt of such an appeal, the Commission shall refer it to the Department of City Planning and the Office of Environmental Coordination or lead agency for an evaluation of the completeness of the application, which shall include an identification of all material requested by the Department of City Planning and the environmental review staff or lead agency but not yet provided by the applicant. If the Commission determines that all pertinent information has been supplied in accordance with the criteria of § 2-02(a)(5) below, it shall certify the application as complete. If the Commission determines that pertinent information has not been supplied, such information shall be listed by the Department of City Planning and the environmental review staff and sent by the Commission to the applicant within thirty (30) days of receipt of the appeal. When the applicant has responded, either by supplying all the information so requested, or by explaining why such information should not be required in order to certify the application, the Commission shall consider the evaluation and the applicant's response and either certify the application as complete in accordance with § 2-02(a)(5) or deny the appeal. A denial by the Commission shall state the information that must still be supplied or clearly state the reason for denial. Such determination shall be made not later than sixty (60) days from the date the appeal is received. If the appeal is one which has been made by the affected Borough President, and the land use proposed in the application is consistent with the land use policy or strategic policy statement of the affected Borough President, then a vote of five members shall be sufficient to certify the application as complete in accordance with § 2-02(a)(5) below. In all other instances, a majority vote of the Commission is necessary to certify an application. A denial of the appeal shall mean that the application remains incomplete, and the Department of City Planning and the environmental review staff shall continue with timely review of the application until all the information required for completeness has been provided at which time certification shall take place. If such review continues for an additional one hundred and eighty (180) days or more beyond the denial, the applicant may again appeal to the Commission under the procedure outlined above to certify the application.

(5) *Certification of Completeness.* The Department or the Commission shall certify the application as complete when compliance has been achieved with all of the following:

(i) The standard application form, including for any application certified on or after April 14, 2008, forms requesting information required for the "doing business database" established pursuant to Local Law 34 for the year 2007, has been [filled out] completed in its entirety with all requested information presented in clear language.

(ii) All accompanying documents, maps, plans, drawings, and other information are properly organized and presented in clear language and understandable graphic form.

(iii) The information supplied on the application form and accompanying documents is fully sufficient to address all issues of jurisdiction and substance which are required to be addressed for the category of action as defined in the Charter, statutes, Zoning Resolution, Administrative Code or other law or regulation.

(iv) All reviews by necessary and related agencies of the State and City have been completed and any required reports, certifications, sign-offs or other such agency actions required by law or regulation prior to ULURP have been secured, or a written waiver of the agency presented. If any such agency does not respond within sixty (60) days, it will be deemed to have waived its review and action as applicable law permits.

(v) A determination has been made whether the action is subject to City or State Environmental Quality Review, and if so subject, the lead agency has issued either:

(A) a Negative or Conditional Negative Declaration; or

(B) a Notice of Acceptance of a Draft Environmental Impact Statement.

(vi) Notification of any proposed (E) designation has been submitted to the Department of City Planning as required pursuant to § 2-02(e) hereof.

(b) *Referrals: general provisions.* Except as provided in § 2-02(c) hereof, within nine (9) calendar days after the certification by the Department of City Planning, [(I) or by the Commission if certification occurs pursuant to § 2-02(a)(4) above)], that a submission is a complete application, the Department of City Planning shall make the following referrals:

(1) any application relating to a proposal which occupies or would occupy land located in only one community district shall be referred to the community board for such district;

(2) any application relating to a proposal which occupies or would occupy land located in two or more community districts shall be referred to the community board for each such district and to the borough board for the appropriate borough;

(3) any application relating to a proposal which occupies or would occupy land located in a joint interest area not included within a community district shall be referred to the community board for each community district bounding such area and to the borough board for the appropriate borough;

(4) all applications shall be referred to the Borough President of the borough in question;

(5) all applications shall be referred to the City Council.

(c) *Charter § 201 applications.* A request for an amendment to the Zoning Map or the text of the Zoning Resolution by a taxpayer, community board, borough board, Borough President, the Mayor or the Land Use Committee of the Council pursuant to Charter § 201, shall be filed with the Department. Applications for special permits pursuant to § 201 may be filed by any person or agency. Such requests shall be subject to the application and certification procedure of § 2-02(a) hereof and shall be referred pursuant to § 2-02(b) hereof.

(d) *Withdrawals.* An applicant may at any time file with the Commission a statement that its application is withdrawn. If withdrawal occurs after filings have occurred pursuant to § 2-06(h)(4) of this chapter, the applicant shall also file a statement of withdrawal with the City Council. Upon the filing of such a statement, the application in question shall be void and no further processing of such application under this uniform land use review procedure shall be undertaken by a community board, Borough President, borough board or the Commission. The Commission shall promptly give notice of such withdrawal to the board or boards, to the Borough President to which the application was referred pursuant to § 2-02(b) and to the Council, if filings pursuant to § 2-06(h)(4) of this chapter have not occurred. The request to which the application relates may thereafter be advanced only in connection with a new application certified as complete pursuant to § 2-02(a) herein and processed according to this uniform land use review procedure.

(e) *Notification of proposed (E) designation.*

(1) [In the event that] if an application for an amendment to the Zoning Map or text of the zoning resolution, pursuant to Charter § 197-c [and] or § 200 and [or] § 201, respectively, includes an (E) designation [for] with respect to potential hazardous materials, air quality or noise [contamination] on any tax lot or zoning lot pursuant to § 11-15 of the Zoning Resolution of the City of New York, at the time the application is referred pursuant to § 2-02(b) hereof, the owner or owners of any such tax lot or zoning lot, with the exception of the applicant, shall be notified of the proposed (E) designation. Such notification shall be by the lead agency, as defined in 6 New York Code of Rules and Regulations, Part 617, as amended, and 62 Rules of the City of New York § 5-02, as amended. [In the event] if the lead agency is other than the Commission, no such application [for an amendment to the Zoning Map] shall be certified as complete pursuant to § 2-02(a)(5) hereof until such other lead agency shall have submitted any notification of a proposed (E) designation, in the form and addressed to the parties required by this Section to the Department of City Planning, who shall send such notification [in the manner] as provided by this Section.

(2) Such notification shall be by first-class mail and shall be made to the person(s) or entity(ies) identified in the official records of the City of New York as the fee owners of such tax lot or zoning lot and shall be sent to the address or addresses indicated in such records.

(3) The notification shall include or refer to the Department of City Planning's website for:

(i) a description [be] of the existing zoning and the proposed rezoning for the properties that will include the (E) designation;

(ii) [inform] notice of the property owner of the right to attend and testify at any public hearing relating to the proposed Zoning Map amendment;

(iii) provide the phone numbers for a contact person at the lead agency, or if the lead agency is the Commission, a contact person or persons at the Department of City Planning;

(iv) [be accompanied by] [a copy of] § 11-15 of the Zoning Resolution of the City of New York.

### § 2-03 Community Board Actions

(a) *General provisions.*

(1) Except as provided below, within sixty (60) calendar days after a community board's receipt of a complete application referred by the Department of City Planning, the Board of Standards and Appeals or the Commission [as the case may be], the community board shall hold a public hearing and adopt and submit as provided herein a written recommendation concerning such application. For purposes of this paragraph (1), a community board shall be deemed to have received an application nine (9) calendar days after the date of certification. The Department of City Planning shall [insure delivery of] transmit a certified application to the community board, making it available to the community board within (8) days [by either mailing to the community board within five (5) days of the date of certification or by hand delivery within eight (8) days] from the date of certification.

(2) Where the negative vote of the community board was adopted without a public hearing, without a quorum or at a meeting conducted after its 60-day period for review, such non-complying negative vote

shall not serve the purpose of Charter § 197-d(b)(2). The Commission may note the noncompliance and any other deficiency in compliance with this chapter in its report.

(b) *Waivers of hearings and recommendations.*

(1) *Leases.* In the case of a proposed lease of property of the City which in the judgment of the community board does not involve a substantial land use interest, such board may waive the holding of a public hearing and preparation of a written recommendation. In such case the community board shall submit to the Department a written waiver of its right to hold a public hearing and to submit recommendations to the City Planning Commission and affected Borough President. When a written waiver of the community board's right to hold a hearing and submit a recommendation is received by the Department of City Planning the community board's period of review shall be deemed ended and the Borough President's time period begun.

(2) *Franchises.* In the case of Request for Proposal or other solicitation for a franchise which in the judgment of the community board does not involve a substantial land use interest, such community board may submit a written waiver to the Commission of the right to hold a public hearing and the preparation of a written recommendation.

(c) *Notice of hearing.* Notice of the time, place and subject of a public hearing to be held by a community board on an application shall be given as follows:

(1) by publication in The City Record for the five (5) days of publication immediately preceding and including the date of the public hearing;

(2) by publication in the Comprehensive City Planning Calendar distributed not less than five (5) calendar days prior to the date of public hearing;

(3) to the applicant ten (10) days prior to the date of hearing (with [a copy of] such notice also forwarded to the Department of City Planning);

(4) for all actions that result in acquisition of property by the City, other than by lease, whether by condemnation or otherwise, the applicant shall notify the owner or owners of the property in question by mail to the last known address of such owner or owners, as shown on the City's tax records, not later than five (5) days prior to the date of hearing. An affidavit attesting to the mailing and a copy of the notice shall be submitted to the Department of City Planning prior to the Commission's public hearing;

(5) Community boards are also encouraged to publicize hearings by publication in local newspapers, posting notices in prominent locations, and other appropriate means.

(d) *Conduct of public hearing.*

(1) *Location.* A community board public hearing shall be held at a convenient place of public assembly chosen by the board and located within its community district. If in the community board's judgment there is no suitable and convenient place within the community district, the hearing shall be held at a centrally located place of public assembly within the borough. This provision is not intended to affect the requirement of Charter §2800(h) stating a community board's obligation to meet at least monthly (except during July and August) within its district.

(2) *General character.* Hearings shall be legislative type hearings, without sworn testimony or strict rules of evidence. Only members of a community board and persons expressly authorized by the chairperson may question a speaker. All persons appearing and wishing to speak shall be given the opportunity to speak. A community board hearing shall be conducted in accordance with by-laws adopted by the community board.

(3) *Quorum.* A public hearing shall require a quorum of 20% of the appointed members of the community board, but in no event fewer than seven such members. The minutes of a meeting at which a public hearing was held shall include a record of the individual members present.

(4) *Record.* The record of a public hearing shall consist of but not be limited to a list of speaker's names and affiliations (if any), a notation of each speaker's own indication, on a form provided for that purpose, of support or opposition to the application, and any exhibits or written statements offered by speakers.

(e) *Public attendance at meetings of a community board or its committees.* The public may attend all meetings of a community board or its committee at which an application for an action subject to this Chapter is to be considered or acted upon in a preliminary or final manner. A community board may close a meeting or committee meeting to the public only as provided in the New York State Open Meetings Law (Public Officers Law, §§ 100-111).

(f) *Recommendations and waivers.*

(1) *Quorum.* The adoption of a community board recommendation, or the waiver of a public hearing and recommendation by a community board, shall require a quorum of a majority of the appointed members of the board. The minutes of a meeting at which a recommendation or waiver was adopted shall record the individual members present.

(2) *Vote.* The adoption of a community board recommendation or the waiver of a public hearing and recommendation shall be by a public vote which results in approval by a majority of the appointed members present during the presence of a quorum, at a duly called meeting. The vote shall be taken in accordance with the by-laws of the community board.

(3) *Content.* A community board recommendation shall be in writing [on] via a form provided by the Department of City Planning and shall include a description of the application, the time and place of the public hearing on the application, the time and place of the meeting at which the recommendation was adopted and the vote by which the recommendation was adopted. The community board may include in its submission the reasons for the vote and any conditions attached to its vote. The community board may state that its conditional approval shall be considered a negative recommendation for purposes of Charter § 197-d(b)(2) if conditions that it considers essential to minimize land use or environmental impacts are not adopted by the Commission. The City Planning Commission shall give consideration only to those conditions which are related to land use and environmental aspects of the application.

(4) *Submission.* A community board shall submit its recommendation or waiver promptly after adoption, to the Commission, to the Borough President, to the applicant and, in the case of an application referred to two or more community boards and a borough board, to such borough board. If a community board fails to act within the time limits for review the application shall be deemed referred to the next level of review at the completion of the community board's time period.

(g) *Requests for review of action not in a community district.* A community board or borough board may [request a copy] obtain [of] the filed application and supporting documents for any action subject to ULURP which is not located within the district boundaries of such [the] community board[,] or [the] borough board [, making the request]. Such community board or borough board may request to review such applications, which [The] request must be made in writing to the Calendar Office of the Commission or through the Department's website, and it shall state the basis for the board's judgment that the application may significantly affect the welfare of the district or borough served by such board. [If such request is made, the Department of City Planning shall forward the information described above to said board.] Thereafter, the community board or borough board may schedule a public hearing on the application, such hearing and notice thereof to be in conformance with §§ 2-03(c), 2-03(d), 2-05(c) and 2-05(d) of this chapter and may submit a written recommendation to the Commission. The Commission may receive such recommendation at any time prior to its final action on the application; however, it shall have no authority to extend the review period defined in Charter § 197-c, nor shall a review by a second community board pursuant to this subparagraph (g) require that the application be reviewed by the borough board. A Borough President may similarly [request] [a copy of] obtain [an] a filed application and supporting documents for and request review of any action subject to ULURP which is not located within the boundaries of the borough.

\* \* \*

**§ 2-05 Borough Board Actions.**

(a) *General provisions.* Except as provided below in § 2-05(b), an affected borough board may conduct a public hearing on an application and submit a written recommendation to the Commission. Such recommendation or waiver shall be submitted on the form provided not later than thirty (30) days after the filing of a recommendation or waiver with the Borough President by the last to respond of all affected community boards, or if any affected community board shall fail to act within the time period, thirty (30) days after the expiration of the time allowed for such community boards to act.

(b) *Notice of hearing.* Notice of the time, place and subject of a public hearing to be held by a borough board for all applications subject to this land use review procedure shall be given as follows:

(1) by publication in The City Record for the five (5) days of publication immediately preceding and including the date of the public hearing;

(2) by publication in the Comprehensive City Planning Calendar distributed not less than five (5) calendar days prior to the date of hearing;

(3) to the applicant ten (10) days prior to the date of hearing;

(4) for all actions resulting in acquisition of property by the City, other than by lease, whether by condemnation or otherwise, the applicant shall notify the owner or owners of the property in question by mail to the last known address of such owner or owners, as shown on the City's tax records, not later than five (5) days prior to the date of hearing. An affidavit attesting to the mailing and a copy of the notice shall be submitted to the Department of City Planning prior to the Commission's public hearing.

(c) *Conduct of hearing.*

(1) *Location.* A borough board public hearing shall be held at a convenient place of public assembly chosen by the board and located within the borough.

(2) *General character.* Hearings shall be legislative type hearings, without sworn testimony or strict rules of evidence. Only members of a borough board or persons expressly authorized by the chairperson may question a speaker. All persons appearing and wishing to speak shall be given the opportunity to speak. A borough board's hearing shall be conducted in accordance with by-laws adopted by such borough board.

(3) *Quorum.* A public hearing shall require a quorum of a majority of the borough board's members who are entitled to vote on the application in question. Pursuant to Charter § 85, community board

members of the borough board may only vote on issues that directly affect the community district represented by such members. The minutes of the meeting at which a public hearing was held shall record the individual members present.

(4) *Record.* The record of a public hearing shall consist of a list of speakers' names and affiliations if any, a notation of each speaker's own indication, on [a] the form provided for that purpose, of support or opposition to the application and any exhibits or written statements offered by speakers.

(d) *Public attendance at meetings.* The public may attend all meetings of a borough board at which an application for an action subject to this Chapter is to be considered or acted upon in a preliminary or final manner. A borough board may close a meeting to the public only as provided in the New York State Open Meetings Law (Public Officers Law, §§ 100-111).

(e) *Recommendations and waivers.*

(1) *Quorum.* The adoption of a borough board recommendation or the waiver of a public hearing and recommendation by a borough board shall require a quorum of a majority of the borough board's members entitled to vote on the application in question. Pursuant to Charter § 85, community board members of the borough board may only vote on issues that directly affect the community district represented by such member. The minutes of a meeting at which a recommendation or waiver was adopted shall record the individual members present.

(2) *Vote.* Adoption of a recommendation shall be by a public roll call vote which results in approval by a majority of the members entitled to vote on the application in question present during the presence of a quorum, at a duly called meeting. Pursuant to Charter § 85, community board members of the borough board may only vote on issues that directly affect the community district represented by such member.

(3) *Content.* A borough board recommendation shall be in writing on a form provided by the Department of City Planning and shall include a description of the application, the time and place of public hearing, the time and place of the meeting at which the recommendation was adopted and the votes of individual borough board members. The borough board may include in its submission the reasons for its vote and any conditions to the vote.

(4) *Submission.* A borough board shall submit its recommendation or waiver on the form promptly after adoption to the Commission and to the applicant.

#### **§ 2-06 City Planning Commission Actions.**

(a) *General provisions.* The Commission shall hold a public hearing on all applications made pursuant to § 197-c of the Charter not later than sixty (60) calendar days after the expiration of the time allowed for the filing of a recommendation or waiver with it by an affected Borough President. Following its hearing and within its applicable sixty (60) day period, the Commission shall approve, approve with modifications or disapprove such application and file its decision pursuant to § 2-05(h)(4) below.

(b) *Zoning text amendments pursuant to Charter § 200 or § 201.* The Commission shall hold a public hearing on an application for a zoning text amendment pursuant to Charter § 200 or § 201. Such hearing shall be conducted in accordance with § 2-06(f) of this Chapter.

(c) *Modification of application.*

(1) The Commission may propose a modification of an application, including an application for a zoning text amendment pursuant to Charter § 200 or § 201, which meets the criteria of § 2-06(g) below. Such proposed modification may be based upon a recommendation from an applicant, community board, borough board, Borough President or other source. Where a modification is proposed, the Commission shall hold a public hearing on the application as referred to a community board or boards and on the proposed modification. Promptly upon its decision to schedule a proposed modification for public hearing, the Commission shall refer the proposed modification to the community board or community boards, borough board, and the affected Borough President to which the application was earlier referred, for such action as such board or boards or Borough President deem appropriate.

(2) The above provision shall not limit the Commission's ability to make a minor modification of an application.

(d) *Notice of hearing.* Notice of the time, place and subject of a public hearing by the Commission for all applications subject to this uniform land use review procedure, including applications for zoning text amendments pursuant to Charter § 200 and § 201 and modified applications pursuant to § 2-06(c)(1), of this chapter, shall be given as follows:

(1) by publication in The City Record beginning not less than ten (10) calendar days immediately prior to the date of hearing and continuing until the day prior to the hearing;

(2) by publication in the Comprehensive City Planning Calendar distributed not less than ten (10) calendar days prior to the date of hearing;

(3) by [mailing] transmitting notice to the concerned community board or community boards Borough President and borough board and to the applicant not less than ten (10) calendar days prior to the date of hearing;

(4) for all actions that result in acquisition of property by the City, other than by lease, whether by condemnation or otherwise, the applicant shall notify the owner or owners of the property in question by mail to the last known address of such owner or owners, as shown

on the City's tax records, not later than five (5) days prior to the date of hearing. An affidavit attesting to the mailing and a copy of the notice shall be submitted to the Department of City Planning prior to the Commission's public hearing.

(e) *Posting of notices for hearings on the disposition of occupied city-owned residential buildings.* For any application involving disposition of a city-owned residential building, which at the time of application is occupied by tenants, the applicant shall post notice of the Commission public hearing as [in the manner] discussed below:

(1) at least eight (8) days prior to the Commission public hearing a notice, on a form provided by the Department of City Planning, shall be posted by the applicant in the building subject to the application, informing the tenants of the proposed action and the right of the public to appear at the Commission hearing and testify; and

(2) such notice shall be posted in common public space on the ground floor of the building accessible to all building tenants; and

(3) the applicant will file with the Department of City Planning an affidavit attesting to the posting of the notice and date and specific location where the notice was posted. The affidavit shall be signed by the person posting the notice.

(f) *Conduct of hearing.*

(1) *Location.* Commission public hearings shall be held at 120 Broadway, New York, NY [in City Hall], unless otherwise ordered by the Chair.

(2) *General Character.* Hearings shall be legislative type hearings, without sworn testimony, strict rules of evidence or opportunity for speakers to cross-examine one another. Only members of the Commission may question a speaker (except at a joint Commission/CEQR hearing at which officers of the lead agency and the office of Environmental Coordination may also ask questions). All persons filling out an appearance form shall be given the opportunity to speak. The chairperson may prescribe a uniform limited time for each speaker.

(3) *Quorum.* A public hearing shall require a quorum of a majority of the members of the Commission.

(g) *Commission actions.*

(1) *Scope of action.* The Commission shall approve, approve with modifications or disapprove each application.

(2) *Vote.* The Commission shall act by the affirmative roll call vote of at least seven (7) members at a public meeting, except that pursuant to Charter § 197-c, subsection h, approval or approval with modifications of an application relating to a new city facility for site selection for capital projects, the sale, lease (other than the lease of office space), exchange or other disposition of the real property of the City, including sale or lease of land under water pursuant to § 1602, Chapter 15 of the Charter or other applicable provisions of law; or acquisitions by the City of real property (other than the acquisition of office space for office use or a building for office use), including acquisition by purchase, condemnation, exchange or lease and including the acquisition of land under water pursuant to § 1602, Chapter 15 and other applicable provisions of law, shall require the affirmative vote of nine members of the Commission if the affected Borough President:

(i) recommends against approval of such application pursuant to subdivision g of Charter § 197-c; and

(ii) has proposed an alternative location in the same borough for such new facility pursuant to subdivision f or g of Charter § 204.

(3) *Commission report.* A report of the Commission shall be written with respect to each application subject to this procedure on which a vote has been taken. The report shall include:

(i) a description of the certified application;

(ii) a summary of testimony at all Commission public hearings held on the application;

(iii) [a copy of] all community board, Borough President or borough board written recommendations concerning the application;

(iv) the consideration leading to the Commission's action, including reasons for approval and any modification of the application and reasons for rejection by the Commission of community board, Borough President or borough board recommendations;

(v) any findings and consideration with respect to environmental impacts as required by the State Environmental Quality Review Act and regulations;

(vi) the action of the Commission, including any modification of the application;

(vii) the votes of individual Commissioners;

(viii) any dissenting opinions.

(4) *Filing of decisions of the Commission.* The City Planning Commission shall file [copies of] its decision with the affected Borough President and with the City Council. All filings with the Council shall include all associated community board, Borough President or borough board recommendations. The Commission shall [mail a copy of] transmit any decision to the applicant and to the community board or community boards, and borough board to which the application was referred. Filings with the City Council and Borough President shall be completed within the Commission's sixty (60) day time period.

(5) *Review of Council modifications.* The Commission shall receive from the City Council during its fifty (50) day period for review [copies of] the text of any proposed modification to the Commission's prior approval of an action. Upon receipt the Commission shall have fifteen (15) days to review and to determine:

(i) in consultation with the Office of Environmental Coordination and lead agency as necessary, whether the modification may result in any significant adverse environmental effects which were not previously addressed; and

(ii) whether the modification requires the initiation of a new application. In making this determination, the Commission shall consider whether the proposed modification:

(A) increases the height, bulk, envelope or floor area of any building or buildings, decreases open space, or alters conditions or major elements of a site plan in actions (such as a zoning special permit) which require the approval or limitation of these elements;

(B) increases the lot size or geographic area to be covered by the action;

(C) makes necessary additional waivers, permits, approvals, authorizations or certifications under sections of the Zoning Resolution, or other laws or regulations not previously acted upon in the application; or

(D) adds new regulations or deletes or reduces existing regulations or zoning restrictions that were not part of the subject matter of the earlier hearings at the community board or Commission. If the Commission has determined that no additional review is necessary and that, either, no significant environmental impacts will result or that possible environmental impacts can be addressed in the time remaining for Commission and Council review, it shall so report to the Council. The Commission may also transmit any comment or recommendation with respect to the substance of the modification, and any proposed further amendment to the modification which it deems as necessary or appropriate. If the Commission has determined that the proposed modification will require a supplementary environmental review or the initiation of a new application, it shall so advise the Council in a written statement which includes the reasons for its determination.

(6) *Zoning Resolution text amendments pursuant to Charter §§ 200 and 201.* Applications for amendments to the text of the Zoning Resolution pursuant to Charter § 200 or § 201 shall be subject to the provisions of this paragraph (g).

\* \* \*

**§ 2-08 Board of Standards and Appeals.**

(a) *Variance and special permit applications.*

(1) *Filing and referral.* An application for a variance of the Zoning Resolution or for a special permit which under the Zoning Resolution is within the jurisdiction of the Board of Standards and Appeals shall be filed with the Board of Standards and Appeals. In accordance with the rules of Practice and Procedures [;](Chapter 1 of the Board of Standards and Appeals rules)[;], the Board of Standards and Appeals shall refer the application to the community board within which district the site is located or, in the case of an application involving a site located within two or more community districts, to the community boards for such districts and to the borough board for the appropriate borough. The Commission, as a party to a proceeding to vary the Zoning Resolution, shall be provided [served with] all [papers] materials in such proceeding by the Board of Standards and Appeals. Upon the filing with a community board, or with two or more community boards and a borough board, of an application for a variance or a special permit under the jurisdiction of the Board of Standards and Appeals, such community board or community boards and borough board shall review such application pursuant to §§ 2-03 and 2-05 herein.

(2) *Community board waiver or recommendation.* In the case of an application to vary the Zoning Resolution or for a special permit under the jurisdiction of the Board of Standards and Appeals, a community board may waive in writing the holding of a public hearing and the adoption of a written recommendation. The community board recommendation or waiver shall be referred to the Board of Standards and Appeals, the Commission and, in the case of an application which was referred to two or more community boards and a borough board, to such borough board. Upon action by or expiration of time to act on an application for each concerned community board and when appropriate, action by or expiration of time to act for an affected borough board, the Board of Standards and Appeals may proceed to review the application and to make a decision.

(3) *Borough board review.* In the case of an application to vary the Zoning Resolution or for a special permit pursuant to the Zoning Resolution under the jurisdiction of the Board of Standards and Appeals, a borough board may waive in writing the holding of a public hearing and the adoption of a written recommendation. After action by or expiration of time to act for all affected community boards if subject to borough board review, and upon receipt of a waiver or recommendation from a borough board or expiration of the thirty (30) day time limit for borough board review, the Board of Standards and Appeals may proceed to review the application and to make a decision.

(b) *City Planning Commission review.* Appearance in Variance Proceeding – In the case of an application to the Board of Standards and Appeals for a variance of the Zoning Resolution, the Commission may appear before the Board of Standards and Appeals and be heard as a party in the variance proceeding if, in the Commission’s judgment, granting the relief requested in such application would violate the requirements of the Zoning Resolution which relate to the granting of variances.

**§ 2-09 Administrative Provisions.**

(a) *Referrals and filings.* Unless otherwise provided herein, any referrals and filings required under this chapter shall be directed to the entities below [made by hand delivery or first class mail] as follows:

(1) if to the Commission, then through the Department of City Planning’s website or, alternatively, to the Land Use Review Division, Department of City Planning, 120 Broadway, 31<sup>st</sup> Floor [Room 2E, 22 Reade Street], New York, NY 10271[007-1216];

(2) if to a community board, then to the chairperson of such community board at its office or, if there is no office or if no office address is provided to the Land Use Review Division, Department of City Planning, then to such board c/o the Borough President of the borough in question;

(3) if to a borough board, then to such borough board c/o the Borough President of the borough in question;

(4) if to the Board of Standards and Appeals, then to the Secretary of the Board of Standards and Appeals, 11th Floor, 161 Avenue of the Americas, New York, NY 10013;

(5) if to the City Council then to the Office of the Speaker City Council, City Hall, New York, NY.

(b) *Time provisions.*

(1) *Expiration dates.* Where the expiration of a time period set forth herein falls on a Saturday, Sunday or legal holiday, the expiration date shall be deemed extended until the next working day.

(2) *Determination.* All time periods specified in these regulations shall be calendar days. The commencement and end of time periods shall be recorded and officially calculated and determined by the Director of City Planning.

[(c) *Transition.* Any application which has been voted upon by the community board and borough board, if required, and the recommendation concerning which has been received by the Department of City Planning prior to May 2, 1990 shall not be subject to these provisions, but shall rather be subject to the procedures in effect prior to May 2, 1990, which procedures shall remain in effect for that category of actions until June 30, 1990. In accordance with § 1152d(6)(b) of the Charter the time period for receiving any application referred to a Borough President in the month of May, 1990 shall be extended until June 30, 1990, at which time it shall be transmitted to the Commission.]

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**Chapter 3: Fees and Contributions**

**Subchapter A: City Environmental Quality Review (CEQR) (Department of City Planning and Department of Environmental Protection)**

**§ 3-01 Fee for CEQR Applications.**

Except as specifically provided in this section, every application made pursuant to Executive Order 91 and Chapter 5 of these rules [shall include] requires a non-refundable fee which shall be submitted to the lead agency for the action or to an agency that could be the lead agency pursuant to § 5-03 of the rules of the Commission. [, and shall be in the form of a check or money order made out to the “City of New York”] The fee for an application shall be as prescribed in the following Schedule of Charges, § 3-02 of these rules. The fee for modification for an action, which modification is not subject to § 197-c of the New York City Charter shall be twenty percent of the amount prescribed in the Schedule of Charges for an initial application. The fee for any modification for an action, which is subject to § 197-c of the New York City Charter shall be the amount set forth in the Schedule of Charges (§ 3-02) as if the modification were an initial application for the action. Where the fee for an application is set pursuant to § 3-02(a), and the square footage of the proposed modification is different from the square footage of the original action, the fee for an application for the modification shall be based upon the square footage of the modified action or as set forth in § 3-02(b), as determined by the lead agency. Agencies of the Federal, State or City governments shall not be required to pay fees, nor shall a neighborhood, community or similar association consisting of local residents or homeowners organized on a non-profit basis be required to pay fees, if the proposed action for purposes of CEQR review consists of a zoning map amendment for an area of at least two blocks in size, in which one or more of its members or constituents reside. Fees shall be paid in the forms indicated on the Department of City Planning’s website when the application is filed [, and these fees may not be combined in one check of money order with fees required pursuant to other land use applicants submitted to the Department of City Planning or the City Planning Commission.]. No application shall be processed by the lead agency until the fee has been paid [and twenty-five copies of the application have been filed with the lead agency].

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**Subchapter B: Uniform Land Use Review (ULURP)**

**§ 3-06 Fees for Applications Pursuant to City Charter § 197-c and Other Applications.**

Except as specifically provided in this section, every type of application listed in Section 3.07, Schedule of Charges, shall include a non-returnable fee which shall be paid in the forms indicated on the Department of City Planning’s website when the application is filed

[by check or money order made out to the City of New York]. The fee for an initial application, or for a modification, renewal or follow-up action, shall be as prescribed in the following Schedule of Charges, provided that if an applicant simultaneously submits applications for several actions relating to the same project, the maximum fee imposed shall be two hundred percent of the single highest fee, provided that such maximum fee limitation shall not apply to supplemental fees. An additional fee shall be charged for any applications later filed in relation to the same project, while such project is pending review and determination. Agencies of the Federal, State or City governments shall not be required to pay fees nor shall any fees be charged if a neighborhood, community or similar association consisting of local residents or homeowners organized on a non-profit basis applies for a zoning map amendment for an area of at least two blocks in size, in which one or more of its members or constituents reside.

\* \* \*

#### **§ 5-05 Environmental Review Procedures.**

##### **(a) Threshold Determination.**

(1) In the case of any action for which a lead agency is prescribed by § 5-03 of these rules, and thus for which no agreement among involved agencies is necessary, only such lead agency may determine that such action, considered in its entirety, requires environmental review, and such determination shall be binding upon the City. The OEC shall, upon the request of such agency, assist in such determination.

(2) In the case of any action for which agreement among involved agencies is necessary for selection of a lead agency, if an agency that could be the lead agency for the particular action pursuant to Subdivisions (b) through (g) of § 5-03 of these rules determines that such action may require environmental review, then the lead agency shall be agreed upon as provided in § 3 of these rules, and such lead agency shall determine whether such action, considered in its entirety, requires environmental review. Such determination shall be binding upon the city. The OEC shall assist in any determination made pursuant to this paragraph upon the request of the agency making such determination.

(3) Nothing contained in this subdivision shall be construed to require an affirmative determination, whether formal or informal, that an action is exempt from environmental review, or is a Type II action pursuant to the SEQRA Regulations, where such determination would not otherwise be required by law.

##### **(b) Other Determinations.**

(1) After the determination that an action requires environmental review, the lead agency shall notify the OEC that it is commencing environmental review and complete or cause to be completed the standardized environmental assessment statement provided by the OEC. Such statement shall provide guidance in determining whether the action may have a significant effect on the environment. The OEC and interested and involved agencies shall, upon the request of the lead agency, assist the lead agency in completing such statement.

(2) The OEC and interested and involved agencies shall, upon the request of the lead agency, assist such lead agency with respect to any aspect of a determination of significance and/or a draft, final and/or supplemental environmental impact statement.

(3) Whenever, in the preparation of a draft environmental impact statement, the lead agency identifies a potential significant impact, the lead agency shall consult with any agency that has primary jurisdiction to carry out possible mitigations, and with any city agency that has primary regulatory jurisdiction over the subject matter of such impact.

(4) Lead agencies shall [send/transmit] copies of the following to the OEC upon issuance: notifications of commencement of environmental review, determinations of significance (including completed environmental assessment statements), draft and final scopes, draft and final environmental impact statements. In addition, lead agencies shall forward to the OEC significant supporting documentation comprising the official records of environmental reviews.

(c) *Type II.* The following actions are not subject to review under City Environmental Quality Review, the State Environmental Quality Review Act (Environmental Conservation Law, Article 8) or the SEQRA Regulations, subject to § 5-05(d) of these rules:

(1) Special permits for physical culture or health establishments of up to 20,000 gross square feet, pursuant to § 73-36 of the Zoning Resolution;

(2) Special permits for radio and television towers, pursuant to § 73-30 of the Zoning Resolution;

(3) Special permits for ambulatory diagnostic or treatment health care facilities, pursuant to § 73-125 of the Zoning Resolution;

(4) Special permits to allow a building or other structure to exceed the height regulations around airports, pursuant to § 73-66 of the Zoning Resolution;

(5) Special permits for the enlargement of buildings containing residential uses by up to 10 units, pursuant to § 73-621 of the Zoning Resolution;

(6) Special permits for eating and drinking establishments of up to 2,500 gross square feet with accessory drive-through facilities, pursuant to § 73-243 of the Zoning Resolution;

(7) Acquisition or lease disposition of real property by the City, not involving a change of use, a change in bulk, or ground disturbance;

(8) Construction or expansion of primary or accessory/apurtenant park structures or facilities involving less than 10,000 square feet of gross floor area;

(9) Park mapping, site selection or acquisition of less than ten (10) acres of existing open space or natural areas;

(10) Authorizations for a limited increase in parking spaces for existing buildings without parking, pursuant to § 13-442 and § 16-341 of the Zoning Resolution;

(11) Special permits for accessory off-street parking facilities, which do not increase parking capacity by more than eighty-five (85) spaces or involve incremental ground disturbance, pursuant to § 16-351 of the Zoning Resolution;

(12) Special permits for public parking garages and public parking lots, which do not increase parking capacity by more than eighty-five (85) spaces or involve incremental ground disturbance, pursuant to § 16-352 of the Zoning Resolution; and

(13) Special permits for additional parking spaces, which do not increase parking capacity by more than eighty-five (85) spaces or involve incremental ground disturbance, pursuant to § 13-45 of the Zoning Resolution.

##### **(d) Type II Prerequisites.**

(1) An action listed in § 5-05(c), which is also classified as Type I pursuant to 6 NYCRR Part 617.4, shall remain Type I and subject to environmental review.

(2) An action listed in § 5-05(c)(2)-(5), or (8) of these rules involving ground disturbance shall remain subject to environmental review, unless it is determined that any potentially significant hazardous materials impacts will be avoided.

(3) An action listed in § 5-05(c)(2), (3), (5), or (8) of these rules involving excavation of an area that was not previously excavated shall remain subject to environmental review, unless it is determined that the project site is not archaeologically sensitive.

(4) An action listed in § 5-05(c)(4) of these rules shall remain subject to environmental review, unless it is determined that any potentially significant noise impacts will be avoided.

(5) An action listed in § 5-05(c)(2), (3), (5), or (8) of these rules involving the removal or alteration of significant natural resources shall remain subject to environmental review.

(6) An action listed in § 5-05(c)(2), (4), (5), (6), (8), or (11)-(13) of these rules shall remain subject to environmental review if the project site is:

(i) wholly or partially within any historic building, structure, facility, site or district that is calendared for consideration or eligible for designation as a New York City Landmark, Interior Landmark or Scenic Landmark;

(ii) substantially contiguous to any historic building, structure, facility, site or district that is designated, calendared for consideration or eligible for designation as a New York City Landmark, Interior Landmark or Scenic Landmark; or

(iii) wholly or partially within or substantially contiguous to any historic building, structure, facility, site or district, or archaeological or prehistoric site that is listed, proposed for listing or eligible for listing on the State Register of Historic Places or National Register of Historic Places.

#### **§ 5-06 Involved and Interested Agencies; Required Circulation.**

(a) The lead agency and the OEC shall make every reasonable effort to keep involved and interested agencies informed during the environmental review process and to facilitate their participation in such process. If the City Council is involved in an action, staff of the lead agency and/or staff of the OEC shall be made available to explain determinations made by the lead agency to the City Council or the appropriate City Council committee or staff.

(b) Any written information submitted by an applicant for [purposes of a determination by the lead agency] the lead agency to determine whether an environmental impact statement will be required by law, and documents or records intended to define or substantially redefine the overall scope of issues to be addressed in any draft environmental impact statement required by law, shall be [circulated] transmitted to all affected community or borough boards, where such [circulation] transmission is required by the Charter.

(c) If the City Council is involved in an action, any written information, documents or records that are required to be [circulated] transmitted to involved agencies or to affected community boards or borough boards shall be [circulated] transmitted to the City Council.

#### **§ 5-07 Scoping.**

[Following the issuance of] After a notice of determination (positive declaration) is issued, the lead agency shall coordinate the scoping process, which shall ensure that all interested and involved agencies (including the City Council where it is interested or involved), the applicant, the OEC, community and borough boards, borough presidents and the public are able to participate. The scoping process shall include a public scoping meeting and take place in accordance with the following procedure:

(a) *Draft Scope.* Within fifteen days after [issuance of] a notice of determination (positive declaration) is issued, the lead agency shall issue a draft scope, which may be prepared by the applicant but must

be approved by the lead agency. The lead agency may consult with the OEC and other agencies prior to issuance of the draft scope.

(b) *Public Notice and Comment.* Upon issuance of the draft scope and not less than thirty nor more than forty-five days prior to the holding of the public scoping meeting, the lead agency shall publish in the City Record a notice indicating that a draft environmental impact statement will be prepared for the proposed action and requesting public comment with respect to the identification of issues to be addressed in the draft environmental impact statement. Such notice shall be in a format provided by the OEC and shall state that the draft scope and the environmental assessment statement may be obtained by any member of the public from the lead agency and/or the OEC. Such notice shall also contain the date, time and place of the public scoping meeting, shall provide that written comments will be accepted by the lead agency through the tenth day following such meeting, and shall set forth guidelines for public participation in such meeting.

(c) *Agency Notice and Comment.* Upon issuance of the draft scope and not less than thirty nor more than forty-five days prior to the holding of the public scoping meeting, the lead agency shall [circulate] transmit the draft scope and the environmental assessment statement to all interested and involved agencies (including the City Council where it is interested or involved), to the applicant, to the OEC and to agencies entitled to send representatives to the public scoping meeting pursuant to § 197-c(d) or 668(a)(7) of the Charter. Together with the draft scope and the environmental assessment statement, a letter shall be [circulated] transmitted indicating the date, time and place of the public scoping meeting, and stating that comments will be accepted by the lead agency through the tenth day following such meeting. The lead agency may consult with other agencies regarding their comments, and shall forward any written comments received pursuant to this subdivision to the OEC.

(d) *Public Scoping Meeting.* The lead agency shall chair the public scoping meeting. In addition to the lead agency, all other interested and involved agencies that choose to send representatives (including the City Council where it is interested or involved), the applicant, the OEC, and agencies entitled to send representatives pursuant to § 197-c(d) or 668(a)(7) of the Charter may participate. The meeting shall include an opportunity for the public to observe discussion among interested and involved agencies, agencies entitled to send representatives, the applicant and the OEC. Reasonable time shall be provided for the public to comment with respect to the identification of issues to be addressed in the draft environmental impact statement. The OEC shall assist the lead agency in ensuring that the public scoping meeting is conducted in an effective manner.

(e) *Final Scope.* Within thirty days after the public scoping meeting, the lead agency shall issue a final scope, which may be prepared by the applicant and approved by the lead agency. The lead agency may consult further with the OEC and other agencies prior to issuance of the final scope. Where a lead agency receives substantial new information after issuance of a final scope, it may amend the final scope to reflect such information.

(f) *Scoping of City Agency Actions.* For actions which do not involve private applications, nothing contained in these rules shall be construed to prevent a lead agency, where deemed necessary for complex actions, from extending the time frames for scoping set forth in this section, or from adding additional elements to the scoping process.

#### **§ 5-08 Applications and Fees.**

(a) *Applications.* Applications submitted for City Environmental Quality Review for actions that require such review shall be submitted to the lead agency prescribed by these rules, or to an agency that could be the lead agency for the particular action pursuant to § 5-03 of these rules. Such applications shall include information required to be obtained from applicants in order for the lead agency to complete or cause to be completed the standardized environmental assessment statement, and such other documents and additional information as the lead agency may require to make a determination of significance. In addition, except as otherwise provided in these rules, such applications shall conform to the requirements of Executive Order 91. [Applicants shall file twenty-five copies of each application.]

(b) *Fees.* Except as otherwise provided by this section, fees in effect on the effective date of these rules pursuant to Executive Order 91 and codified as § 3-02 of these rules shall continue to govern City Environmental Quality Review applications, unless the City Planning Commission shall by rule modify such fees. Such fees shall be submitted to the lead agency prescribed by these rules, or to an agency that could be the lead agency for the particular action pursuant to § 5-03 of these rules [and shall be in the form of a check or money order made out to the "City of New York"].

\* \* \*

#### **APPENDIX A TO CHAPTER 5 CITY ENVIRONMENTAL QUALITY REVIEW (CEQR) (EXECUTIVE ORDER NO. 91 OF 1977, AS AMENDED);**

§ 6-01; **Applicability.** (Except as modified by City Planning Rules, § 5-02(a) and (d).); No final decision to carry out or approve any action which may have a significant effect on the environment shall be made by any agency until there has been full compliance with the provisions of this chapter.

§ 6-02; **Definitions.** (Additional definitions, City Planning Rules § 5-02(c).); As used herein, the following terms shall have the indicated meanings unless noted otherwise: **Action.** (Modified by City Planning Rules § 5-02(c)(2).); "Action" means any activity of an agency, other than an exempt action enumerated in § 6-04 of this chapter, including but not limited to the following:

(1) non-ministerial decisions on physical activities such as construction or other activities which change the use or appearance of any natural resource or structure;

(2) non-ministerial decisions on funding activities such as the proposing, approval or disapproval of contracts, grants, subsidies, loans, tax abatements or exemptions or other forms of direct or indirect financial assistance, other than expense budget funding activities;

(3) planning activities such as site selection for other activities and the proposing, approval or disapproval of master or long range plans, zoning or other land use maps, ordinances or regulations, development plans or other plans designed to provide a program for future activities;

(4) policy making activities such as the making, modification or establishment of rules, regulations, procedures, policies and guidelines;

(5) non-ministerial decisions on licensing activities, such as the proposing, approval or disapproval of a lease, permit, license, certificate or other entitlement for use or permission to act.

**Agency.** (Inapplicable. See City Planning Rules § 5-02(a), § 5-02(c)(3)(i).); "Agency" means any agency, administration, department, board, commission, council, governing body or any other governmental entity of the City of New York, unless otherwise specifically referred to as a State or Federal agency.

**Applicant.** "Applicant" means any person required to file an application pursuant to this chapter.

**Conditional negative declaration.** "Conditional negative declaration" means a written statement prepared by the lead agencies after conducting an environmental analysis of an action and accepted by the applicant in writing, which announces that the lead agencies have determined that the action will not have a significant effect on the environment if the action is modified in accordance with conditions or alternative designed to avoid adverse environmental impacts.

**DEC.** "DEC" means the New York State Department of Environmental Conservation.

**Environment.** "Environment" means the physical conditions which will be affected by a proposed action, including land, air, water, minerals, flora, fauna, noise, objects of historic or aesthetic significance, existing patterns of population concentration, distribution or growth, and existing community or neighborhood character.

**Environmental analysis.** "Environmental analysis" means the lead agencies' evaluation of the short and long term, primary and secondary environmental effects of an action, with particular attention to the same areas of environmental impacts as would be contained in an EIS. It is the means by which the lead agencies determine whether an action under consideration may or will not have a significant effect on the environment.

**Environmental assessment form.** (Retitled *Environmental Assessment Statement*; see City Planning Rules § 5-04(c)(3).);

"Environmental assessment form" means a written form completed by the lead agencies, designed to assist their evaluation of actions to determine whether an action under consideration may or will not have a significant effect on the environment.

**Environmental impact statement (EIS).** "Environmental impact statement (EIS)" means any written document prepared in accordance with §§ 6-08, 6-10, 6-12 and 6-13 of this chapter. An EIS may either be in a draft or a final form.

**Environmental report.** "Environmental report" means a report to be submitted to the lead agencies by a non-agency applicant when the lead agencies prepare or cause to be prepared a draft EIS for an action involving such an applicant. An environmental report shall contain an analysis of the environmental factors specified in § 6-10 of this chapter as they relate to the applicant's proposed action and such other information as may be necessary for compliance with this chapter, including the preparation of an EIS.

**Lead agencies.** (Inapplicable, City Planning Rules § 5-02(a). Superseded by City Planning Rules § 5-02(b)(1) and § 5-02(c)(3)(vi); also see City Planning Rules § 5-03 for choice of lead agency.);

**Ministerial action.** "Ministerial action" means an action performed upon a given state of facts in a prescribed manner imposed by law without the exercise of any judgment or discretion as to the propriety of the action, although such law may require, in some degree, a construction of its language or intent.

**Negative declaration.** "Negative declaration" means a written statement prepared by the lead agencies after conducting an environmental analysis of an action which announces that the lead agencies have determined that the action will not have a significant effect on the environment.

**Notice of determination.** (See also City Planning Rules § 5-02(c)(3)(iii).); "Notice of determination" means a written statement prepared by the lead agencies after conducting an environmental analysis of an action which announces that the lead agencies have determined that the action may have a significant effect on the environment, thus requiring the preparation of an EIS.

**NYCRR.** (See also City Planning Rules § 5-02(c)(3)(viii).); "NYCRR"



means the New York Code of Rules and Regulations.

**Person.** "Person" means an agency, individual, corporation, governmental entity, partnership, association, trustee or other legal entity.

**Project data statement.** *(Inapplicable, City Planning Rules § 5-02(a). Superseded by Environmental Assessment Statement, see City Planning Rules § 5-04(c)(3). See also City Planning Rules § 5-05(b)(1) and § 5-08(a.).)*

**SEQRA.** "SEQRA" means the State Environmental Quality Review Act (Article 8 of the New York State Environmental Conservation Law).

**Typically associated environmental effect.** "Typically associated environmental effect" means changes in one or more natural resources which usually occur because of impacts on other such resources as a result of natural interrelationships or cycles.

**ULURP.** "ULURP" means the Uniform Land Use Review Procedure (§ 197-c of Chapter 8 of the New York City Charter).

**§ 6-03; Actions Involving Federal or State Participation.** (a) *(See also City Planning Rules § 5-04(e));* If an action under consideration by an agency may involve a "major federal action significantly affecting the quality of the human environment under the National Environmental Policy Act of 1969," then the following procedures shall apply:

(1) in the case of an action for which there has been duly prepared both a draft EIS and a final EIS, no agency shall have an obligation to prepare an EIS or to make findings pursuant to § 6-12 of this chapter.

(2) in the case of an action for which there has been prepared a Negative Declaration or other written threshold determination that the action will not require a federal impact statement under the National Environmental Policy Act of 1969, the lead agencies shall determine whether or not the action may have a significant effect on the environment pursuant to this chapter, and the action shall be fully subject to the same.

(b) *(Inapplicable, City Planning Rules § 5-02(a). Entire subdivision (b) superseded by City Planning Rules § 5-03(j); and § 5-04(d).);*

§ 6-04&dagger; **Exempt Actions.** (See also City Planning Rules § 5-02(d).); The following actions shall not be subject to the provisions of this chapter:

(a) projects or activities classified as Type I pursuant to § 6-15 of this chapter directly undertaken or funded by an agency prior to June 1, 1977 except that if such action is sought to be modified after June 1, 1977, which modification may have a significant adverse effect on the environment, then such modification shall be an action fully subject to the requirements of this chapter;

(1) such actions include, but are not limited to, those actions defined in § 6-02 "Action" (1), (2), (3) and (4) of this chapter;

(2) an action shall be deemed to be undertaken at the point that:

(i) the agency is irreversibly bound or committed to the ultimate completion of a specifically designed activity or project; or

(ii) in the case of construction activities, a contract for substantial construction has been entered into or if a continuous program of on-site construction or modification has been engaged in; or

(iii) the agency gives final approval for the issuance to an applicant of a discretionary contract, grant, subsidy, loan or other form of financial assistance; or

(iv) in the case of an action involving federal or state participation, a draft EIS has been prepared pursuant to the National Environmental Policy Act of 1969 or SEQRA, respectively.

(b) projects or activities classified as Type I pursuant to § 6-15 of this chapter approved by an agency prior to September 1, 1977 except that if such action is sought to be modified after September 1, 1977, which modification may have a significant adverse effect on the environment, then such modification shall be an action fully subject to the requirements of this chapter;

(1) such actions include, but are not limited to, those actions defined in § 6-02 "Action" (2) and (5) of this chapter;

(2) an action shall be deemed to be approved at the point that:

(i) the agency gives final approval for the issuance to an applicant of a discretionary contract, grant, subsidy, loan or other form of financial assistance; or

(ii) the agency gives final approval for the issuance to an applicant of a discretionary lease, permit, license, certificate or other entitlement for use or permission to act; or

(iii) in the case of an action involving federal or state participation, a draft EIS has been prepared pursuant to the National Environmental Policy Act of 1969 or SEQRA, respectively.

(c) projects or activities not otherwise classified as Type I pursuant to § 6-15 of this chapter directly undertaken, funded or approved by an agency prior to November 1, 1978 except that if such action is sought to be modified after November 1, 1978, which modification may have a significant adverse effect on the environment, then such modification shall be an action fully subject to the requirements of this chapter;

(1) such actions include, but are not limited to, those actions defined in § 6-02 "Action" of this chapter;

(2) an action shall be deemed to be undertaken as provided in paragraphs (a)(2) and (b)(2) of this section, as applicable.

(d) enforcement or criminal proceedings or the exercise of prosecutorial discretion in determining whether or not to institute such proceedings;

(e) *(See City Planning Rules § 5-02(d).);* ministerial actions, which

shall appear on a list compiled, certified and made available for public inspection by the lead agencies, except as provided in § 6-15(a), Type I, of this chapter, relating to critical areas and historic resources;

(f) maintenance or repair involving no substantial changes in existing structures or facilities;

(g) actions subject to the provisions requiring a certificate of environmental compatibility and public need in Article 7 and 8 of the Public Service Law;

(h) actions which are immediately necessary on a limited emergency basis for the protection or preservation of life, health, property or natural resources; and

(i) actions of the Legislature of the State of New York or of any court.

**§ 6-05; Determination of Significant Effect - Applications.**

(a) *(Inapplicable, City Planning Rules § 5-02(a). Superseded by City Planning Rules § 5-05(a). See also City Planning Rules § 5-02(b)(2) and § 5-02(d).);*

(b) *(Introductory paragraph inapplicable, City Planning Rules § 5-02(a). Paragraph (b) superseded by City Planning Rules § 5-08.);* The applicant initiating the proposed action, other than an exempt or Type II action pursuant to § 6-04 of this chapter, shall file an application with the lead agencies, which application shall include a Project Data Statement and such other documents and additional information as the lead agencies may require to conduct an environmental analysis to determine whether the action may or will not have a significant effect on the environment. Where possible existing City applications shall be modified to incorporate this procedure and a one-stop review process developed;

(1) within 20 calendar days of receipt of a determination pursuant to § 6-03(b) of this chapter, if applicable, the lead agencies shall notify the applicant, in writing, whether the application is complete or whether additional information is required;

(2) *(Determination pursuant to § 5-03(b) deemed to refer to lead agency selection pursuant to City Planning Rules § 5-03. See City Planning Rules § 5-02(b)(3).);* when all required information has been received, the lead agencies shall notify the applicant, in writing, that the application is complete.

(c) Each application shall include an identification of those agencies, including Federal or State agencies, which to the best knowledge of the applicant, have jurisdiction by law over the action or any portion thereof.

(d) Where appropriate, the application documents may include a concise statement or reasons why, in the judgment of the applicant, the proposed action is one which will not require the preparation of an EIS pursuant to this chapter.

(e) Initiating applicants shall consider the environmental impacts of proposed actions and alternatives at the earliest possible point in their planning processes, and shall develop wherever possible, measures to mitigate or avoid adverse environmental impacts. A statement discussing such considerations, alternatives and mitigating measures shall be included in the application documents.

(f) Nothing in this section shall be deemed to prohibit an applicant from submitting a preliminary application in the early stages of a project or activity for review and comment by the lead agencies.

**§ 6-06 Determination of Significant Effect - Criteria.** (a) An action may have a significant effect on the environment if it can reasonably be expected to lead to one of the following consequences:

(1) a substantial adverse change to ambient air or water quality or noise levels or in solid waste production, drainage, erosion or flooding;

(2) the removal or destruction of large quantities of vegetation or fauna, the substantial interference with the movement of any resident or migratory fish or wildlife species, impacts on critical habitat areas, or the substantial affecting of a rare or endangered species of animal or plant or the habitat of such a species;

(3) the encouraging or attracting of a large number of people to a place or places for more than a few days relative to the number of people who would come to such a place absent the action;

(4) the creation of a material conflict with a community's existing plans or goals as officially approved or adopted;

(5) the impairment of the character or quality of important historical, archeological, architectural or aesthetic resources (including the demolition or alteration of a structure which is eligible for inclusion in an official inventory of such resources), or of existing community or neighborhood character;

(6) a major change in the use of either the quantity or type of energy;

(7) the creation of a hazard to human health or safety;

(8) a substantial change in the use or intensity of use of land or other natural resources or in their capacity to support existing uses, except where such a change has been included, referred to, or implicit in a broad "programmatic" EIS prepared pursuant to § 6-13 of this chapter.

(9) the creation of a material demand for other actions which would result in one of the above consequences;

(10) changes in two or more elements of the environment, no one of which is substantial, but taken together result in a material change to the environment.

(b) *(Reference to § 6-15 Type II list, deemed to be State Type II list of 6 NYCRR Part 617.13. See City Planning Rules § 5-02(b)(2).);* For the purpose of determining whether an action will cause one of the

foregoing consequences, the action shall be deemed to include other contemporaneous or subsequent actions which are included in any long-range comprehensive integrated plan of which the action under consideration is a part, which are likely to be undertaken as a result thereof, or which are dependent thereon. The significance of a likely consequence (i.e. where it is material, substantial, large, important, etc.) should be assessed in connection with its setting, its probability of occurring, its duration, its irreversibility, its controllability, its geographic scope and its magnitude (i.e. degree of change or its absolute size). Section 6-15 of this chapter refers to lists of actions which are likely to have a significant effect on the environment and contains lists of actions found not to have a significant effect on the environment.

§ 6-07; **Determination of Significant Effect – Notification.** (a) (Error. Reference to § 6-05(a) should be to § 6-05(b).) The lead agencies shall determine within 15 calendar days following notification of completion of the application pursuant to § 6-05(a) of this chapter whether the proposed action may have a significant effect on the environment;

(1) (Reference to § 6-15(b) Type II list, deemed to be State Type II list of 6 NYCRR Part 617.13. See City Planning Rules § 5-02(b)(2).); In making their determination, the lead agencies shall employ the Environmental Assessment Form, apply the criteria contained in § 6-06 and consider the lists of actions contained in § 6-15 of this chapter;

(2) The lead agencies may consult with, and shall receive the cooperation of any other agency before making their determination pursuant to this subdivision (a).

(b) The lead agencies shall provide written notification to the applicant immediately upon determination of whether the action may or will not have a significant effect on the environment. Such determination shall be in one of the following forms:

(1) **Negative Declaration.** (Reference to § 6-15, Type II list, deemed to be State Type II list of 6 NYCRR Part 617.13 See Rules § 5-02(b)(2).); If the lead agencies determine that the proposed action is not an exempt action or a Type II action pursuant to §§ 6-04 and 6-15 of this chapter, respectively, and that the action will not have a significant effect on the environment, they shall issue a Negative Declaration which shall contain the following information:

- (i) an action identifying number;
- (ii) a brief description of the action;
- (iii) the proposed location of the action;
- (iv) a statement that the lead agencies have determined that the action will not have a significant effect on the environment;
- (v) a statement setting forth the reasons supporting the lead agencies' determination.

(2) **Conditional Negative Declaration.** (Reference to § 6-15, Type II list, deemed to be State Type II list of 6 NYCRR Part 617.13. See City Planning Rules § 5-02(b)(2).); If the lead agencies determine that the proposed action is not an exempt action or a Type II action pursuant to §§ 6-04 and 6-15 of this chapter, respectively, and that the action will not have a significant effect on the environment if the applicant modifies its proposed action in accordance with conditions or alternatives designed to avoid adverse environmental impacts, they shall issue a Conditional Negative Declaration which shall contain the following information (in addition to the information required for a Negative Declaration pursuant to paragraph (1) of this subdivision):

- (i) a list of conditions, modifications or alternatives to the proposed action which supports the determination;
- (ii) the signature of the applicant or its authorized representative, accepting the conditions, modifications or alternatives to the proposed action;
- (iii) a statement that if such conditions, modifications or alternatives are not fully incorporated into the proposed action, such Conditional Negative Declaration shall become null and void. In such event, a Notice of Determination shall be immediately issued pursuant to paragraph (3) of this subdivision.

(3) **Notice of Determination.** (Reference to § 6-15 Type II list, deemed to be State Type II list of 6 NYCRR Part 617.13. See City Planning Rules § 5-02(b)(2).); If the lead agencies determine that the proposed action is not an exempt action or a Type II action pursuant to §§ 6-04 and 6-15 of this chapter, respectively, and that the action may have a significant effect on the environment, they shall issue a Notice of Determination which shall contain the following information:

- (i) an action description number;
- (ii) a brief description of the action;
- (iii) the proposed location of the action;
- (iv) a brief description of the possible significant effects on the environment of the action;
- (v) a request that the applicant prepare or cause to be prepared, at its option, a draft EIS in accordance with §§ 6-08 and 6-12 of this chapter.

(c) (See additional circulation provisions, City Planning Rules § 5-06(b) and § 5-06(c). City Clerk function transferred to Office of Environ. Coord., City Planning Rules § 5-02(b)(4).); The lead agencies shall make available for public inspection the Negative Declaration, Conditional Negative Declaration or the Notice of Determination [, as the case may be,] and [circulate copies of] transmit the same to the applicant, the regional director of the DEC, the commissioner of DEC, the appropriate Community Planning Board(s), the City Clerk, and all other agencies, including Federal and State agencies, which may be involved in the proposed action.

### § 6-08 Draft Environmental Impact Statements – Responsibility for Preparation. (a) Non-agency applicants.

(1) (Rules add formal scoping, City Planning Rules § 5-07. Interested and involved agencies assist with DEIS on request. See City Planning Rules § 5-05(b)(2).); After receipt of a Notice of Determination pursuant to § 6-07(c)(3) of this chapter, a non-agency applicant shall notify the lead agencies in writing as to whether it will exercise its option to prepare or cause to be prepared a draft EIS, and as to whom it has designated to prepare the draft EIS, provided that no person so designated shall have an investment or employment interest in the ultimate realization of the proposed action;

(2) (See also City Planning Rules § 5-05(b)(3) for requirements of lead consultation on mitigations.); the lead agencies may prepare or cause to be prepared a draft EIS for an action involving a non-agency applicant. In such event, the applicant shall provide, upon request, an environmental report to assist the lead agencies in preparing or causing to be prepared the draft EIS and such other information as may be necessary. All agencies shall fully cooperate with the lead agencies in all matters relating to the preparation of the draft EIS.

(3) if the non-agency applicant does not exercise its option to prepare or cause to be prepared a draft EIS, and the lead agencies do not prepare or cause to be prepared such draft EIS, then the proposed action and review thereof shall terminate.

(b) **Agency applicants.**

(1) When an action which may have a significant effect on the environment is initiated by an agency, the initiating agency shall be directly responsible for the preparation of a draft EIS. However, preparation of the draft EIS may be coordinated through the lead agencies.

(2) (See City Planning Rules § 5-05(b)(3) for requirements of lead consultation on mitigations.); All agencies, whether or not they may be involved in the proposed action, shall fully cooperate with the lead agencies and the applicant agency in all matters relating to the coordination of the preparation of the draft EIS.

(c) Notwithstanding the provisions contained in subdivisions (a) and (b) of this section, when a draft EIS is prepared, the lead agencies shall make their own independent judgment of the scope, contents and adequacy of such draft EIS.

§ 6-09 **Environmental Impact Statements – Content.** (a) (Lead to be guided by technical standards and methodologies developed by Office of Environ. Coord., City Planning Rules § 5-04(c).); Environmental impact statements should be clearly written in a brief and concise manner capable of being read and understood by the public. Within the framework presented in subdivision (d) of this section, such statements should deal only with the specific significant environmental impacts which can be reasonably anticipated. They should not contain more detail than is appropriate considering the nature and magnitude of the proposed action and the significance of its potential impacts.

(b) All draft and final EIS's shall [be preceded by] include a cover [sheet] page stating:

- (1) whether it is a draft or a final;
- (2) the name or other descriptive title of the action;
- (3) the location of the action;
- (4) the name and address of the lead agencies and the name and telephone number of a person at the lead agencies to be contacted for further information;
- (5) identification of individuals or organizations which prepared any portion of the statement; and
- (6) the date of its completion.

(c) If a draft or final EIS exceeds ten pages in length, it shall have a table of contents[,] following the cover [sheet] page.

(d) The body of all draft and final EIS's shall contain at least the following:

- (1) a description of the proposed action and its environmental setting;
- (2) a statement of the environmental impacts of the proposed action, including its short-term and long-term effects, and typically associated environmental effects;
- (3) an identification of any adverse environmental effects which cannot be avoided if the proposed action is implemented;
- (4) a discussion of the social and economic impacts of the proposed action;
- (5) a discussion of alternatives to the proposed action and the comparable impacts and effects of such alternatives;
- (6) an identification of any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented;
- (7) a description of mitigation measures proposed to minimize adverse environmental impacts;
- (8) a description of any growth-inducing aspects of the proposed action, where applicable and significant;
- (9) a discussion of the effects of the proposed action on the use and conservation of energy, where applicable and significant;
- (10) a list of underlying studies, reports or other information obtained and considered in preparing the statement; and
- (11) (for the final EIS only) copies or a summary of the substantive comments received in response to the draft EIS and the applicant's response to such comments.

(e) An EIS may incorporate by reference all or portions of other documents which contain information relevant to the statement. The

referenced documents shall be made available to the public in the same places where copies of the statement are made available. When a statement uses incorporation by reference, the referenced document shall be briefly described and its date of preparation provided.

#### § 6-10 Draft Environmental Impact Statements – Procedures.

(a) *Notice of Completion.* Upon the satisfactory completion of a draft EIS, the lead agencies shall immediately prepare, file and make available for public inspection a Notice of Completion as provided in paragraphs (1), (2) and (3) of this subdivision. Where a proposed action is simultaneously subject to the Uniform Land Use Review Procedure (“ULURP”), the City Planning Commission shall not certify an application pursuant to ULURP until a Notice of Completion has been filed as provided in paragraph (3) of this subdivision.

(1) *Contents of Notice of Completion.* All Notices of Completion shall contain the following:

- (i) an action identifying number;
- (ii) a brief description of the action;
- (iii) the location of the action and its potential impacts and effects; and
- (iv) a statement that comments on the draft EIS are requested and will be received and considered by the lead agencies at their offices. The Notice shall specify the public review and comment period on the draft EIS, which shall be for not less than 30 calendar days from the date of filing and circulation of the notice, or not less than 10 calendar days following the close of a public hearing on the draft EIS, whichever last occurs.

(2) [Circulating] *Transmission, Notice of Completion.* All Notices of Completion shall be [circulated] transmitted to the following:

- (i) all other agencies, including federal and state agencies, involved in the proposed action;
- (ii) all persons who have requested it;
- (iii) the editor of the State Bulletin;
- (iv) the State clearinghouse;
- (v) the appropriate regional clearinghouse designated under the Federal Office of Management and Budget Circular A-95.

(3) *Filing Notice of Completion.* All Notices of Completion shall be filed with and made available for public inspection by the following:

- (i) the Commissioner of DEC;
- (ii) the regional director of DEC;
- (iii) the agency applicant, where applicable;
- (iv) the appropriate Community Planning Board(s);
- (v) the City Clerk;
- (vi) the lead agencies.

(b) *Filing and availability of draft EIS.* (*City clerk function transferred to OEC, City Planning Rules § 5-02(b)(4).*); All draft EIS's shall be filed with and made available for public inspection by the same persons and agencies with whom Notices of Completion must be filed pursuant to Paragraph (a)(3) of this section.

(c) *Public hearings on draft EIS.*

(1) Upon completion of a draft EIS, the lead agencies shall conduct a public hearing on the draft EIS.

(2) The hearing shall commence no less than 15 calendar days or more than 60 calendar days after the filing of a draft EIS pursuant to subdivision (b) of this section, except where a different hearing date is required as appropriate under another law or regulation.

(3) Notice of the public hearing may be contained in the Notice of Completion or, if not so contained, shall be given in the same manner in which the Notice of Completion is [circulated] transmitted and filed pursuant to subdivision (a) of this section. In either case, the notice of hearing shall also be published at least 10 calendar days in advance of the public hearing in a newspaper of general circulation in the area of the potential impact and effect of the proposed action.

(4) Where a proposed action is simultaneously subject to ULURP, a public hearing conducted by the appropriate community or borough board and/or the City Planning Commission pursuant to ULURP shall satisfy the hearing requirement of this section. Where more than one hearing is conducted by the aforementioned bodies, whichever hearing last occurs shall be deemed the hearing for purposes of this chapter.

#### § 6-11 Final Environmental Impact Statements – Procedures.

(a) (*Interested and involved agencies assist with FEIS on request, City Planning Rules § 5-05(b)(2).*); Except as provided in paragraph (1) of this subdivision, the lead agencies shall prepare or cause to be prepared a final EIS within 30 calendar days after the close of a public hearing.

(1) If the proposed action has been withdrawn or if, on the basis of the draft EIS and the hearing, the lead agencies have determined that the action will not have a significant effect on the environment, no final EIS shall be prepared. In such cases, the lead agencies shall prepare, file and [circulate] transmit a Negative Declaration as prescribed in § 6-07 of this chapter.

(2) The final EIS shall reflect a revision and updating of the matters contained in the draft EIS in light of further review by the lead agencies, comments received and the record of the public hearing.

(b) Immediately upon the completion of a final EIS, the lead agencies shall prepare, file, [circulate] transmit and make available for public inspection a Notice of Completion of a final EIS in a manner specified in § 6-11(a) of this chapter, provided, however, that the Notice shall not contain the statement described in subparagraph (a)(1)(iv) of such section.

(c) Immediately upon completion of a final EIS, [copies] it shall be filed and made available for public inspection in the same manner as

the draft EIS pursuant to § 6-11(b) of this chapter.

§ 6-12 **Agency Decision Making.** (a) No final decision to carry out or approve an action which may have a significant effect on the environment shall be made until after the filing and consideration of a final EIS.

(1) (*Inapplicable, City Planning Rules, § 5-02(a).*);

(2) (*Inapplicable, City Planning Rules, § 5-02(a).*);

(b) When an agency decides to carry out or approve an action which may have a significant effect on the environment, it shall make the following findings in a written decision:

- (1) consistent with social, economic and other essential considerations of state and city policy, from among the reasonable alternatives thereto, the action to be carried out or approved is one which minimizes or avoids adverse environmental effects to the maximum extent possible, including the effects disclosed in the relevant environmental impact statement;
- (2) consistent with social, economic and other essential considerations of state and city policy, all practicable means will be taken in carrying out or approving the action to minimize or avoid adverse environmental effects.

(c) For public information purposes, [a copy of] the Decision shall be filed in the same manner as the draft EIS pursuant to § 6-11(b) of this chapter.

#### § 6-13 Programmatic Environmental Impact Statements.

(a) Whenever possible, agencies shall identify programs or categories of actions, particularly projects or plans which are wide in scope or implemented over a long time frame, which would most appropriately serve as the subject of a single EIS. Broad program statements, master or area wide statements, or statements for comprehensive plans are often appropriate to assess the environmental effects of the following:

- (1) a number of separate actions in a given geographic area;
- (2) a chain of contemplated actions;
- (3) separate actions having generic or common impacts;
- (4) programs or plans having wide application or restricting the range of future alternative policies or projects.

(b) No further EIS's need be prepared for actions which are included in a programmatic EIS prepared pursuant to Subdivision (a) of this section. However:

- (1) a programmatic EIS shall be amended or supplemented to reflect impacts which are not addressed or adequately analyzed in the EIS as originally prepared; and
- (2) actions which significantly modify a plan or program which has been the subject of an EIS shall require a supplementary EIS;
- (3) programmatic EIS's requiring amendment and actions requiring supplementary EIS's pursuant to this section shall be processed in full compliance with the requirements of this chapter.

#### § 6-14 Rules and Regulations. (*Inapplicable, City Planning Rules § 5-02(a).*);

§ 6-15 **Lists of Actions.** (a) *Type I.* (*See City Planning Rules § 5-02(d).*); Type I actions enumerated in § 617.12 of 6 NYCRR 617 are likely to, but will not necessarily, require the preparation of an EIS because they will in almost every instance significantly affect the environment. However, ministerial actions never require the preparation of an EIS except where such actions may directly affect a critical area or an historic resource enumerated in Paragraphs (22) and (23), respectively, of Subdivision (a) of § 617.12. In addition, for the purpose of defining Paragraph (2) of said subdivision and section, the following thresholds shall apply:

- (1) relating to public institutions:
  - (i) new correction or detention centers with an inmate capacity of at least 200 inmates;
  - (ii) new sanitation facilities, including:
    - (A) incinerators of at least 250 tons per day capacity;
    - (B) garages with a capacity of more than 50 vehicles;
    - (C) marine transfer stations;
  - (iii) new hospital or health related facilities containing at least 100,000 sq. ft. of floor area;
  - (iv) new schools with seating capacity of at least 1,500 seats;
  - (v) any new community or public facility not otherwise specified herein, containing at least 100,000 sq. ft. of floor area, or the expansion of an existing facility by more than 50 percent of size or capacity, where the total size of an expanded facility exceeds 100,000 sq. ft. of floor area.
- (2) relating to major office centers: any new office structure which has a minimum of 200,000 sq. ft. of floor area and exceeds permitted floor area under existing zoning by more than 20 percent, or the expansion of an existing facility by more than 50 percent of floor area, where the total size of an expanded facility exceeds 240,000 sq. ft. of floor area.

(b) *Type II.*

(1) (*See City Planning Rules § 5-02(d).*); Type II actions will never require the preparation of an EIS because they are determined not to have a significant effect on the environment, except where such actions may directly affect a critical area or an historic resource enumerated in paragraphs (22) and (23), respectively, of subdivision (a) of § 617.12 of 6 NYCRR 617.

(2) (*Inapplicable. Replaced by State Type II list 6 NYCRR Part 617.13. See City Planning Rules § 5-02(a) and § 5-02(b)(2).*);

## Chapter 6: Rules For the Processing of Plans Pursuant To Charter Section 197-a

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### § 6-02 Plan Submission.

(a) *Notification of Intent.* To assist the Department in anticipating the need for technical assistance for the preparation of plans in the efficient scheduling of their review, the sponsor of a plan shall notify the Department of its intent to prepare and submit a plan. This notice shall be given not less than ninety (90) days prior to the submission of a proposed plan. Periodically, the Department shall report to the Commission on the notices received and on the progress of 197-a plans underway.

(b) *Submission.* [Thirty (30) copies of a] All proposed plans shall be submitted to the Department of City Planning[,] through its website or at [Intake Office, 22 Reade Street] 120 Broadway, 31<sup>st</sup> Floor, New York, NY 10271 [007]. If a plan has been initiated by a community board, borough board or Borough President, this initial submission shall include a summary record of the public hearing held by the board or Borough President. The submission shall also include the name(s) and address(es) of the person(s) designated by the sponsor to be its representative(s) in any discussions of the plan.

### § 6-03 Threshold Review and Determination.

(a) *Department Review.* Each proposed plan shall be reviewed by the Department staff who shall report to the Commission not later than 90 days after the plan's submission as to whether the plan appears to meet the standards for form and content and for consistency with sound planning, as set forth in § 6-04 of these rules. Prior to making the report, the staff shall inform the sponsor of all deficiencies with respect to form and content and any changes, additions or deletions which, in the opinion of the staff, may correct such deficiencies. The sponsor may, thereupon, indicate its willingness to make such changes, additions or deletions in which case the Department will defer its report to the Commission until the changes have been made. The sponsor may, instead, request that the plan be presented without change to the Commission for its threshold findings of form and content and sound planning policy. At the time of any Department report on a proposed plan, the Commission may receive a similar report from representatives of the sponsor.

(b) *City Planning Commission Determination.* Within 30 days after its presentation by the Department staff, the Commission shall determine, when required by the Charter and in accordance with the standards set forth in § 6-04 of these rules, whether the proposed plan is of appropriate form and sufficient content, and whether it is in accordance with sound planning policy. If the Commission has determined that a proposed plan does not meet the standards for form or content or for sound planning policy, it shall direct the plan back to the sponsor with a statement explaining its deficiencies. When the Commission has determined that a proposed plan is of appropriate form and content and is in accordance with sound planning policy, it shall direct the Department to undertake the necessary environmental review if the plan has been sponsored by a community board in accordance with Article 5 of these rules. If the plan has been sponsored by an agency other than a community board the Commission shall determine whether a Type II declaration, a negative declaration, or a notice of completion of a draft EIS has been issued, and if so, it shall direct the Department to distribute the plan in accordance with § 6-06 of these rules.

(c) *Coordination of Plan Review.* The Commission may determine that, despite its finding of appropriate form and content and sound planning policy, a proposed plan should not immediately proceed because there are other planning efforts, ULURP reviews or environmental studies underway which should be coordinated with the plan. In such a case, the Commission may direct the Department to work with the sponsor and any other interested agencies in developing an appropriate timetable and strategy for the plan, and to report back to the Commission.

(d) *Progress Report.* When 180 days has elapsed following a threshold determination pursuant to Subdivision (b), if a proposed plan has not been distributed for review either because the environmental review remains incomplete, or because the plan has been delayed pursuant to Subdivision (c), the sponsoring agency may make a written request to the Commission to expedite the plan's distribution. The Commission shall direct the Department to report in writing within a fixed period of time the progress of the plan, including any outstanding aspects of the environmental review, or any continuing problems of coordination delaying its review. Upon receipt of the report, the Commission may direct the Department to complete the review within a reasonable period of time.

\* \* \*

### § 6-06 Plan Distribution and Review.

(a) *Plan Distribution.* When pursuant to § 6-03(b) of these rules, the Commission directs the Department to distribute a proposed plan, the Department shall transmit [copies of] the plan simultaneously to all affected community boards, Borough Presidents and borough boards, as defined in Charter §§ 196 and 197-a(c). The Commission may also direct its distribution to other agencies whose interests may be affected including neighboring community boards and Borough Presidents, and any city and state agency with jurisdiction over elements of the plan.

(b) *Community Board Review.* Each community board which has received from the Department of City Planning a proposed plan

affecting land in its district shall conduct a public hearing on the plan except when a single borough-wide hearing is to be held on a borough plan. Notice of the public hearing shall be given and the hearing conducted in accordance with the ULURP rules for community board public hearings. Subsequent to the public hearing and within a period of sixty (60) days following its receipt of the plan, the community board shall transmit its written recommendation to the City Planning Commission with copies to the Borough President, City Council and the sponsor. The Community board which is the sponsor of a plan and which held a hearing on it prior to filing with the Department, need not hold a second hearing.

(c) *Borough president review.* The Borough President shall have one hundred twenty (120) days following the receipt of a proposed plan in which to review the plan and submit written recommendation to the City Planning Commission with copies to the City Council and sponsor. The Borough President may choose to conduct a public hearing on the plan.

(d) *Borough board review.* Each borough board which has received from the Department of City Planning a proposed plan affecting land in two or more community districts in its borough shall conduct a public hearing on the plan. Such public hearing shall take place and the report of the borough board shall be transmitted within one hundred twenty (120) days following its receipt of the plan. In the case of a plan affecting the entire borough, a single borough-wide public hearing may be held in lieu of separate hearings by the community boards. Notice of the public hearing shall be given and the hearing conducted in accordance with the ULURP rules governing borough board hearings. The borough board shall transmit its written recommendation to the City Planning Commission with copies to the City Council and the sponsor.

(e) *Request for review.* Any community board or borough board may make a written request to the Department to receive and review [a copy of] a proposed plan which does not involve land within its district or borough. In its request the Community board or borough board shall state the reason why the plan significantly affects the welfare of its district or borough. Upon receipt of the plan, the community board or borough board may conduct a public hearing and may make any recommendation to the City Planning Commission with copies to the City Council and sponsor. When it transmits such a plan, the Department shall notify the community board or borough board of the remaining time period during which it may review and comment on the plan.

(f) *Other requests.* A borough president may make a written request to the Department to receive and review [a copy of] a proposed plan for a district or area outside the borough. Any other interested party may similarly request a copy. Such request may be made to either the Department or the sponsor.

\* \* \*

### § 6-09 Filing, Review and Revision.

(a) *Filing.* Upon final adoption of a plan by the City Council, the plan shall be filed and indexed by the Calendar Officer of the Department. The Department shall make [copies of] the plan available for review by the public and shall transmit the plan to all affected agencies for their use.

(b) *Revision of Plans.* A plan may be periodically reviewed and revised by its sponsor or the Commission may initiate such review. Any such revision may be presented for adoption as an amendment to the plan in accordance with the procedures set forth in these rules.

(c) *Summary of Plans.* In each Zoning and Planning Report adopted pursuant to Charter § 192(b), the Commission shall include a summary of all 197-a plans adopted during the preceding four years.

\* \* \*

## Chapter 8: Rules For the Processing of Applications For Permitted Parking Pursuant To Section 93-82 of the Zoning Resolution

### § 8-01 Purpose.

These rules of procedure are established for the review of applications for certification to allow permitted parking pursuant to S[ection 93-82 of the Zoning Resolution (ZR).

### § 8-02 Pre-Filing Process.

#### (a) Pre-Filing Review.

(i) The applicant shall submit for review a draft application [which draft application may be submitted electronically or in hard copy. Such draft application] which shall include zoning calculations for the site from which the number of permitted spaces for the site may be ascertained. Such draft applications shall be submitted to the Department of City Planning, [c/o] Director of the Department's Manhattan Office (hereinafter, "Director"). [by mail to: New York City Department of City Planning, New York, NY 10007 or by email to: HYParking@planning.nyc.gov.] Upon receipt, the Director shall record the date and time of receipt. All applications shall be reviewed for completeness in order of receipt.

(ii) The Department, acting by and through the Director, shall review each application for accuracy and completeness in order of receipt. The Director shall notify the applicant whether or not the application is complete and may be filed in accordance with the provisions of § 8-03, or whether the application is inaccurate or incomplete and requires revision. Such notification may be transmitted

[mailed, faxed or emailed] to the applicant's representative, together with a specification of the portions of the application which are inaccurate or incomplete and require revision, if applicable.

(iii) The Director shall record the date and time of receipt of any revised draft application submitted in response to a notification provided under Subparagraph (ii). A revised draft application shall be reviewed for completeness in order of receipt and the applicant's representative shall be notified of the Director's determination, pursuant to the procedure set forth Subparagraph (ii) of this Section.

#### **§ 8-03 Filing of Applications.**

(a) *Filing.* Following notification pursuant to §8-02(a) (ii) that a draft application is complete, the applicant shall file [nine (9) copies of] the application pursuant to § 10-09. [at] with the Department of City Planning, Intake Office, 22 Reade Street, New York, NY 10007]. Applications which have not been reviewed and determined to be complete pursuant to § 8-02 shall not be accepted for filing. Applications shall not be permitted to be filed unless the fee has been paid or is paid concurrently with the submission of the application [accompanied by the payment of all applicable fees] in accordance with § 3-07(e)(4). Applications accepted for filing in accordance herewith shall be stamped by the Department with the date and time of filing.

\* \* \*

### **Chapter 9: Rules For the Processing of Applications For Certification To Allow A Limited Increase In Street Wall Width Pursuant To Section 132-51 of the Zoning Resolution**

\* \* \*

#### **§ 9-02 Pre-Filing Process.**

- (a) The applicant must submit for review a draft application [either electronically or in hard copy. Such draft application] which must include material required by the Department of City Planning ("the Department") demonstrating the information and items set forth in ZR Section 132-51. Draft applications must be submitted to the specific division of the Department that is designated on the application form for receipt of an application filed pursuant to ZR Section 132-51, by submission to [delivery or by mail to:] the division so named on the application form at the[,] New York City Department of City Planning, [, 22 Reade Street, New York, NY 10007, or by email to: RetailEC@planning.nyc.gov.] Upon receipt, the Department will record the date and time of receipt.
- (b) The Department will review each draft application for accuracy and completeness in order of receipt. The Department will notify the applicant in order of receipt whether the draft application is complete and may be filed in accordance with the provisions of § 9-03 of this title, or whether the draft application is incomplete and requires revision. Such notification will be provided via the delivery method identified by the applicant on the application form [(email, fax, or mail)], and will include a specification of the portions of the application that are incorrect or incomplete and require revision, if applicable.
- (c) The Department will record the date and time of receipt of any revised draft application submitted in response to a notification provided under subdivision (b) of this section. A revised draft application will be reviewed for completeness and the applicant will be notified of the Department's further determination in order of receipt of the revised draft application. Such notification of the Department's further determination will be provided pursuant to the procedure set forth in subdivision (b) of this section.

#### **§ 9-03 Filing of Applications.**

*Filing.* Following notification pursuant to §9-02(b) or (c) of this title that a draft application is complete, the applicant must file [nine (9) copies of] the application pursuant to § 10-09. with [at] the Department of City Planning, [Central Intake Office, 22 Reade Street, New York, NY 10007]. Applications that have not been reviewed and determined to be complete pursuant to § 9-02 will not be accepted for filing. Applications [that are not accompanied by the payment of] shall only be accepted if all applicable fees in accordance with § 3-07(e)(4) of this title has been paid or is paid concurrently with the submission of the application [will not be accepted for filing]. Applications accepted for filing in accordance with these rules will be stamped by the Department with the date and time of filing.

\* \* \*

### **Chapter 10: Pre-application Process: Submission and Meeting Participation Requirements Prior To Filing A Land Use Application Or Application For Environmental Review**

\* \* \*

#### **§ 10-04 Pre-Application Statement.**

(a) Following the issuance of a Project ID number and notification pursuant to § 10-03(d) that the provisions of this section apply, an Applicant must submit a Pre-Application Statement ("PAS") to the Department. If an Applicant submits a PAS without a Project ID number pursuant to § 10-03(e), the Department must issue the Project

ID number to such Applicant upon receipt of the PAS. A PAS consists of the PAS form and any accompanying materials required by the form. The PAS form is available on the Department's website or in hard copy from the Department. The completed PAS must be submitted [electronically, or in hard copy with the number of copies specified on the form] to the division or office of the Department indicated on the form.

(b) Within twenty (20) days of receiving an Applicant's PAS, the Department must provide the Applicant with a [return receipt by email if the Applicant provided an email address, or otherwise by email,] confirming[ation of the receipt of the PAS, and:

(1) review the PAS to determine whether it has been submitted in the proper format and clearly and fully sets forth the information requested by the PAS form; and

(2) notify the Applicant that:

(i) the PAS is complete; or

(ii) additional or revised materials must be submitted to the Department. The Applicant must furnish any such additional or revised materials where the Department has made such a request.

Within thirty (30) days of receiving such additional or revised materials, the Department must review such materials and notify the Applicant that the PAS is complete or that additional or revised materials must be submitted. The Department may continue requesting such materials in accordance with the procedures set forth in this paragraph until such time that the Department determines that the PAS is complete.

(3) upon notifying the Applicant that the PAS is complete, also notify the Applicant that:

(i) the Department will hold an ID Meeting pursuant to § 10-05, if the proposed project requires more than one division to review the land use application or application for environmental review material, and the divisions must coordinate their respective reviews to ensure that consistent and non-conflicting feedback is provided to Applicants; or

(ii) the Department will not hold an ID Meeting and the project is:

(A) classified as Type I or Unlisted, pursuant to SEQQR, and subject to the procedures set forth in § 10-06; or

(B) classified as Type II, pursuant to SEQQR, such that the procedures set forth in § 10-06 and § 10-08 do not apply. When providing notification pursuant to this paragraph, the Department must also notify the Applicant whether the Applicant is subject to the procedures set forth in § 10-07 or may directly proceed to file a land use application pursuant to § 10-09.

(c) If the Department fails to notify an Applicant pursuant to subdivision (b) of this section, the Applicant may proceed with filing a land use application as set forth in § 10-09 or an application for environmental review as set forth in § 10-10.

\* \* \*

#### **§ 10-06 Reasonable Worst Case Development Scenario (RWCDs).**

(a) Following notification to an Applicant pursuant to § 10-04(b)(3)

(ii)(A) or § 10-05(b)(2)(i), as applicable, that the Applicant's project is classified as Type I or Unlisted, an Applicant proceeding with filing a land use application or application for environmental review must submit [electronically by email or a hard copy by mail,] a RWCDs Memorandum. The memorandum must be on a form provided by the Department that is available on the Department's website [or in hard copy from the Department]. The memorandum must set forth a description of, and the basis for, the RWCDs that may result from the land use actions that facilitate the proposed project. A RWCDs is a conservative projection of the development that may occur pursuant to a discretionary action and is used by the Department to make reasonable conclusions regarding a land use action's likely effects on the environment, consistent with the requirements of SEQQR/CEQR and the guidance of the City's CEQR Technical Manual.

(b) Within ninety (90) days of receiving a RWCDs Memorandum, the Department must review the memorandum and:

(1) notify an Applicant that:

(i) the Department accepts the RWCDs Memorandum and the Applicant may proceed to submit, pursuant to the procedures set forth in § 10-08, a draft CEQR short/full form as provided by the Mayor's Office of Environmental Coordination; or

(ii) the Department requires further information or a RWCDs Meeting in order to review and clarify the assumptions underlying the RWCDs Memorandum. Where a RWCDs Meeting is required, the Department must hold the meeting within thirty (30) days of notifying the Applicant that the Department requires a RWCDs Meeting, subject to the Applicant's availability. If the Applicant is not available within this period, the Department must hold the meeting as soon as practicable at a time at which both the Department and the Applicant are available. A RWCDs Meeting may be held in person, by telephone, or by other electronic means, including teleconference, as the Department deems appropriate. Within forty-five (45) days of receiving additional information or holding a RWCDs Meeting, the Department must notify the Applicant that it accepts the RWCDs Memorandum and the Applicant may proceed to submit a draft CEQR short/full form pursuant to the procedures set forth in § 10-08, or that it requires further information or an additional RWCDs Meeting in accordance with the procedures set forth in this paragraph in order to review and clarify the assumptions underlying the memorandum until such time

that the Department accepts the memorandum and the Applicant may proceed to submit a draft CEQR short/full form.

(2) upon notifying an Applicant that the Department has accepted the Applicant's RWCDs Memorandum and that the Applicant may proceed to submit a draft CEQR short/full form, also notify the Applicant whether the Applicant is subject to the procedures set forth in § 10-07 or, if not subject the Applicant may directly proceed to file a land use application pursuant to § 10-09.

(c) If the Department fails to notify an Applicant pursuant to subdivision (b) of this section, the Applicant may proceed with filing a land use application as set forth in § 10-09 and an application for environmental review as set forth in § 10-10.

**§ 10-07 Draft Land Use Application.**

(a) The Department may request a draft land use application where a high degree of technical expertise is necessary to produce the land use application materials for an Applicant's proposed project. Following notification to an Applicant pursuant to § 10-03(d)(2)(ii), § 10-04(b)(3)(ii)(B), § 10-05(b)(2)(ii), or § 10-06(b)(2), as applicable, that the Applicant is subject to the procedures set forth in § 10-07, an Applicant proceeding with filing a land use application must submit a draft land use application to the Department for review. The Applicant must submit [ , electronically by email or a hard copy by mail,] the draft land use application to the [Borough Office project manager handling the Applicant's project] Department. Such application must include all required forms, documents, and exhibits [in the manner] as required by instructions for submitting a land use application which are set forth on the Department's website and available upon request in hard copy from the Department.

(b) Within ninety (90) days of receiving a draft land use application, the Department must review the draft application and:

(1) notify an Applicant that the draft application includes all such required forms, documents, and exhibits as [in the manner] required by the instructions for submitting a land use application, such that the Applicant may proceed to file a land use application pursuant to § 10-09; or

(2) notify an Applicant that the draft land use application is missing one or more required forms, documents, or exhibits, or is not submitted as [in the manner] required by the instructions for submitting a land use application. The Applicant must submit a revised draft land use application to the Department. Within forty-five (45) days of receiving the revised draft land use application, the Department must review it and notify the Applicant that the Applicant may proceed to file a land use application pursuant to § 10-09, or that additional or revised materials must be submitted. The Department may continue requesting such materials in accordance with the procedures set forth in this paragraph until such time that the Department determines that the Applicant may proceed to file a land use application pursuant to § 10-09.

(c) If the Department fails to notify an Applicant pursuant to subdivision (b) of this section, the Applicant may proceed with filing a land use application as set forth in § 10-09.

**§ 10-08 Draft City Environmental Quality Review.**

(a) Following notification to an Applicant pursuant to § 10-06(b)(1) that the Applicant may proceed to submit a draft CEQR short/full form, an Applicant proceeding with filing an application for environmental review must submit a draft CEQR short/full form to the Department for review. The Applicant must submit [electronically by email or a hard copy by mail,] the draft CEQR short/full form to the Department and notify the Environmental Assessment Review division project manager handling the Applicant's project. Such application must include all required forms, documents, and exhibits [in the manner] as required by instructions for submitting a CEQR short/full form as provided by the Mayor's Office of Environmental Coordination.

(b) Within ninety (90) days of receiving a draft CEQR short/full form, the Department must review the draft and:

(1) notify an Applicant that the draft CEQR short/full form is substantially complete in form and substance such that the Applicant may proceed to file an application for environmental review pursuant to § 10-10; or

(2) provide comments to an Applicant on the draft CEQR short/full form, which the Applicant must address to the Department's satisfaction before the Applicant may proceed to file an application for environmental review pursuant to § 10-10. Within forty-five (45) days of receiving a revised draft CEQR short/full form, the Department must review the revised draft and notify the Applicant that the revised draft is substantially complete in form and substance such that the Applicant may proceed to file an application for environmental review pursuant to § 10-10, or that the revised draft does not address, in whole or in part, the comments previously provided by the Department to the Applicant, in which case the review process must continue in accordance with the procedures set forth in this paragraph until the Department determines that the draft is substantially complete in form and substance and the Applicant may proceed to file an application for environmental review pursuant to § 10-10.

(c) If the Department fails to notify an Applicant pursuant to subdivision (b) of this section, the Applicant may proceed with filing an application for environmental review as set forth in § 10-10.

**§ 10-09 Filing of Land Use Application.**

(a) After an Applicant receives notification pursuant to § 10-03(d)(2)(ii), § 10-04(b)(3)(ii)(B), § 10-05(b)(2)(ii), § 10-06(b)(2), or § 10-07(b), as applicable, that it may proceed to file a land use application, the Applicant may file such application [at] with the Department [s Central Intake] in accordance with § 2-02(a)(1) of Title 62 of these rules.

(b) Notwithstanding Subdivision (a) of this section, an Applicant may proceed with filing a land use application where otherwise provided in this chapter.

YVETTE V. GRUEL, Calendar Officer  
City Planning Commission  
120 Broadway, 31<sup>st</sup> Floor, New York, NY 10271  
Telephone (212) 720-3370



j2-17

**NOTICE IS HEREBY GIVEN** that resolutions have been adopted by the City Planning Commission, scheduling a public hearing on the following matters to be held at, Spector Hall, 22 Reade Street, New York, NY, on Wednesday, January 17, 2018, at 10:00 A.M.

**BOROUGH OF BROOKLYN  
No. 1  
GOWANUS CANAL CSO**

**CD 6 C 180065 PCK**  
**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 site selection and acquisition of property, located at 242 Nevins Street (Block 411, Lot 24, Block 418, Lot 1, Block 425, Lot 1), for a combined sewer overflow control facility.

**NOTICE**

On Wednesday, January 17, 2018, at 10:00 A.M., in Spector Hall, at 22 Reade Street, in Lower Manhattan, a public hearing is being held by the City Planning Commission to receive comments related to a Draft Environmental Impact Statement (DEIS), concerning an application by the New York City Department of Environmental Protection (DEP), for approval of several discretionary actions, including site selection and acquisition, for sites in Brooklyn, Community District 6.

The Proposed Actions would facilitate the construction of new combined sewer overflow (CSO) facilities as part of the Gowanus Canal Combined Sewer Overflow (CSO) Facilities Project. The Project is mandated by the United States Environmental Protection Agency (USEPA), to satisfy remediation objectives under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA, or Superfund). The first of the two CSO facilities, the "Head End Facility," would include an 8-million-gallon (MG) underground tank that would increase CSO capture for overflows that would otherwise be discharged at the "head end," or northernmost portion of the Gowanus Canal. The second facility, the "Owls Head Facility," would include a 4-MG tank that would additionally increase capture for overflows. The Owls Head Facility would be located at the middle of the Gowanus Canal, approximately 0.5 miles south of the northernmost portion of the Canal.

Written comments on the DEIS are requested, and will be received and considered by the New York City Department of Environmental Protection, the Lead Agency, until Monday, January 29, 2018, at 5:00 P.M.

This hearing is being held, pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 17DEP040K.

**No. 2  
FRIENDS OF CROWN HEIGHTS 11 DAY CARE CENTER  
CD 9 C 150187 PQQ**

**IN THE MATTER OF** an application submitted by the Administration for Children's Services 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 995 Carroll Street (Block 1280, Lot 54) for continued use as a child care center.

**BOROUGH OF QUEENS  
No. 3  
QUEENSBRIDGE ECDC**

**CD 1 C 150279 PQQ**  
**IN THE MATTER OF** an application submitted by the Administration for Children's Services 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 38-11 27<sup>th</sup> Street (Block 386, Lot 7) for continued use as a child care center.

**BOROUGH OF MANHATTAN  
No. 4  
OFFICE SPACE**

**CD 6 N 180168 PXM**  
**IN THE MATTER OF** a Notice of Intent to acquire office space submitted by the Department of Citywide Administrative Services,

pursuant to Section 195 of the New York City Charter for use of property, located at 211 East 43<sup>rd</sup> Street (Block 1317, Lot 7).

YVETTE V. GRUEL, Calendar Officer  
 City Planning Commission  
 120 Broadway, 31<sup>st</sup> Floor, New York, NY 10271  
 Telephone (212) 720-3370



j2-17

**COMMUNITY BOARDS**

■ PUBLIC HEARINGS

**NOTICE IS HEREBY GIVEN** that the following matters have been scheduled for public hearing by Community Board:

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 07 - Wednesday, January 10, 2018, 6:30 P.M., 4201 4th Avenue (entrance on 43rd Street), Brooklyn, NY.

C150253 PQK

**IN THE MATTER OF** an application submitted by the Administration for Children's Services 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 4917 Fourth Avenue, for continued use as a child care center.

j4-10

**NOTICE IS HEREBY GIVEN** that the following matters have been scheduled for public hearing by Community Board:

BOROUGH OF STATEN ISLAND

COMMUNITY BOARD NO. 01 - Tuesday, January 9, 2018, 6:45 P.M., All Saints Episcopal Church, 2329 Victory Boulevard, Staten Island, NY.

Agenda

Board of Standards & Appeals Application No. 2017-303-B - 1281 Forest Avenue.

Application for a special permit to allow extension of commercial use to permit accessory commercial parking within a residential portion of a zoning lot.

Board of Standards & Appeals Application No. 2017-219-BZ, -754 Targee Street Application for a special permit pursuant to ZR-73-243 to permit in a Cl-2 zoning district, a Use Group 6, eating and drinking establishment (Popeye's) with an accessory drive-through facility.

j4-9

**BOARD OF CORRECTION**

■ MEETING

Please take note that the next meeting of the Board of Correction, will be held on January 9th, at 9:00 A.M. The location of the meeting will be 125 Worth Street, New York, NY 10013, in the Auditorium on the 2<sup>nd</sup> Floor.

At that time there will be a discussion of various issues concerning New York City's correctional system.

j3-9

**EMPLOYEES' RETIREMENT SYSTEM**

■ MEETING

Please be advised that the next Special Board Meeting of the Board of Trustees of the New York City Employees' Retirement System has been scheduled for Thursday, January 11, 2018, at 9:30 A.M. To be held at the New York City Employees' Retirement System, 335 Adams Street, 22nd Floor, Boardroom, Brooklyn, NY 11201-3751.

j4-10

**INDEPENDENT BUDGET OFFICE**

■ NOTICE

The New York City Independent Budget Office Advisory Board, will hold a meeting on Thursday, January 11, 2018, beginning at 8:30 A.M., at the IBO Office, 110 William Street, 14<sup>th</sup> Floor, New York, NY 10038. There will be an opportunity for the public to address the advisory board during the public portion of the meeting. Accessible entrance at, 110 William Street, New York, NY 10038.

Accessibility questions: Doug Turetsky, dougt@ibo.nyc.ny.us, by: Tuesday, January 9, 2018, 4:00 P.M.



j2-10

**LANDMARKS PRESERVATION COMMISSION**

■ PUBLIC HEARINGS

**NOTICE IS HEREBY GIVEN** that, pursuant to the provisions of Title 25, Chapter 3 of the Administrative Code of the City of New York (Sections 25-303, 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) on Tuesday, January 16, 2018, a public hearing will be held at, 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties, and then followed by a public meeting. The final order and estimated times for each application will be posted on the Landmarks Preservation Commission website, the Friday before the hearing. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting, should contact the Landmarks Commission no later than five (5) business days before the hearing or meeting.

**11 Riverside Drive - West End - Collegiate Historic District**  
**LPC-19-11795** - Block 1184 - Lot 31 - **Zoning:** R10A  
**CERTIFICATE OF APPROPRIATENESS**

A Modern style apartment building designed by Sylvan Bien and built in 1949-1950. Application is to establish a master plan governing the future installation of windows and air conditioning units.

**72 West 88th Street - Upper West Side/Central Park West Historic District**  
**LPC-19-18450** - Block 1201 - Lot 63 - **Zoning:** C1-9  
**CERTIFICATE OF APPROPRIATENESS**

A Romanesque/Renaissance Revival style flats building designed by Francis A. Minuth and built in 1891-92. Application is to install storefront infill.

**5-7 Mercer Street - SoHo-Cast Iron Historic District**  
**LPC-19-13435** - Block 230 - Lot 42 - **Zoning:** M1-5B  
**CERTIFICATE OF APPROPRIATENESS**

A warehouse designed by John B. Snook and built in 1861. Application is to construct a rooftop addition and enlarge the elevator bulkhead.

**178 Spring Street - Sullivan-Thompson Historic District**  
**LPC-19-14481** - Block 488 - Lot 16 - **Zoning:** R7-2  
**CERTIFICATE OF APPROPRIATENESS**

An Italianate style tenement building built c. 1854 and altered between 1940-1964. Application is to construct a rear yard addition.

**314 Clinton Street - Cobble Hill Historic District**  
**LPC-19-13247** - Block 311 - Lot 33 - **Zoning:** R6  
**CERTIFICATE OF APPROPRIATENESS**

A Greek Revival style rowhouse built in 1841-42. Application is to legalize the installation of a door surround and stoop without Landmarks Preservation Commission permit(s), and replace windows.

**160 West 12th Street - Greenwich Village Historic District**  
**LPC-19-16158** - Block 607 - Lot 7503 - **Zoning:** R8  
**CERTIFICATE OF APPROPRIATENESS**

A hospital building designed by Eggers & Higgins and built in 1946. Application is to install pergolas and trellises at an 11th floor terrace.

**811 Walton Avenue - Grand Concourse Historic District**  
**LPC-19-14250** - Block 2474 - Lot 1 - **Zoning:** R8  
**CERTIFICATE OF APPROPRIATENESS**

A Renaissance Revival style apartment building designed by Franklin, Bates & Heindsmann, and built in 1926-27. Application is to establish a master plan governing the future replacement of windows.

**41 Greenwich Avenue - Greenwich Village Historic District**  
**LPC-19-12296** - Block 612 - Lot 64 - **Zoning:** C1-6  
**CERTIFICATE OF APPROPRIATENESS**

A late Greek Revival style house built in 1848-49 and later altered. Application is to reconstruct the brick façade and replace the cornice.

**75 Broadway - Individual Landmark**  
**LPC-19-20321** - Block 49 - Lot 1 - **Zoning:** C5-5  
**CERTIFICATE OF APPROPRIATENESS**

A Gothic Revival style church designed by Richard Upjohn and built in 1846. Application is to install a canopy, ramps, and new paving, replace doors, fences and gates, perform excavation, alter the landscape, replace windows and extend an existing loggia.

**930 West End Avenue - Riverside - West End Historic District Extension II**

**LPC-19-16497** - Block 1877 - Lot 63 - **Zoning:** R9A  
**CERTIFICATE OF APPROPRIATENESS**

A Renaissance Revival style flats building designed by Henry Anderson and built in 1898. Application is to install a barrier-free access ramp.

**633 West 115th Street - Morningside Heights Historic District**

**LPC-19-17464** - Block 1896 - Lot 52 - **Zoning:** R8  
**CERTIFICATE OF APPROPRIATENESS**

A Colonial Revival style rowhouse designed by Henry O. Chapman and built in 1892-93. Application is to construct a rooftop bulkhead and a rear yard addition, excavate the areaway and modify the façade and stoop, and replace windows.

**266 Cumberland Street - Fort Greene Historic District**

**LPC-19-15859** - Block 2101 - Lot 7503 - **Zoning:** R6B  
**CERTIFICATE OF APPROPRIATENESS**

A Neo-Gothic style chapel dating from the late 19th Century. Application is to install skylights.

**192 Prospect Park West - Park Slope Historic District Extension**

**LPC-19-18495** - Block 1103 - Lot 42 - **Zoning:** R8B, with C2-4 overlay  
**CERTIFICATE OF APPROPRIATENESS**

An altered commercial building built in 1922-1923. Application is to alter the facades, install signage and rooftop bulkheads.

**102 Greene Street - SoHo-Cast Iron Historic District**

**LPC-19-12869** - Block 499 - Lot 6 - **Zoning:** M1-5A  
**CERTIFICATE OF APPROPRIATENESS**

A store and loft building designed by Henry Fernbach, built in 1880-81, and altered in 1941. Application is to relocate artwork, install signage, and construct a rooftop addition.

**5-7 Mercer Street - SoHo-Cast Iron Historic District**

**LPC-19-20348** - Block 230 - Lot 42 - **Zoning:** M1-5B  
**MODIFICATION OF USE AND BULK**

A warehouse designed by John B. Snook and built in 1861. Application is to request that the Landmarks Preservation Commission issue a report to the City Planning Commission relating to an application for a Modification of Use and Bulk, pursuant to Section 74-711 of the Zoning Resolution.

**9-19 9th Avenue - Gansevoort Market Historic District**

**LPC-19-19926** - Block 645 - Lot 49 - **Zoning:** M1-5  
**MISCELLANEOUS - AMENDMENT**

A 19th and early 20th century wagon storage building and stables combined and altered in 1921-22 as a vernacular style garage with stores. Application is to modify the design of the rooftop addition approved, pursuant to Certificate of Appropriateness 16-4882.

Accessibility questions: Janett Marshall (212) 669-7895, by: Friday, January 12, 2018, 4:00 P.M.



j2-16

**NOTICE IS HEREBY GIVEN** that, pursuant to the provisions of Title 25, Chapter 3 of the Administrative Code of the City of New York (Sections 25-303, 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) on Tuesday, January 9, 2018, a public hearing will be held at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties, and then followed by a public meeting. The final order and estimated times for each application will be posted on the Landmarks Preservation Commission website, the Friday before the hearing. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should contact the Landmarks Commission no later than five (5) business days before the hearing or meeting.

**23-25 West 20th Street - Ladies' Mile Historic District**

**LPC-19-16740** - Block 822 - Lot 7506 - **Zoning:** C6-4A  
**CERTIFICATE OF APPROPRIATENESS**

A 20th Century Utilitarian style parking garage designed by Matthew Del Gaudio and built in 1926-27. Application is to modify the ground floor façade, install storefront infill and signage, and replace windows.

**375 West Broadway - SoHo-Cast Iron Historic District**

**LPC-19-18587** - Block 487 - Lot 8 - **Zoning:** M1-5A  
**CERTIFICATE OF APPROPRIATENESS**

An Italianate style store and loft building designed by J.B. Snook and built in 1875-76. Application is to install a rooftop pergola.

**561-563 Broadway - SoHo-Cast Iron Historic District**

**LPC-19-17735** - Block 498 - Lot 7 - **Zoning:** M1-5B  
**CERTIFICATE OF APPROPRIATENESS**

An office and loft building designed by Ernest Flagg and built in 1903-1904. Application is to construct a bulkhead and install HVAC units, railings, screens, and decking at the roof.

**75 Washington Place - Greenwich Village Historic District**

**LPC-19-18058** - Block 552 - Lot 66 - **Zoning:** R7-2

**CERTIFICATE OF APPROPRIATENESS**

A Greek Revival style rowhouse built in 1847. Application is to construct rooftop and rear yard additions, and excavate the cellar and rear yard.

**827-831 Broadway - Individual Landmark**

**LPC-19-18646** - Block 564 - Lot 17 & 19 - **Zoning:** C6-1  
**CERTIFICATE OF APPROPRIATENESS**

A pair of Italianate style commercial palaces with Neo-Grec style elements, designed by Griffith Thomas, and built in 1866-67. Application is to construct rooftop additions, and install storefronts and signage.

**320 West 13th Street - Greenwich Village Historic District**

**LPC-19-18995** - Block 627 - Lot 43 - **Zoning:** C1-6  
**CERTIFICATE OF APPROPRIATENESS**

A loft building designed by William H. Dewar, Jr. and built in 1912. Application is to alter loading bays and install storefront infill.

**520 Clinton Avenue - Individual Landmark**

**LPC-19-19357** - Block 2010 - Lot 10 - **Zoning:** R6A R7A  
**MODIFICATION OF USE AND BULK**

A Northern Italian Romanesque style church building designed by John Welch and built between 1888-1891. Application is to request that the Landmarks Preservation Commission issue a report to the City Planning Commission relating to an application for a Modification of Use and Bulk, pursuant to Section 74-711 of the Zoning Resolution.

**64 Horatio Street - Greenwich Village Historic District**

**LPC-19-19272** - Block 626 - Lot 7 - **Zoning:**  
**CERTIFICATE OF APPROPRIATENESS**

A Greek Revival style rowhouse built in 1845-1846. Application is to replace windows.

**354-356 Convent Avenue - Hamilton Heights Historic District**

**LPC-19-7916** - Block 2059 - Lot 150 - **Zoning:** R6A  
**CERTIFICATE OF APPROPRIATENESS**

An Italianate style rowhouse built in 1889. Application is to construct an elevator bulkhead and modify window openings.

**70 Franklin Street - Tribeca East Historic District**

**LPC-19-12141** - Block 175 - Lot 1 - **Zoning:**  
**CERTIFICATE OF APPROPRIATENESS**

An Italianate style store and loft building built in 1860-61. Application is to replace storefront infill, modify the sidewalk and install bollards.

**11 East 51st Street - Individual Landmark**

**LPC-19-19495** - Block 1287 - Lot 10 - **Zoning:** C5-2.5  
**CERTIFICATE OF APPROPRIATENESS**

An Italian Renaissance style rowhouse designed by John H. Duncan and built in 1904-06. Application is to construct rooftop and rear yard additions, and alter the façade.

**155 Lafayette Avenue - Fort Greene Historic District**

**LPC-19-16101** - Block 2103 - Lot 62 - **Zoning:** R68  
**CERTIFICATE OF APPROPRIATENESS**

An apartment building designed by Frank Bosworth and built in 1897. Application is to alter the areaway and install fencing.

**35 East 76th Street - Upper East Side Historic District**

**LPC-19-19674** - Block 1391 - Lot 21 - **Zoning:** C5-1 R8B  
**CERTIFICATE OF APPROPRIATENESS**

An Art Deco style hotel building designed by Sylvan Bien and built in 1929-30. Application is to replace a greenhouse structure on a terrace.

**201 West 11th Street, aka 73-77 Greenwich Avenue - Greenwich Village Historic District**

**LPC-19-17948** - Block 614 - Lot 61 - **Zoning:** C2-6/C1-6  
**CERTIFICATE OF APPROPRIATENESS**

An apartment building designed by George F. Pelham and built in 1924. Application is to replace storefront infill.

**35 Pierrepont Street - Brooklyn Heights Historic District**

**LPC-19-14471** - Block 235 - Lot 4 - **Zoning:** R6  
**CERTIFICATE OF APPROPRIATENESS**

A Neo-Medieval style apartment building built in the 1920s. Application is to alter the façade.

**109-111 Spring Street - SoHo-Cast Iron Historic District**

**LPC-19--17623** - Block 499 - Lot 37 - **Zoning:** M1-5A  
**CERTIFICATE OF APPROPRIATENESS**

A store and loft building designed by J.B. Snook and built in 1878. Application is to modify and replace storefront infill.

**181 Lincoln Place - Park Slope Historic District**

**LPC-19-14723** - Block 1059 - Lot 64 - **Zoning:** R7B  
**CERTIFICATE OF APPROPRIATENESS**

A complex of school buildings including the original Neo-Jacobean style Berkeley Institute designed by Walker and Morris and built in 1896, and a gymnasium designed by John Burke and built in 1937-38. Application is to install solar panels on the roof of the gymnasium.

**249 West 13th Street - Greenwich Village Historic District**

**LPC-19-11357** - Block 618 - Lot 64 - **Zoning:** C1-6, R6  
**CERTIFICATE OF APPROPRIATENESS**

An Italianate style rowhouse built in 1854. Application is to legalize the installation of signage and exposed conduit without Landmarks Preservation Commission permit(s).



**462 Broadway - SoHo-Cast Iron Historic District**

LPC-19-17501 - Block 473 - Lot 1 - Zoning: M1-5B

**MODIFICATION OF USE AND BULK**

A French Renaissance Revival style store and loft building designed by John Correja and built in 1879-80. Application is to request that the Landmarks Preservation Commission issue a report to the City Planning Commission relating to a Modification of Use, pursuant to Section 74-711 of the Zoning Resolution.

**855-869 11th Avenue, aka 850 12th Avenue, aka 840 Joe**

LPC-19-19666 - Block 1106 - Lot 1 - Zoning: M3-2

**CERTIFICATE OF APPROPRIATENESS**

A Beaux-Arts style industrial building designed by McKim, Mead & White and built in 1904. Application is to establish a master plan governing the future installation of rooftop mechanical equipment and garage doors, and window, façade and stack modifications.

**220 East 42nd Street - Individual and Interior Landmark**

LPC-19-12293 - Block 1315 - Lot 7501 - Zoning: C5-2

**CERTIFICATE OF APPROPRIATENESS**

An Art Deco style skyscraper designed by Raymond Hood and built in 1929-30. Application is to replace storefront infill and install signage.



d26-j9

**NOTICE IS HEREBY GIVEN** that pursuant to the provisions of Title 25, Chapter 3 of the Administrative Code of the City of New York (Sections 25-303, 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) on Tuesday, January 23, 2018, a public hearing will be held at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. The final order and estimated times for each application will be posted on the Landmarks Preservation Commission website the Friday before the hearing. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should contact the Landmarks Commission no later than five (5) business days before the hearing or meeting.

**233-25 38th Drive - Douglaston Hill Historic District**

LPC-18-1711 - Block 8059 - Lot 29 - Zoning: R1-2

**CERTIFICATE OF APPROPRIATENESS**

A vacant lot created by a sub-division. Application is to construct a new building and install a curb cut.

**291 St. Paul's Avenue - St. Paul's Avenue-Stapleton Heights Historic District**

LPC-19-8555 - Block 517 - Lot 49 - Zoning: R3X

**CERTIFICATE OF APPROPRIATENESS**

A Neo-Colonial style free-standing house designed by Otto Loeffler and built in 1917-1918. Application is to legalize the construction of a wall at the front yard and curbing at an entrance path without Landmarks Preservation Commission permit(s).

**128 Greenpoint Avenue - Greenpoint Historic District**

LPC-19-18175 - Block 2563 - Lot 28 - Zoning: R6A

**CERTIFICATE OF APPROPRIATENESS**

A one-story commercial building. Application is to replace storefront infill and install signage, lighting, and fencing.

**208 Adelphi Street - Fort Greene Historic District**

LPC-19-19237 - Block 2090 - Lot 38 - Zoning: R6B

**CERTIFICATE OF APPROPRIATENESS**

An Italianate style rowhouse built in 1866. Application is to construct rooftop and rear yard additions.

**452 9th Street - Park Slope Historic District Extension**

LPC-19-18701 - Block 1092 - Lot 4 - Zoning: C2-4

**CERTIFICATE OF APPROPRIATENESS**

A Neo-Grec style rowhouse designed by Jefferson F. Wood and built in 1883-84. Application is to install a barrier-free access ramp.

**75 Varick Street - Individual Landmark**

LPC-19-18077 - Block 226 - Lot 1 - Zoning: M1-6

**CERTIFICATE OF APPROPRIATENESS**

A Modern-Classical style manufacturing building designed by Ely Jacques Kahn and built in 1929-1930. Application is to construct a rooftop addition and modify masonry openings.

**375 West Broadway - SoHo-Cast Iron Historic District**

LPC-19-18587 - Block 487 - Lot 8 - Zoning: M1-5A

**CERTIFICATE OF APPROPRIATENESS**

An Italianate style store and loft building designed by J.B. Snook and built in 1875-76. Application is to install a rooftop pergola.

**495 Broadway - SoHo-Cast Iron Historic District**

LPC-18-7470 - Block 484 - Lot 24 - Zoning: M1-5B

**CERTIFICATE OF APPROPRIATENESS**

A Beaux-Arts style store and loft building designed by Alfred Zucker and built in 1892-1893. Application is to replace storefronts and windows, and install signage and lighting.

**480 Broome Street - SoHo-Cast Iron Historic District**

LPC-19-20123 - Block 486 - Lot 38 - Zoning: M1-5a

**CERTIFICATE OF APPROPRIATENESS**

A store and loft building designed by Richard Berger and built in 1884-1885. Application is to remove cast iron vault lights at the steps.

**230 Thompson Street - South Village Historic District**

LPC-19-19020 - Block 537 - Lot 12 - Zoning: R7-2

**CERTIFICATE OF APPROPRIATENESS**

A Renaissance Revival style tenement building with a commercial ground floor designed by Sass & Smallheiser and built in 1903. Application is to replace storefront infill.

**298 Elizabeth Street - NoHo East Historic District**

LPC-19-18338 - Block 521 - Lot 7502 - Zoning: C6-2

**CERTIFICATE OF APPROPRIATENESS**

A Romanesque Revival style factory building designed by William Kurtzer and built in 1902. Application is to replace storefront infill installed without Landmarks Preservation Commission permit(s).

**4 Astor Place, aka 740-744 Broadway and 436-450 Lafayette Street - NoHo Historic District**

LPC-19-19280 - Block 545 - Lot 26 - Zoning: M1-5B

**CERTIFICATE OF APPROPRIATENESS**

A Beaux-Arts style loft building designed by Francis H. Kimball and built in 1910-12. Application is to install signage.

**90 Grove Street - Greenwich Village Historic District**

LPC-19-09479 - Block 592 - Lot 45 - Zoning: R6

**CERTIFICATE OF APPROPRIATENESS**

A Federal style house built in 1827 and remodeled by Carrere and Hastings in 1893. Application is to legalize the removal of a cornice and paint from the façade without Landmarks Preservation Commission permit(s).

**205 East 17th Street - Stuyvesant Square Historic District**

LPC-19-15089 - Block 898 - Lot 7 - Zoning: R7B

**CERTIFICATE OF APPROPRIATENESS**

A Greek Revival style town house built c. 1850-1851 with later alterations. Application is to alter the façade and areaway, and install a barrier-free access lift.

**41 East 70th Street - Upper East Side Historic District**

LPC-19-20244 - Block 1385 - Lot 27 - Zoning: R8B

**CERTIFICATE OF APPROPRIATENESS**

A Neo-Georgian style town house designed by Aymar Embury II and built in 1928-29. Application is to alter the front façade at the ground floor, and to modify fenestration on secondary facades.

**449 Convent Avenue - Hamilton Heights/Sugar Hill Historic District Extension**

LPC-19-15103 - Block 2064 - Lot 149 - Zoning: R7A

**CERTIFICATE OF APPROPRIATENESS**

A vacant lot, formerly the site of a Renaissance Revival style rowhouse designed by Jno. Scharsmith and built in 1896-1897 and demolished by HPD in 2011 after an emergency declaration of unsafe conditions. Application is to construct a new building.

**409 Edgecombe Avenue - Individual Landmark**

LPC-19-19359 - Block 2054 - Lot 62 - Zoning:

**CERTIFICATE OF APPROPRIATENESS**

An apartment building with Neo-Georgian and Neo-Renaissance style detailing designed by Schwartz & Gross and built between 1916-1917. Application is to replace the cornice.

j9-23

**COURT NOTICES****SUPREME COURT****RICHMOND COUNTY****■ NOTICE**

**RICHMOND COUNTY  
IA PART 89  
NOTICE OF PETITION  
INDEX NUMBER CY4551/2017  
CONDEMNATION PROCEEDING**

**IN THE MATTER OF** the Application of the CITY OF NEW YORK, Relative to Acquiring a Permanent Sewer Easement in Block 2772,

Part of Lots 36 and 37, located in Staten Island, for the construction of **TRAVIS NEIGHBORHOOD STORM WATER SEWER PROJECT – STAGE 1,**

Located in the area generally located at, Cannon Avenue, Prices Lane, and Burke Avenue in the Borough of Staten Island, City and State of New York.

**PLEASE TAKE NOTICE** that the City of New York (the “City”) intend to make an application to the Supreme Court of the State of New York, Richmond County, IA Part 89, for certain relief.

The application will be made at the following time and place: At the Kings County Courthouse, located at 360 Adams Street, in the Borough of Brooklyn, City and State of New York, on Thursday, January 25, 2018, at 2:30 P.M., or as soon thereafter as counsel can be heard.

The application is for an order:

- a. Authorizing the City to file an acquisition map in the Richmond County Clerk’s Office;
- b. Directing that, upon the filing of the order granting the relief in this petition and the filing of the acquisition map, title to the property sought to be acquired and described below shall vest in the City;
- c. Providing that the compensation which should be made to the owners of the interest in real property sought to be acquired and described above be ascertained and determined by the Court without a jury;
- d. Directing that within thirty days of the vesting of title to the permanent sewer easement, the City shall cause a notice of acquisition to be published in at least ten successive issues of The City Record, an official newspaper published in the City of New York, and shall serve a copy of such notice by first call mail on each condemnee or his, her, or its attorney of record;
- e. Directing that each condemnee shall have a period of two calendar years from the vesting date for this proceeding, in which to file a written claim, demand or notice of appearance with the Clerk of this Court and to serve a copy of the same upon the Corporation Counsel of the City of New York, 100 Church Street, New York, NY 10007.

The City, in this proceeding, Stage I, intends to acquire a permanent sewer easement over certain real property where not heretofore acquired for the same purpose, for the construction of a storm water collection sewer, in the Borough of Staten Island, City and State of New York. The permanent sewer easement to be acquired in this proceeding, Stage I, is more particularly bounded and described as follows:

**A 30-FOOT WIDE PERMANENT SEWER EASEMENT**

ALL those certain lots pieces or parcels of land situate, lying and being in the County of Richmond, City and State of New York known and distinguished on certain filed maps entitled “Property of Julius V. Zuechner & Adele Zuechner” filed in the Office of the Clerk in the County of Richmond as Map No. 285-A and “Map of the Lands of The Heirs of Elias Price and Others” also filed in the Office of the Clerk of the County of Richmond as Map No. 600 bounded and described as follows:

**BEGINNING** at a point formed by the intersection of the southeasterly Terminus of the said Prices Lane and the southwesterly line of the Prices Lane as shown on filed Map No. 600, which point is also distant 421.72 feet from the corner formed by the intersection of the southeasterly side of Cannon Avenue and the southwesterly side of Prices Lane;

**RUNNING** thence S 53°01’11” W, and along a northwesterly line of lands now or formerly lands of Elsie Decker as shown said filed map No. 600, a distance of 94.47 feet to a point;

**THENCE**, N 46°50’22” W, through the bed of tax lot 37 in Staten Island tax block 2772, a distance of 30.45 feet to a point on a line parallel to and 30.00 feet from course one;

**THENCE**, N 53°01’11” E parallel to course one, through the tax lots 37 and 36 in Staten Island tax block 2772, as said lots existed on the tax map for the County of Richmond on December 5<sup>th</sup>, 2008, a distance of 89.64 feet to a point on the said southwesterly line of Prices Lane as shown on said filed Map No. 600;

**THENCE**, S 55°29’45” E, and along the said southwesterly line of Prices Lane, a distance of 31.64 feet back to the point of beginning; Bearings are in a system established by the United States Coast and Geodetic Survey for the Borough of Staten Island.

This parcel consists of parts of tax lots 37 and 36 in Staten Island Tax Block 2772, as shown on the “Tax Map” of the City of New York, Borough of Staten Island, the said “Tax Map” existed on December 5<sup>th</sup>, 2008, and comprises an area of 2,762 square feet or 0.06340 acres.

**TERMS OF PERMANENT SEWER EASEMENT**

In order to allow the City, its agents, servants, workers or contractors, together with their tools, equipment, vehicles and materials, at all times to install, operate, maintain and reconstruct certain sanitary and storm sewers and appurtenant structures, the restrictions described below are placed in perpetuity upon the easement area:

- a. No permanent structure of any kind shall be erected within, above or under the easement area without the written approval of the New York City Department of Environmental Protection.
- b. Vehicular access at all times shall be available to the City or its agents, public or private, to construct, reconstruct, lay, relay, maintain, operate and inspect the existing/proposed sewers within the sewer easement.
- c. No materials or equipment of any kind shall be placed for storage within or over said easement.
- d. No trees or shrubs of any kind shall be planted within or over said easement area.
- e. All new footings to be constructed for any new structures shall be completely outside of the easement and located at such elevations so that no loading of any kind is transmitted from the footing to the existing/proposed sewers.
- f. Within the easement area the condemnee will be permitted to grade, place pavement for use as a parking area and erect any nonpermanent improvement, but if access to the sewer is required for the purpose of constructing, maintaining, repairing or reconstruction of the existing/proposed sewers within the easement area, the condemnee, his heirs, assigns and successors shall bear the cost of removing and replacing the pavement and nonpermanent improvement installed by the condemnee.

Surveys, maps or plans of the property to be acquired are on file in the office of the Corporation Counsel of the City of New York, 100 Church Street, New York, NY 10007.

**PLEASE TAKE FURTHER NOTICE THAT,** pursuant to Eminent Domain Procedure Law § 402(B)(4), any party seeking to oppose the acquisition must interpose a verified answer, which must contain specific denial of each material allegation of the petition controverted by the opponent, or any statement of new matter deemed by the opponent to be a defense to the proceeding. Pursuant to CPLR § 403, said answer must be served upon the office off the Corporation Counsel at least seven (7) days before the date that the petition is noticed to be heard.

Dated: New York, NY  
November 29, 2017

ZACHARY W. CARTER  
Corporation Counsel of the  
City of New York  
Attorney for the Condemnor,  
New York City School Construction Authority  
100 Church Street, Room 5-235  
New York, NY 10007  
(212) 356-2170

See Map(s) in Back of Paper

j2-16



**CITYWIDE ADMINISTRATIVE SERVICES**

■ SALE

The City of New York in partnership with PropertyRoom.com posts vehicle and heavy machinery auctions online every week at: <https://www.propertyroom.com/s/nyc+fleet>

All auctions are open to the public and registration is free.

Vehicles can be viewed in person by appointment at:  
Kenben Industries Ltd., 1908 Shore Parkway, Brooklyn, NY 11214.  
Phone: (718) 802-0022

o11-m29

**OFFICE OF CITYWIDE PROCUREMENT**

■ NOTICE

The Department of Citywide Administrative Services, Office of Citywide Procurement is currently selling surplus assets on the internet. Visit <http://www.publicsurplus.com/sms/nycdcas.ny/browse/home>

To begin bidding, simply click on ‘Register’ on the home page.

There are no fees to register. Offerings may include but are not limited to: office supplies/equipment, furniture, building supplies, machine tools, HVAC/plumbing/electrical equipment, lab equipment, marine equipment, and more.

Public access to computer workstations and assistance with placing bids is available at the following locations:

- DCAS Central Storehouse, 66-26 Metropolitan Avenue, Middle Village, NY 11379
- DCAS, Office of Citywide Procurement, 1 Centre Street, 18th Floor, New York, NY 10007

j2-d31

**POLICE**

■ NOTICE

**OWNERS ARE WANTED BY THE PROPERTY CLERK DIVISION OF THE NEW YORK CITY POLICE DEPARTMENT**

The following list of properties is in the custody of the Property Clerk Division without claimants: Motor vehicles, boats, bicycles, business machines, cameras, calculating machines, electrical and optical property, furniture, furs, handbags, hardware, jewelry, photographic equipment, radios, robes, sound systems, surgical and musical instruments, tools, wearing apparel, communications equipment, computers, and other miscellaneous articles.

Items are recovered, lost, abandoned property obtained from prisoners, emotionally disturbed, intoxicated and deceased persons; and property obtained from persons incapable of caring for themselves.

**INQUIRIES**

Inquiries relating to such property should be made in the Borough concerned, at the following office of the Property Clerk.

**FOR MOTOR VEHICLES (All Boroughs):**

- Springfield Gardens Auto Pound, 174-20 North Boundary Road, Queens, NY 11430, (718) 553-9555
- Erie Basin Auto Pound, 700 Columbia Street, Brooklyn, NY 11231, (718) 246-2030

**FOR ALL OTHER PROPERTY**

- Manhattan - 1 Police Plaza, New York, NY 10038, (646) 610-5906
- Brooklyn - 84th Precinct, 301 Gold Street, Brooklyn, NY 11201, (718) 875-6675
- Bronx Property Clerk - 215 East 161 Street, Bronx, NY 10451, (718) 590-2806
- Queens Property Clerk - 47-07 Pearson Place, Long Island City, NY 11101, (718) 433-2678
- Staten Island Property Clerk - 1 Edgewater Plaza, Staten Island, NY 10301, (718) 876-8484

j2-d31

**PROCUREMENT**

*“Compete To Win” More Contracts!*

*Thanks to a new City initiative - “Compete To Win” - the NYC Department of Small Business Services offers a new set of FREE services to help create more opportunities for minority and women-owned businesses to compete, connect and grow their business with the City. With NYC Construction Loan, Technical Assistance, NYC Construction Mentorship, Bond Readiness, and NYC Teaming services, the City will be able to help even more small businesses than before.*

- *Win More Contracts at [nyc.gov/competetowin](http://nyc.gov/competetowin)*

*“The City of New York is committed to achieving excellence in the design and construction of its capital program, and building on the tradition of innovation in architecture and engineering that has contributed to the City’s prestige as a global destination. The contracting opportunities for*

**construction/construction services and construction-related services that appear in the individual agency listings below reflect that commitment to excellence.”**

HHS ACCELERATOR

To respond to human services Requests for Proposals (RFPs), in accordance with Section 3-16 of the Procurement Policy Board Rules of the City of New York (“PPB Rules”), vendors must first complete and submit an electronic prequalification application using the City’s Health and Human Services (HHS) Accelerator System. The HHS Accelerator System is a web-based system maintained by the City of New York for use by its human services Agencies to manage procurement. The process removes redundancy by capturing information about boards, filings, policies, and general service experience centrally. As a result, specific proposals for funding are more focused on program design, scope, and budget.

Important information about the new method

- Prequalification applications are required every three years.
- Documents related to annual corporate filings must be submitted on an annual basis to remain eligible to compete.
- Prequalification applications will be reviewed to validate compliance with corporate filings, organizational capacity, and relevant service experience.
- Approved organizations will be eligible to compete and would submit electronic proposals through the system.

The Client and Community Service Catalog, which lists all Prequalification service categories and the NYC Procurement Roadmap, which lists all RFPs to be managed by HHS Accelerator may be viewed at <http://www.nyc.gov/html/hhsaccelerator/html/roadmap/roadmap.shtml>. All current and prospective vendors should frequently review information listed on roadmap to take full advantage of upcoming opportunities for funding.

**Participating NYC Agencies**

HHS Accelerator, led by the Office of the Mayor, is governed by an Executive Steering Committee of Agency Heads who represent the following NYC Agencies:

- Administration for Children’s Services (ACS)
- Department for the Aging (DFTA)
- Department of Consumer Affairs (DCA)
- Department of Corrections (DOC)
- Department of Health and Mental Hygiene (DOHMH)
- Department of Homeless Services (DHS)
- Department of Probation (DOP)
- Department of Small Business Services (SBS)
- Department of Youth and Community Development (DYCD)
- Housing and Preservation Department (HPD)
- Human Resources Administration (HRA)
- Office of the Criminal Justice Coordinator (CJC)

To sign up for training on the new system, and for additional information about HHS Accelerator, including background materials, user guides and video tutorials, please visit [www.nyc.gov/hhsaccelerator](http://www.nyc.gov/hhsaccelerator)

**ADMINISTRATION FOR CHILDREN’S SERVICES**

**OFFICE OF PROCUREMENT**

■ SOLICITATION

*Services (other than human services)*

**DYFJ COMMUNITY SUPERVISION MOBILE TECHNOLOGY**

- Request for Information - PIN#068-18-RFI-0004 - Due 1-22-18 at 5:00 P.M.

The Administration for Children’s Services (“ACS”) is surveying software application vendors capable of providing mobile technology to supervise young people in the community under the care of the Division of Youth and Family Justice (DYFJ), the Division within ACS that oversees a full range of services and programs for youth at every stage of the juvenile justice process. DYFJ is seeking a method of remote check-ins, among other solutions, for youth released from Detention under the aegis of the court or those in our Close to Home post-adjudication placement program. Specifically, this technology for community supervision would be used for youth released to the community pending case processing and Close to Home youth on community passes or conditionally released on Aftercare. ACS is seeking software application vendors to provide an application which will work with a smartphone to provide the ability for DYFJ to monitor our youth electronically while in the community. While this is not a formal bid solicitation, the RFI document containing the entire scope and functionality of the proposed mobile technology solution is available online and can be downloaded from the ACS website:

www.nyc.gov/acs, and selecting "Respond to RFP" from the "How Do I?" dropdown menu. On the following screen, select "Go to RFP Online" under "Current ACS Business Opportunities. On the next screen, select "Other Documents- Request for Information, etc..." under "Current Documents" and you will be brought to the page where this Request for Information is listed and can be downloaded.

Vendors who wish to respond to this RFI may submit their response via email to the mailbox AdminContractsRFI@acs.nyc.gov. Responses are due by the close of business on Monday, January 22, 2018.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Administration for Children's Services, 150 William Street, 9th Floor, New York, NY 10038. William Ferraro (212) 341-3459; Fax: (212) 341-9830; william.ferraroiii@acs.nyc.gov

j5-11

CITYWIDE ADMINISTRATIVE SERVICES

OFFICE OF CITYWIDE PROCUREMENT

AWARD

Goods

RODMAN'S NECK MODULAR BUILDINGS - Competitive Sealed Bids - PIN# 8571600423 - AMT: \$475,176.00 - TO: Cassone Leasing Inc, 1950 Lakeland Avenue, Ronkonkoma, NY 11779.

MOPS, DECK - Competitive Sealed Bids - PIN# 8571700174 - AMT: \$51,401.50 - TO: Daniel Oyewale, 2000 Banks Road, Suite 201G, Margate, FL 33063.

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SOLICITATION

Goods

PREPARED MEALS FOR NYPD - Competitive Sealed Bids - PIN# 8571800098 - Due 1-31-18 at 10:00 A.M.

A copy of the bid can be downloaded from the City Record Online site at www.nyc.gov/cityrecord.

Enrollment is free. Vendors may also request the bid by contacting Vendor Relations via email at dcasdmssbids@dcas.nyc.gov, by telephone (212) 386-0044, or by fax at (212) 669-7585.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Citywide Administrative Services, 1 Centre Street, 18th Floor, New York, NY 10007-1602. Fa-Tai Shieh (212) 386-0537; fshieh@dcas.nyc.gov

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ENVIRONMENTAL PROTECTION

AGENCY CHIEF CONTRACTING OFFICE

SOLICITATION

Construction Related Services

CRO-521 CM: CONSTRUCTION MANAGEMENT SERVICES FOR THE JEROME PARK RESERVOIR GATEHOUSE RENOVATIONS - Located in the Bronx - Request for Proposals - PIN# 82618WM00339 - Due 2-13-18 at 4:00 P.M.

Minimum Qualification Requirements: 1) Proposers must be authorized to practice engineering in the State of New York. 2) Proposers must also submit a copy of the New York State engineering license for those key personnel responsible for the practice of engineering in the State of New York.

Pre-Proposal Conference: January 16, 2018, at 3:00 P.M., NYC DEP, 59-17 Junction Boulevard, 6th Floor Training Room, Flushing, NY 11373. Attendance to the Pre-Proposal Conference is not mandatory, but is strongly recommended. Please limit attendance to no more one person from each firm may attend due to room constraints.

Site Visit: January 18, 2018, 10:00 A.M., Jerome Park Reservoir, 3055 Goulden Avenue, Bronx, NY 10463.

This solicitation has a LL1 goal established.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Environmental Protection, 59-17 Junction Boulevard, 17th Floor, Flushing, NY 11373. Jeanne Schreiber (718) 595-3456; Fax: (718) 595-3278; rfp@dep.nyc.gov



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HUMAN RESOURCES ADMINISTRATION

CONTRACTS

INTENT TO AWARD

Human Services/Client Services

PROVISION OF SERVICES FOR FAMILIES WITH CHILDREN

- Negotiated Acquisition - Other - PIN# 18EHEDC05001 - Due 1-10-18 at 2:00 P.M.

\*For Informational Purposes Only\*

DHS intends to enter into a Negotiated Acquisition Extension (NAE) with "Women in Need" at 346 Powers Avenue, Bronx, NY 10454.

E-PIN#: 07113N0006001N003. Term: 7/1/18 - 6/30/19 Amount: \$2,428,937.00.

Negotiated Acquisition Extension (NAE) will allow the Women in Need Tier II Family Shelter to continue to provide services for families. Presently they house approximately 8,336 families per night Citywide. The shelter provides a host of social services designed to move clients out to the system and into mainstream. Any disruption in services could have negative consequences on this fragile population.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Human Resources Administration, 150 Greenwich Street, 37th Floor, New York, NY 10007. Paul Romain (929) 221-5555; romainp@hra.nyc.gov

j9

DEPARTMENT OF HOMELESS SERVICES

INTENT TO AWARD

Human Services/Client Services

TRANSITIONAL RESIDENCES HOMELESS SINGLE ADULTS

- Renewal - Due 1-10-18 at 5:00 P.M.

- PIN# 07110P0002038R001 - Acacia Network Housing Inc
PIN# 07110P0002030R002 - Help Social Service Corporation
PIN# 07110P0002126R001 - Neighborhood Association for Intercultural Affairs Inc
PIN# 07110P0002040R001 - Samaritan Daytop Village Inc
PIN# 07110P0002039R001 - Samaritan Daytop Village Inc
PIN# 07110P0002041R001 - Women in Need, Inc
PIN# 07110P0002046R001 - Women's Prison Association and Home Inc

The Department of Homeless Services of the New York City Department of Social Services plans to renew seven (7) contracts with the contractors listed below for the provision of Shelter Services for Adults: Acacia Network Housing Inc, 1064 Franklin Avenue, Bronx, NY 10456, E-PIN: 07110P0002038R001, Term: 7/1/2018 - 6/30/2022; Help Social Service Corporation, 115 East 13th Street, New York, NY 10003, E-PIN: 07110P0002030R002, Term: 7/1/2018 - 6/30/2021; Neighborhood Association for Intercultural Affairs Inc, 1075 Grand Concourse, Suite 1B, Bronx, NY 10452, E-PIN: 07110P0002126R001, Term: 7/1/2018 - 6/30/2024; Samaritan Daytop Village Inc, 138-02 Queens Boulevard, Briarwood, NY 11435, E-PINs: 07110P0002040R001 and 07110P0002039R001, Term: 7/1/2018 - 6/30/2022; Women in Need, Inc, 115 West 31st Street, New York, NY 10001, E-PIN: 07110P0002041R001, Term: 7/1/2018 - 6/30/2022 and Women's Prison Association and Home Inc, 110 Second Avenue, New York, NY 10003, E-PIN: 07110P0002046R001, Term: 7/1/2018 - 6/30/2022.

Anyone having comments on the Contractor's performance on the proposal renewal contracts may contact Paul Romain at (929)-221-5555 or email at romainp@hra.nyc.gov

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Human Resources Administration, 33 Beaver Street, 20th Floor, New York, NY 10004. Ellery Gillette (212) 361-0572; egillett@dhs.nyc.gov

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**MAYOR'S FUND TO ADVANCE NEW YORK CITY**

**PROGRAMS AND POLICY**

■ SOLICITATION

*Human Services/Client Services*

**BUILDING HEALTHY COMMUNITIES IN QUEENS** - Request for Proposals - PIN#MF201801 - Due 2-15-18 at 5:00 P.M.

The Mayor's Fund to Advance New York City (Mayor's Fund), with the support of Building Healthy Communities (BHC) an initiative of the Mayor's Office of Strategic Partnerships and the Fund for Public Health, seeks a community based organization to lead the effort to increase access to fitness opportunities, safe and vibrant public spaces, and fresh and affordable nutritious food, in two neighborhoods in Queens: Corona and Flushing.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Mayor's Fund to Advance New York City, 253 Broadway, 6th Floor, New York, NY 10007. Leah Prestamo (212) 748-0381; fundrfrp@cityhall.nyc.gov

◀ j9

**PARKS AND RECREATION**

■ VENDOR LIST

*Construction Related Services*

**PREQUALIFIED VENDOR LIST: GENERAL CONSTRUCTION, NON-COMPLEX GENERAL CONSTRUCTION SITE WORK ASSOCIATED WITH NEW YORK CITY DEPARTMENT OF PARKS AND RECREATION ("DPR" AND/OR "PARKS") PARKS AND PLAYGROUNDS CONSTRUCTION AND RECONSTRUCTION PROJECTS.**

DPR is seeking to evaluate and pre-qualify a list of general contractors (a "PQL") exclusively to conduct non-complex general construction site work involving the construction and reconstruction of DPR parks and playgrounds projects not exceeding \$3 million per contract ("General Construction").

By establishing contractor's qualification and experience in advance, DPR will have a pool of competent contractors from which it can draw to promptly and effectively reconstruct and construct its parks, playgrounds, beaches, gardens and green-streets. DPR will select contractors from the General Construction PQL for non-complex general construction site work of up to \$3,000,000.00 per contract, through the use of a Competitive Sealed Bid solicited from the PQL generated from this RFQ.

The vendors selected for inclusion in the General Construction PQL will be invited to participate in the NYC Construction Mentorship. NYC Construction Mentorship focuses on increasing the use of small NYC contracts, and winning larger contracts with larger values. Firms participating in NYC Construction Mentorship will have the opportunity to take management classes and receive on-the-job training provided by a construction management firm.

DPR will only consider applications for this General Construction PQL from contractors who meet any one of the following criteria:

- 1) The submitting entity must be a Certified Minority/Woman Business enterprise (M/WBE)\*;
- 2) The submitting entity must be a registered joint venture or have a valid legal agreement as a joint venture, with at least one of the entities in the joint venture being a certified M/WBE\*;
- 3) The submitting entity must indicate a commitment to sub-contract no less than 50 percent of any awarded job to a certified M/WBE for every work order awarded.

\* Firms that are in the process of becoming a New York City-Certified M/WBE, may submit a PQL application and submit a M/WBE Acknowledgement Letter, which states the Department of Small Business Services has begun the Certification process.

Application documents may also be obtained online at: <http://a856-internet.nyc.gov/nycvendonline/home.asap>; or <http://www.nycgovparks.org/opportunities/business>.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Parks and Recreation, Olmsted Center Annex, Flushing Meadows-Corona Park, Flushing, NY 11368. Alicia H. Williams (718) 760-6925; Fax: (718) 760-6885; [dmbwe.capital@parks.nyc.gov](mailto:dmbwe.capital@parks.nyc.gov)

j2-d31

**CONTRACTS**

■ SOLICITATION

*Construction/Construction Services*

**PLANTING OF NEW AND REPLACEMENT STREET TREES**

- Competitive Sealed Bids - PIN#BG-318M - Due 1-31-18 at 10:30 A.M. In Community Boards 1, 2, 3, 4, and 16 in the Borough of Brooklyn. E-PIN# 84618B0069.

● **PLANTING OF NEW AND REPLACEMENT STREET TREES** - Competitive Sealed Bids - PIN#BG-418M - Due 2-1-18 at 10:30 A.M. In Community Boards 5, 14 and 18 in the Borough of Brooklyn. E-PIN# 84618B0076.

● **PLANTING OF NEW AND REPLACEMENT STREET TREES** - Competitive Sealed Bids - PIN#BG-518M - Due 2-2-18 at 10:30 A.M. In Community Boards 6, 7, 10 and 12 in the Borough of Brooklyn. E-PIN# 84618B0077.

These procurements are subject to participation goals for MBEs and/or WBEs as required by Local Law 1 of 2013.

Bid Security: Bid Deposit in the amount of 5 percent of Bid Amount or Bid Bond in the amount of 10 percent of Bid Amount.

The cost estimate range: \$1,000,000.00 to \$3,000,000.00.

To request the Plan Holder's List, please call the Blue Print Room at (718) 760-6576.

Bid documents are available for a fee of \$25.00 in the Blueprint Room, Room #64, Olmsted Center, from 8:00 A.M. to 3:00 P.M. The fee is payable by company check or money order to the City of New York, Parks and Recreation. A separate check/money order is required for each project. The company name, address and telephone number as well as the project contract number must appear on the check/money order. Bidders should ensure that the correct company name, address, telephone and fax numbers are submitted by your company/messenger service when picking up bid documents.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Parks and Recreation, Olmsted Center, Room 64, Flushing Meadows-Corona Park, Flushing, NY 11368. Susana Hersh (718) 760-6855; [susana.hersh@parks.nyc.gov](mailto:susana.hersh@parks.nyc.gov)

◀ j9

**AGENCY RULES**

**CONSUMER AFFAIRS**

■ NOTICE

**Notice of Hearing Reschedule and Extension of Comment Period**

**NOTICE IS HEREBY GIVEN** that the Department of Consumer Affairs (DCA) is rescheduling the public hearing on, and extending the comment period for, DCA's proposed rules, which seek to implement Local Law 87 for the year 2016, which added subchapter 14.1 to Title 20 of the Administrative Code and repealed subchapter 14, in relation to DCA's regulation of laundries.

The proposed rules were published on December 14, 2017. The public hearing was scheduled for 10:00 A.M., on January 15, 2018, in the

5th Floor Conference Room of 42 Broadway, Manhattan. DCA is rescheduling the public hearing to 10:00 A.M., on January 16, 2018, in the 5th Floor Conference Room of 42 Broadway, Manhattan. The public comment period is extended to 5:00 P.M. on January 16, 2018.

◀ j9

## ENVIRONMENTAL PROTECTION

### ■ NOTICE

#### Notice of Public Hearing and Opportunity to Comment on Proposed Rules

**What are we proposing?** The Department of Environmental Protection is promulgating rules that would amend the existing asbestos rules and regulations. These rule amendments were identified as part of a comprehensive rules review initiative undertaken by the New York City Mayor's Office of Operations to further clarify and simplify certain regulations.

**When and where is the hearing?** The department will hold a public hearing on the proposed rule. The public hearing will take place at 10:00 A.M., on February 14, 2018. The hearing will be held in the 8th Floor Conference Room, at 59-17 Junction Boulevard, Flushing, NY.

**How do I comment on the proposed rules?** Anyone can comment on the proposed rules by:

**Website.** You can submit comments to the Department of Environmental Protection through the NYC rules website at <http://rules.cityofnewyork.us>.

**Email.** You can email written comments to [nycrules@dep.nyc.gov](mailto:nycrules@dep.nyc.gov).

**Mail.** You can mail written comments to the Department of Environmental Protection, Bureau of Legal Affairs, 59-17 Junction Boulevard, 19th Floor, Flushing, NY 11373.

**Fax.** You can fax written comments to the Department of Environmental Protection, Bureau of Legal Affairs, at (718) 595-6543.

**By speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by calling (718) 595-6531. You can also sign up in the hearing room before the hearing begins on February 14, 2018.

**Is there a deadline to submit written comments?** Yes, you must submit written comments by February 14, 2018.

**What if I need assistance to participate in the hearing?** You must tell the Bureau of Legal Affairs if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at the address given above. You may also tell us by telephone at (718) 595-6531. Advance notice is requested to allow sufficient time to arrange the accommodation. Please tell us by February 7, 2018, 2018. This location has the following accessibility option(s) available: Wheelchair Accessibility.

**Can I review the comments made on the proposed rules?** You can review the comments made online on the proposed rules by going to the website at <http://rules.cityofnewyork.us/>. A few days after the hearing, a recorded copy will be available to the public at the Bureau of Legal Affairs, 59-17 Junction Boulevard, 19th Floor, Flushing, NY 11373.

**What authorizes the department to make this rule?** Section 1043 of the City Charter and Sections 24-105 and 24-136 of the New York City Administrative Code authorize the department to make this proposed rule. This proposed rule was included in the department's regulatory agenda for the 2017 fiscal year.

**Where can I find the department's rules?** The department's rules are in Title 15 of the Rules of the City of New York.

**What laws govern the rulemaking process?** The department must meet the requirements of Section 1403 of the New York City Charter when creating or changing rules. This notice is made according to the requirements of Section 1043(b) of the Charter.

#### **Statement of Basis and Purpose of Proposed Rule**

Working with the City's rule-making agencies, the Law Department, the Mayor's Office of Management and Budget, and the Mayor's Office of Operations conducted a retrospective rules review of the City's existing rules, identifying those rules that will be repealed or modified to reduce regulatory burdens, increase equity, support small businesses, and simplify and update content to help support public understanding and compliance. In light of this review, the Department of Environmental Protection ("DEP" or "the department") is making several changes to its asbestos regulations to update them and make them easier for the public and the regulated community to understand.

Among other changes, the proposed rule:

- clarifies the purpose of the rule;
- adds definitions;
- adds sections related to the Asbestos Assessment Report and renewal of the Restricted Asbestos Handler Certificate;
- clarifies variance-related issues;
- clarifies the qualifications required for investigator certificates;
- clarifies record-keeping requirements for the contractor, air monitor and investigator;
- updates language on, and the specifications of, required warning signs and labels;
- prohibits employees of the department's Asbestos Control Program from applying for an asbestos investigator certificate or from applying for renewal of the certificate;
- allows in certain instances individuals denied a certificate to appeal the decision;
- repeals Section 1-22 (b)(2), Asbestos Exemption Certification;
- limits the number of times any certificate holder may receive a replacement certificate to twice in any two-year validity period;
- requires an asbestos abatement permit when there is an obstruction of an interior exit stairway;
- requires a sample location sketch to be made within one hour of the beginning of sample collection of suspected asbestos-containing material;
- requires additional training for investigators with a high school diploma including blueprint-reading courses;
- requires a minimum of six months graduate experience in building survey or a certified asbestos investigator;
- allows for electronic recordkeeping;
- clarifies for the investigator what a chain of custody must include;
- sets required procedures for encapsulation and enclosure;
- requires applicants to achieve a passing grade on a departmental examination by the third attempt;
- makes failure to comply with a work place safety plan a violation of the rules;
- requires that a variance for the use of a remote worker decontamination enclosure be obtained;
- requires a building owner or its authorized representative to retrieve the approved stamped copy of the work place safety plan from DEP and post that copy at the work place;
- requires that a sample location sketch must be made within one hour of the beginning of sample collection;
- amends Section 1-26 to always require a work place safety plan when a permit is required;
- clarifies the roofing, flooring, vertical surface, and pre-demolition procedures; and
- includes minor plain-language revisions.

Consistent with the above, DEP amends the existing rules found at 15 R.C.N.Y. Chapter 1. The Rule is authorized by Section 1043 of the New York City Charter and Sections 24-105 and 24-136 of the Administrative Code of the City of New York.

#### New material is underlined.

[Deleted material is in brackets.]

"Shall" and "must" denote mandatory obligations and are used interchangeably in the rules as amended.

The text of the proposed rule follows.

Section 1. The chapter heading and table of contents of Chapter 1 of Title 15 of the Rules of the City of New York are amended to read as follows:

#### **Chapter 1**

##### ***Asbestos Control Program***

##### Subchapter

- A Purpose, Scope, Application, Definitions and Variances
- B Certification Provisions
- C Notifications, Permitting and Recordkeeping
- D Air and Bulk Sampling, Monitoring and Analysis
- E Personnel Protection and Equipment Specifications
- F Asbestos Project Procedures
- G Pre-Demolition Abatement Activity Procedures

§ 2. The subchapter heading and table of contents of subchapter A of Chapter 1 of Title 15 of the Rules of the City of New York are amended to read as follows:

##### **Subchapter A**

##### *Purpose, Scope, Application, Definitions and Variances*

- § 1-00 Purpose
- § 1-01 Scope and Application
- § 1-02 Definitions
- § 1-03 Variances

§ 3. Subchapter A of Chapter 1 of Title 15 of the Rules of the City of New York has been amended by adding a new Section 1-00 to read as follows:

**§ 1-00 Purpose.** The purpose of these rules is to protect public health and the environment by minimizing the emission of asbestos fibers into the air of the City when buildings or structures with asbestos-containing material are renovated, altered, repaired, or demolished by ensuring that asbestos-containing material is handled appropriately and by individuals qualified to do so.

§ 4. Paragraphs 2 and 3 of subdivision j of Section 1-01 of Title 15 of the Rules of the City of New York is amended to read as follows:

(2) The maximum civil penalty for any violation of a lettered subsection of these rules, pursuant to a notice of violation returnable before the Environmental Control Board of the Office of Administrative Trials and Hearings, shall be \$10,000, except that a violation of Section 1-26 shall carry a maximum penalty of \$15,000.

(3) DEP may block an asbestos investigator from filing an Asbestos Assessment Report (Form ACP5) or deny any application for an asbestos permit pursuant to Section 1-26 of these rules, or a variance application pursuant to Section 1-03 of these rules, where any party to the asbestos project, including but not limited to the abatement contractor, building owner, [and] or air monitoring company, has docketed, unpaid civil penalties imposed by the Environmental Control Board of the Office of Administrative Trials and Hearings for violations of these rules, Sections [24-156.1 and 24-146.3]24-136 and 24-138 of the Administrative Code or NYS DOL IRC 56.

§ 5. The following definitions set forth in Section 1-02 of Title 15 of the Rules of the City of New York are amended, and the following new definitions are added in alphabetical order in that section, to read as follows:

**Amendment.** “Amendment” shall mean a form submitted to modify the asbestos project notification (Form ACP7) by changing information that was provided when the ACP7 was originally filed.

**Bound Notebook.** “Bound notebook” shall mean a notebook manufactured so that the pages cannot be removed without being torn out. A loose-leaf binder is not a bound notebook.

**Chain of custody.** “Chain of custody” shall mean the form or set of forms that document the collection and transfer of a sample, which must reflect the time and date of all transfers of that sample and identify each person that handles that sample by such person’s printed full name and signature.

**Containerize.** “Containerize” shall mean the placing of asbestos-containing material in an acceptable container for disposal, as specified by these rules.

**Electronic Recordkeeping System.** “Electronic recordkeeping system” shall mean an electronic system in which records are collected, organized, and categorized to facilitate their preservation and use, by utilizing a format and a reliable media that enables future retrieval of these records.

**Pre-demolition Abatement Activities.** “Pre-demolition abatement activities” shall mean any and all asbestos abatement activities required to be performed and completed prior to the partial or total structural demolition of a building or structure, including successful clearance air monitoring.

**Start date.** “Start date” shall mean the date when a worker decontamination enclosure system is installed and functional.

**Substrate.** “Substrate” shall mean non-asbestos containing material which is beneath and supports asbestos-containing material.

**Variance.** “Variance” shall mean relief from specific sections of the rule for a specific project.

**Work area.** “Work area” shall mean designated rooms, spaces, or areas of the building or structure where asbestos abatement activities take place. For glovebag procedures, the work area shall also include the areas contiguous to where the glovebag procedure takes place. For the purpose of the survey of a building for asbestos, the work area is the premises, or those portions of the premises where the renovation or alteration work is to occur, as reflected in the Form ACP7.

§ 6. Subdivision a of Section 1-03 of Title 15 of the Rules of the City of New York is amended to read as follows:

(a) Application for any variance [from these rules or Part 56 of Title 12 of New York Codes, Rules and Regulations (subparts 56-4 through 56-17) shall] must be made directly to the Department at least two weeks prior to the commencement of work. Work involving a variance may not commence prior to the receipt of the Department’s approval of the application. The applicant must pull an approved variance by entering a start date in the Department’s database, and must print out and post a copy of the variance at the work place.

§ 7. Section 1-03 of Title 15 of the Rules of the City of New York is amended by adding new subdivisions h and i to read as follows:

(h) An approved variance, except for a variance from subdivision b of Section 1-22, is valid for a period of six months from the start date. An application to renew an existing variance must be submitted to DEP two weeks prior to the expiration date of the variance.

(i) If the asbestos abatement contractor was the applicant for a variance, or if the building owner changes asbestos abatement contractors during the project, the variance application, and any written approval of the variance, are automatically canceled.

§ 8. The subchapter heading and table of contents of subchapter B of Chapter 1 of Title 15 of the Rules of the City of New York are amended to read as follows:

## Subchapter B

### Certification Provisions

#### Part 1 Certification Provisions

**§1-11 Asbestos Handler Certificate**

**§1-12 Renewal of Asbestos Handler Certificate**

**§1-13 Restricted Asbestos Handler Certificate**

**§1-14 Asbestos Handler Supervisor Certificate**

**§1-15 Renewal of Asbestos Handler Supervisor Certificate**

**§1-16 Asbestos Investigator Certificate**

**§1-17 Renewal of Asbestos Investigator Certificate**

**§1-18 Renewal of Restricted Asbestos Handler Certificate**

§ 9. Subdivision d of Section 1-12 of Title 15 of the Rules of the City of New York is amended to read as follows:

(d) [In the event that] If an asbestos handler certificate is lost or stolen, the certificate holder must immediately notify the department. An application for a replacement [shall] must be made in writing and [shall] must include a notarized statement that the certificate was lost or stolen, a statement that the applicant understands that submittal of a false statement [shall] will subject him or her to penalties and other remedies under the law, and a fee of \$50. A replacement certificate may only be obtained twice in any two-year validity period.

§ 10. Subparagraph iv of paragraph 4 of subdivision b of Section 1-14 of Title 15 of the Rules of the City of New York is amended to read as follows:

(iv) All other applicants [shall] must submit documentation of one year of experience in asbestos abatement activities. All such experience must be on small or large asbestos projects, and at least half the experience must be on large projects. The applicant’s experience in asbestos abatement activities shall be listed chronologically and shall include each contractor’s [name/address/phone] name, address and phone number; the number of hours worked per week on asbestos abatement activities; the applicant’s job title and a brief description of duties; and the size of each project; and

§ 11. Subdivision d of Section 1-15 of Title 15 of the Rules of the City of New York is amended to read as follows:

(d) [In the event that] If an asbestos handler supervisor certificate is lost or stolen, the certificate holder must immediately notify the department. An application for a replacement [shall] must be made in writing and [shall] must include a notarized statement that the certificate was lost or stolen, a statement that the applicant understands that submittal of a false statement [shall] will subject him or her to penalties and other remedies under the law, and a fee of \$50. A replacement certificate may only be obtained twice in any two-year validity period.

§ 12. Subdivisions a, b and d of Section 1-16 of Title 15 of the Rules of the City of New York are amended to read as follows:

(a) (1) No individual shall engage in a building survey [and hazard assessment] for asbestos unless that individual is certified as an asbestos investigator by the department.

(2) [A non-certified] An individual not certified by the department may [participate] assist in an asbestos survey being conducted by a NYC certified asbestos investigator only if such individual works in the presence of the investigator and under his/her direct and continuing supervision. Non-certified individuals may not collect bulk samples as described in paragraph 3 of this subdivision.

(3) The investigator must assume that some or all of the areas investigated contain ACM, and for each area that is not assumed to contain ACM, must collect and submit for analysis bulk samples in accordance with §§1-36, 1-37 and 1-44 and EPA publications 560/5-85-024 and 560/5-85-030A, and 40 CFR Part 763.80, 763.85, and 763.86.

(b) The department shall qualify applicants to be asbestos investigators. The applicant [shall] must satisfy one of the following five sets of conditions:

(1) A registered design professional, a certified industrial hygienist or a certified safety professional shall submit a copy of licensing or certification and documentation of six months post-graduate experienced in building survey for asbestos.

(2) A graduate from an accredited college or university possessing a doctorate or master's degree in architecture, engineering, environmental science, environmental health science, occupational health and safety, industrial hygiene or related environmental science [shall] must submit a copy of the degree and documentation of six months post-graduate experience in building survey/hazard assessment] for asbestos indicating specific addresses at which the graduate performed such building surveys.

(3) A graduate from an accredited college or university possessing a bachelor's degree in architecture, engineering, environmental science, environmental health science, occupational health and safety, industrial hygiene or a related environmental science [shall] must submit a copy of the degree and documentation of one year post-graduate experience in building survey/hazard assessment] for asbestos indicating specific addresses at which the graduate performed such building surveys.

(4) A graduate from an accredited college or university possessing an associate's degree in architecture, engineering technology, environmental health, public health, industrial health, applied science and technology or a related environmental science [shall] must submit a copy of the degree and documentation of one year post-graduate experience in conducting building [survey/hazard assessment] surveys for asbestos, indicating specific addresses at which the graduate performed such building surveys and an additional two years of other building survey-related experience. One year of such experience in building survey for identification of suspect asbestos containing materials and two years of experience in any other type of building surveys of a technical nature including structural, mechanical, or electrical training is required.

(5) An individual with extensive experience in asbestos investigation on a professional level [shall] must submit documentation demonstrating two years of experience [in building survey/hazard assessment] conducting building surveys for asbestos indicating specific addresses at which the individual performed such building surveys and an additional three years of other building survey-related experience. Additionally, such an individual must submit documentation of successful completion of a 12 hour minimum introductory blueprint-reading course or any equivalent building design and construction training or certification as established by the department and posted on the DEP website and must possess a four-year high school diploma or its educational equivalent, approved by a State's Department of Education.

\* \* \*

(d) Applicant shall be allowed three attempts to achieve a passing grade on a departmental examination. If an applicant receives a failing grade after the third attempt, the applicant shall retake a New York State Restricted Asbestos Handler-III Inspector Training course as set forth in paragraph 2 of subdivision (c) of this section before being allowed to retake the departmental examination.

§ 13. Section 1-16 of Title 15 of the Rules of the City of New York is amended by adding new subdivisions i, j, and k to read as follows:

(i) Employees of the department's Asbestos Control Program (ACP) are prohibited from applying for an asbestos investigator certificate. Any ACP employee who holds an asbestos investigator certificate is prohibited from applying for renewal of the certificate.

(j) The department may deny any application submitted under this section where it is determined that the applicant has failed to meet the standards established by these rules, including:

(i) Failure to demonstrate the ability to comply fully with applicable requirements, standards, and procedures set forth in these rules;

(ii) Submission of false information on an application;

(iii) Failure to submit all required information and documentation with the application;

(iv) Past history of violation of federal or state asbestos regulations, or any laws, rules, or regulations relating to occupational or public safety or health;

(v) Loss of a relevant professional accreditation or license; or

(vi) Any other cause which the commissioner determines to be of such serious and compelling nature as to warrant denial of the application.

(k) A certified asbestos investigator who is issued a notice of violation under this section alleging that the investigator engaged in unprofessional conduct that demonstrates a willful disregard for public health, safety or welfare shall be subject to immediate suspension,

provided that the Commissioner serves the investigator with a notice of charges and an opportunity to be heard within 15 calendar days pursuant to Administrative Code § 24-136(4).

§ 14. Subdivision d of Section 1-17 of Title 15 of the Rules of the City of New York is amended to read as follows:

(d) [In the event that] If an asbestos investigator certificate is lost or stolen, the certificate holder must immediately notify the department. An application for a replacement [shall] must be made in writing and [shall] must include a notarized statement that the certificate was lost or stolen, a statement that the applicant understands that submittal of a false statement [shall] will subject him or her to penalties and other remedies under the law, and a fee of \$50. A replacement certificate may only be obtained twice in any two-year validity period.

§ 15. Subchapter B of Chapter 1 of Title 15 of the Rules of the City of New York is amended by adding a new Section 1-18 to read as follows:

**§ 1-18 Renewal of Restricted Asbestos Handler Certificate.**

(a) The restricted asbestos handler must apply for renewal of the certificate at least 60 days prior to the date of its expiration.

(b) Application for renewal must be made on a form approved by the department and must be accompanied by a fee of fifty dollars (\$50).

(c) An applicant denied a certificate on any grounds other than failure to complete a certificate application or failure to meet the minimum requirements set forth in these rules may request a hearing before the commissioner or the commissioner's designee to contest that denial by submitting a written request for such hearing within ten days of receipt of the denial.

(d) If a restricted asbestos handler certificate is lost or stolen, the certificate holder must immediately notify the department. An application for a replacement must be made in writing and must include a notarized statement that the certificate was lost or stolen, a statement that the applicant understands that submittal of a false statement will subject him or her to penalties and other remedies under the law, and a fee of \$50. A replacement certificate can only be obtained twice in any two-year validity period.

§ 16. The subchapter heading and table of contents of subchapter C of Chapter 1 of Title 15 of the Rules of the City of New York are amended to read as follows:

**Subchapter C**

*Notifications, Permitting and Recordkeeping*

- §1-21 **Size and Scope of Asbestos Project**
- §1-22 **Projects Requiring Certification to the Department of Buildings**
- §1-23 **Alterations/Renovations/Modifications**
- §1-24 **[Reserved] Asbestos Assessment Report**
- §1-25 **Asbestos Project Notifications**
- §1-26 **Asbestos Abatement Permits**
- §1-27 **Emergency Asbestos Project Notification**
- §1-28 **Record Keeping Requirements for Investigators**
- §1-29 **Maintenance of Project Record and Project Summary**

§ 17. Paragraph 3 of subdivision a, and paragraph 1 of subdivision b, of Section 1-22 of Title 15 of the Rules of the City of New York are amended to read as follows;

(3) Plumbing work, except [that applications for limited plumbing alterations shall be subject to this section only when the application is for the installation, alteration, or removal of fuel-burning equipment] for the direct replacement of plumbing fixtures.

(b) In accordance with Section 28-106.1 of the Administrative Code, the building owner or [his/her] such owner's authorized agent [shall] must submit one of the following certifications to the Department of Buildings except as set forth below:

(1) Asbestos Assessment Report. If the building (or portions thereof) affected by the work are free of asbestos-containing material, ACM will not be disturbed by the work, or the amount of ACM to be abated constitutes a minor project, an asbestos assessment report (Form ACP-5) completed, signed, and sealed by a DEP-certified asbestos investigator, along with a fee of \$47.00 [shall] must be submitted to DEP prior to construction document approval and to any amendment of the construction document approval which increases the scope of the project to include [(a) work area(s)] any work area not previously covered.

§ 18. Paragraph 2 of subdivision b of Section 1-22 of Title 15 of the Rules of the City of New York is REPEALED. Paragraphs 3 and 4 of that subdivision b are renumbered as paragraphs 2 and 3, respectively, and amended to read as follows:

[(3)](2) Asbestos Project Completion Form. If an asbestos project has been performed and satisfactorily completed in accordance



with these rules, a copy of the asbestos project completion form (Form ACP21) issued to the building owner or its authorized representative by DEP [shall] must be submitted to DOB prior to the issuance of a DOB permit and to any amendment of the underlying construction document approval which increases the scope of the project to include [(a) work area(s)] any work area not previously covered.

[(4) An] (3) Asbestos Project Conditional Completion Form. If an asbestos project has been performed but would be subject to the procedures of Section 1-26(c)(2)(ii), a copy of the asbestos project conditional completion form (Form ACP20) issued to the building owner or its authorized representative by DEP [shall] must be submitted to DOB prior to the issuance of a DOB permit and to any amendment of the underlying construction document approval which increases the scope of the project to include [(a) work area(s)] any work area not previously covered.

§ 19. Subdivisions b and c of Section 1-23 of Title 15 of the Rules of the City of New York are amended to read as follows:

(b) Asbestos Exemption [Certification (ASB4 Form)]. Where the work to be performed requires a permit to be issued by the [Department of Buildings] DOB, an asbestos exemption [certification (ASB4 Form)] may be submitted to the Department of Buildings in accordance with Section 1-22(b)(2) of these rules may be claimed by checking the appropriate boxes on the DOB permit application forms PW1 or LAA1, where the applicant for construction document approval certifies that:

\* \* \*

(2) no existing building materials, as the term "building materials" is defined in these rules, are to be disturbed by the proposed work; or

\* \* \*

(c) Asbestos Assessment Report (ACP-5 Form). If, after a survey performed by a DEP-certified asbestos investigator, it is determined that the building (or portion thereof) affected by the work is free of asbestos-containing material, the ACM present will not be disturbed by the work, or the amount of ACM to be abated constitutes a minor project, said asbestos investigator [shall] must complete, sign, and affix his or her seal to the asbestos assessment report (ACP-5 Form) which shall be submitted with a fee of \$47.00 to DEP in accordance with Section 1-22(b)(1) of these rules.

§ 20. Subchapter C of Chapter 1 of Title 15 of the Rules of the City of New York is amended by adding a new Section 1-24 to read as follows:

**§ 1-24 [Reserved] Asbestos Assessment Report.**

(a) Each area where work will occur must be surveyed by the asbestos investigator for all Presumed Asbestos Containing Materials (PACM) present. All suspect ACM must be listed in Section 9 of the Asbestos Assessment Report (Form ACP5). The asbestos survey must be clearly described in Section 9 with detailed descriptions of floors and sections of floors. An individual row in Section 9 must be used for each individual homogenous type of suspect ACM and each must be clearly described with its respective identifying characteristics.

(b) An asbestos assessment report (Form ACP5) shall be valid for one year from the date generated within the Department's Asbestos Reporting and Tracking System website.

§ 21. Subdivisions b and d of Section 1-25 of Title 15 of the Rules of the City of New York are amended to read as follows:

(b) [Work constituting a minor project. If the work is a minor project, no notification or fee payable to the department shall be required, unless notification and fees are otherwise required by these regulations.] Reserved.

\* \* \*

(d) Modification of or deviation from the information provided in any notification submitted to the DEP under this section [shall] must immediately be reported in writing directly to DEP if the change refers to the identity of the building owner or ACM removal contractor or the air monitoring firm; or the amount of ACM to be removed; or the dates of the project; or the specific project location. A notification may be modified no more than twice, however, a modification related to the extension or reinstatement of an asbestos abatement permit shall not count towards this total. A modification is valid only if it is received by the DEP prior to the previously filed date of completion, except for start date changes which must be received by the original start date. [Thereafter] If the modification is received after that date, a new notification submitted directly to the department will be required. Additional work, identified after the completion of the work indicated on the asbestos project notification and successful clearance air monitoring, shall require a new notification. A notification to DEP shall be valid for one year from the date of original filing.

§ 22. Subdivision a of Section 1-26 of Title 15 of the Rules of the City of New York is amended by adding a new paragraph 14 thereto to read as follows:

(14) Obstruction of an interior exit stairway.

§ 23. Paragraph 2 of subdivision b of Section 1-26 Title 15 of the Rules of the City of New York is REPEALED, and that subdivision b is amended to read as follows:

(b) Work Place Safety Plan.

(1) Plan required. For projects requiring an asbestos abatement permit due to one or more of the activities listed in [(a) (1-9)] (a)(1)-(14), the building owner or its authorized representative [shall] must submit, together with the asbestos project notification, a work place safety plan (WPSP) and any other applicable construction documents, which [shall] must be prepared by a registered design professional, and a permit fee as specified in subsection (g).

[(2) Plan not required. For projects requiring an asbestos abatement permit due to one or more of the activities listed in (a)(10-13), the building owner or its authorized representative shall submit, together with the asbestos project notification, all applicable asbestos abatement permit construction documents, and a permit fee as specified in subsection (g).

(i) If the WPSP is being submitted pursuant to subsection (a) (9), it [shall] must also set forth the sequencing of the proposed work. The WPSP [shall] may not be approved unless it provides for a buffer of four floors or an adequate buffer as determined by the commissioner between the abatement and the demolition or floor removal work.

[(3)] (2) Work Place Safety Plan requirements. The WPSP [shall] must include, but not be limited to, the following items, depending on the size and scope of the asbestos project:

- (i) Floor plans showing the locations of all asbestos project work areas in the building.
- (ii) Floor plans indicating the locations of any components of the fire alarm system which have been deactivated, and setting forth mitigation measures to be implemented for the duration of the project.
- (iii) Floor plans indicating the locations of obstructed or removed exit signage and lighting and setting forth mitigation measures to be implemented for the duration of the project.
- (iv) Floor plans indicating the locations of any obstructed means of egress or required exit and setting forth mitigation measures to be implemented for the duration of the project.
- (v) Floor plans or riser diagrams indicating the locations of any disengaged or removed components of the fire protection system and setting forth mitigation measures to be undertaken for the duration of the project.

(vi) A written description of all measures taken to mitigate compromised fire protection systems or means of egress, including but not limited to surveillance by a fire watch and an action plan setting forth procedures to be taken for the safety of building occupants in the event of an emergency.

(vii) If the asbestos project is being performed in a building where any dwelling unit is to be occupied for the duration of the permit, the WPSP shall include a tenant protection plan as required by Chapter 1 of Title 28 of the Administrative Code.

(viii) A list of all non asbestos contractors who will perform work on the project.

[(4)] (3) Approval. The documents submitted pursuant to subsection (b) will be reviewed by DEP's asbestos technical review unit (A-TRU) and by any other relevant city agencies. Upon approval by A-TRU, DEP will issue an asbestos abatement permit to the building owner or its authorized representative, who must retrieve the approved stamped copy of the WPSP from DEP and post that copy at the work place.

(4) Failure to comply with the approved WPSP is a violation of these rules.

§ 24. Paragraphs 1 and 3 of subdivision c of Section 1-26 of Title 15 of the Rules of the City of New York are amended to read as follows:

(1) All inspections required pursuant to Title 28 of the Administrative Code, including but not limited to special inspections required by Chapter 17 of the Building Code, [shall] must be performed by a registered design professional who is independent of the abatement contractor and hired by the building owner or that owner's authorized representative.

\* \* \*

(3) Final inspection reports shall be filed with the DEP on A-TR1 form. Records of final inspections made by registered design professionals shall be maintained by such persons for a period of six years after final inspection, or for such other period as the commissioner shall require, and shall be made available to the department upon request. These records may be maintained in an electronic recordkeeping system instead of in paper form.

§ 25. Section 1-26 Title 15 of the Rules of the City of New York is amended by amending subdivision h, and adding a new subdivision i, to read as follows:

(h) Work covered by the asbestos abatement permit shall not commence until said permit is issued with a specified start date and posted with the approved WSPSP by the applicant at the work place.

(i) If additional ACM is added to a project that has an approved WSPSP, a registered design professional must submit a letter to the Asbestos Technical Review Unit affirming that the professional has visited the work place and that the additional asbestos abatement is consistent with the approved WSPSP and that proposed changes will not impact egress or fire protection requirements.

§ 26. Subdivision a of Section 1-27 of Title 15 of the Rules of the City of New York is amended to read as follows:

(a) An emergency asbestos project involves the removal, enclosure [ or ], encapsulation or cleanup of asbestos-containing material that was not planned but is undertaken when sudden unexpected event(s) result in a situation in which any delay in abatement would pose an immediate danger to public safety and health.

§ 27. Subdivision a and paragraphs 1 and 3 of subdivision b of Section 1-28 of Title 15 of the Rules of the City of New York are amended to read as follows:

(a) The asbestos investigator [shall] must maintain a permanent record as required under this section for every building survey/[hazard assessment] for asbestos that is conducted pursuant to or submitted in accordance with [§§] Sections 1-22 through 1-27 of this chapter.

(b) For each building survey/[hazard assessment] conducted prior to preparation of either the asbestos project notification (ACP-7) or asbestos assessment report (ACP-5), the investigator [shall] must compile a record which [shall] must include at a minimum:

(1) A survey report that reflects the condition of the work area at the date and time of the investigator's inspection. The report is to include, at a minimum, the [building's] building or structure address and the name and address of the building or structure owner, as well as the locations, quantities, and condition of all building materials in the affected portion(s) of the building or structure [relative to the ACM contained therein; the building or structure's address; and the name and address of the building owner;] and

\* \* \*

(3) The printed name and signature of any and all persons who collect bulk samples for the purpose of determining the presence of ACM, a copy of the current [DEP asbestos handler certificate and NYS DOL asbestos handler] New York State asbestos inspector certificate of each such person, the name of the firm performing the survey and a copy of its current NYS DOL asbestos handling license, the name and address of the laboratory analyzing the samples, the date of analysis, the results of the analysis, the method of analysis and the name and signature of the person performing the analysis; and

§ 28. Section 1-28 of Title 15 of the Rules of the City of New York is amended by amending subdivision d thereof and adding a new subdivision f to read as follows:

(d) The investigator [shall] must maintain these records for thirty (30) years. These records may be maintained in an electronic recordkeeping system instead of in paper form. Upon the death of the investigator, records may be destroyed and notification must be sent to the Asbestos Control Program.

\* \* \*

(f) Records must be stored in a manner that minimizes the possibility of damage from water. The investigator must immediately report if any records are damaged, lost or destroyed.

§ 29. Section 1-29 of Title 15 of the Rules of the City of New York is amended by amending paragraph 6 of subdivision a, amending the introductory language of subdivision b, amending subdivision c, and adding a new subdivision d to read as follows:

(6) A copy of the abatement contractor's and air monitor's daily log [book] books;

\* \* \*

(b) In addition to the project record required in subsection (a), the asbestos abatement contractor shall maintain, for at least thirty (30) years after the end of the project, a project summary for each asbestos project in which they engage[, consisting]. These records may be maintained in an electronic recordkeeping system instead of in paper form. That project record must consist of the following:

\* \* \*

(c) The building owner [or], contractor or air monitor, as applicable, must make the project record or project summary required by this section available for inspection by DEP within 72 hours of request, except that during the project the project record must be made available immediately upon request.

(d) In addition to the project record required in subdivision (a), the air monitoring company must maintain, for at least thirty (30) years after the end of the project, a project summary for each asbestos project in which the company engages. These records may be maintained in an electronic recordkeeping system instead of in paper form. The project summary must consist of the following:

- (1) The DEP certificate number of all individuals who worked on the project;
- (2) The location and general description of the project;
- (3) The start and completion dates for the project;
- (4) The name, address, and ELAP registration number of the laboratory used for air sample analysis; and
- (5) A copy of the project air sampling log.

§ 30. Paragraph 4 of subdivision a, and subdivision b, of Section 1-36 of Title 15 of the Rules of the City of New York are amended to read as follows:

(4) Only persons certified by the Department as asbestos investigators or (only if under the direct in-person supervision of an asbestos investigator) by New York State Department of Labor as Asbestos Inspectors may select and collect bulk samples for analysis.

(b) [An] One air sampling technician [shall] must be present at [the] each work [site] place to observe and maintain air sampling equipment for the duration of the air sample collection.

§ 31. Subdivision d, the introductory language of subdivision f, and paragraph 3 of subdivision f of Section 1-37 of Title 15 of the Rules of the City of New York are amended to read as follows:

(d) Air sampling pumps [shall] must have a constant controlled flow and [shall] must have the flow rate capacity to perform sampling as specified in these rules. A properly calibrated rotometer [shall] must be used to check the flow rate. A rotometer [ shall ], along with its current calibration sheet, must be available at the work place for the duration of air sample collection. Primary and secondary calibration devices [shall] must be calibrated as per NYS DOH ELAP requirements.

\* \* \*

(f) A project air sampling log [shall] must be created and maintained in a bound notebook by the air monitoring company. The project air sampling log [shall] must be available at the work site. A copy of the log [shall] must be submitted to the department within 24 hours of request. The log [shall] must contain the following information for all area air samples collected on the asbestos project:

\* \* \*

(3) Sample location sketch, showing the sample ID numbers, identifying all project air sample locations, per work shift or day of area air samples. The sketch must be made within one hour of the beginning of sample collection.

§ 32. Subparagraph i of paragraph 1 and subparagraph i of paragraph 2 of subdivision d of Section 1-41 of Title 15 of the Rules of the City of New York are amended to read as follows:

(1) For small asbestos projects:

(i) involving full containment or interior foam method (if required by Section 1-41(a)), three area samples inside and three outside the work area;

\* \* \*

(2) For large asbestos projects[,];

(i) a minimum of five area samples inside and five outside the work area, for projects involving full containment or interior foam method (if required by Section 1-41(a)). In addition to the [5] five sample minimum, one representative area sample [shall] must be collected both inside and outside the work area for every 5,000 square feet above 25,000 square feet of floor space when ACM has been abated.

§ 33. Subdivisions b and c of Section 1-44 of Title 15 of the Rules of the City of New York are amended to read as follows:

(b) TEM area air samples [shall] must be analyzed and reported in accordance with the mandatory or non-mandatory Electron Microscopy Methods set forth at 40 C.F.R. Part 763, Subpart E[, Appendix A].

(c) Bulk samples [shall] must be analyzed and reported in accordance with [Interim] Method for the Determination of [Asbestiform Materials] Asbestos in Bulk [Insulation Samples] Building Materials found in 40 C.F.R. Part 763, Subpart [F]E, [Appendix A as amended on September 1, 1982,] or other methods approved by the National Institute of Standards and Technology, the National Institute of Occupational Safety and Health, the United States Environmental Protection Agency, or New York State Department of Health.

§ 34. The subchapter heading and table of contents of subchapter E of Chapter 1 of Title 15 of the Rules of the City of New York are amended to read as follows:

**Subchapter E**

*Personnel Protection and Equipment Specifications*

**Part 1 [Worker] Personnel Protection and Hygiene**  
**2 Equipment Specifications**

**Part 1**  
*[Worker] Personnel Protection*

§ 35. The heading of Section 1-51, and the introductory language of subdivision c and paragraph 2 of that subdivision c of Section 1-51, of Title 15 of the Rules of the City of New York are amended to read as follows:

**§1-51 [Worker] Personnel Protection and Hygiene Requirements.**

\* \* \*

(c) Personal protective equipment [shall] must be worn by all individuals inside the work place during abatement activities, except that gloves need not be worn during those work place preparation activities which do not involve the disturbance of ACM. Personal protective equipment [shall] must meet the following specifications:

\* \* \*

(2) Hard hats, protective eyewear, gloves, rubber boots and/or other footwear [shall] must be provided by the contractor as required for workers and authorized visitors. Safety shoes and hard hats [shall] must be in accordance with [ANSI Z89.1 (1969) and ANSI Z41.1 (1967)] the most recent ANSI standards.

§ 36. The introductory language of subdivision f, and paragraphs 3, 4, and 5 of subdivision f, of Section 1-51 of Title 15 of the Rules of the City of New York are amended to read as follows:

(f) The contractor [shall] must have available the following information at the work place:

\* \* \*

(3) A copy of these Rules, the most recent Asbestos Abatement Notice (Form ACP-13), ATRU permits, any variance application (Form ACP-9) and DEP approval thereof, and

(4) A copy of all [Material] Safety Data Sheets [(MSDS)](SDS) for chemicals used during the asbestos project, and

(5) Original New York City Asbestos handler and supervisor certificates of all workers in the work site, and

§ 37. Subdivisions g and h of Section 1-51 of Title 15 of the Rules of the City of New York are amended to read as follows:

(g) The contractor [shall] must post signs during all abatement activities. Signs [shall] must be posted at all approaches to the work place including internal doorways which provide access to the work place. These signs [shall] must [bear] include the following information:

**DANGER**  
**ASBESTOS [CANCER AND LUNG DISEASE HAZARD] MAY CAUSE CANCER, CAUSES DAMAGE TO LUNGS**  
**AUTHORIZED PERSONNEL ONLY**  
**[RESPIRATORS] WEAR RESPIRATORY PROTECTION AND PROTECTIVE CLOTHING**  
**[ARE REQUIRED] IN THIS AREA**

(h) Warning labels [shall] must be affixed to all waste containers containing asbestos material [in] and [shall] must [bear] include the following information:

**DANGER**  
**CONTAINS ASBESTOS FIBERS**  
**MAY CAUSE CANCER, CAUSES DAMAGE TO LUNGS**  
**DO NOT BREATHE DUST**  
**AVOID CREATING DUST**  
**[CANCER AND LUNG DISEASE HAZARD]**

§ 38. Subdivision e of Section 1-61 of Title 15 of the Rules of the City of New York is amended to read as follows:

(e) Airtight and watertight containers [shall] must be provided to receive and retain any asbestos-containing waste materials. Plastic bags used for waste storage or disposal [shall] must be a minimum of 6-mil in thickness. All containers [shall] must be labeled in accordance with OSHA Regulation 29 C.F.R. [1926.58K(2)(ii) and (iii)] 1926.1101.

§ 39. Subdivisions a and k of Section 1-81 of Title 15 of the Rules of the City of New York are amended to read as follows:

(a) The building owner or designated representative [shall] must provide notification to all occupants of the work place and immediate adjacent areas of the asbestos project or minor project. Information provided in the notification [shall] must include contractor, project location and size, amount and type of ACM, abatement procedure, dates of expected occurrence and the Call Center "311" for government information and services. Postings of this notification [shall] must be in English and Spanish, at eye level, in a conspicuous, well-lit place, at the entrances to the work place and immediate adjacent areas. The notice [shall] must have the following heading: **NOTICE OF ASBESTOS ABATEMENT**, in a minimum of [one] two inch sans serif, gothic or block style lettering, with the balance of the lettering of the notice to be of the same type lettering in a minimum of one [quarter] inch size. The notices [shall] must be posted 7 calendar days prior to the start of the project and [shall] must remain posted until clearance air monitoring is satisfactorily concluded. A lessee initiating an asbestos project [shall] must give 10 calendar days notice to the owner of the subject building.

\* \* \*

(k) Fixed objects which will remain within the proposed work areas [shall] must be pre-cleaned using HEPA filtered vacuum equipment and/or wet cleaning methods as appropriate, and enclosed with two layers of fire retardant 6-mil plastic sheeting sealed to protect from re-contamination. Sprinklers, standpipes, and other fire [suppression] protection systems [shall] must remain in service and [shall] must not be plasticized.

§ 40. Subdivision x of Section 1-81 of Title 15 of the Rules of the City of New York is amended by amending paragraphs 1 and 4 thereof and adding a new paragraph 5 thereto, to read as follows:

(x) Elevators running through the work area [shall] must conform to the following:

(1) The elevator door in the work area [shall] must be enclosed with conventional 2 x 4 stud framing, covered with <sup>1/2</sup> fire rated plywood sheeting and sealed at all edges and seams. The barrier [shall] must be covered and lapped for 8 inches with two layers of fire retardant 6-mil plastic sheeting adhered individually with edges taped for air tightness. There shall be zero clearance between the elevator door and hard wall barrier.

\* \* \*

(4) Elevator shafts shall not be used as waste chutes or to convey any ACM.

(5) Signage must be posted in the main lobby stating the specific floors where the elevators are out of service due to abatement.

§ 41. Subdivision y of Section 1-81 of Title 15 of the Rules of the City of New York is amended to read as follows:

(y) Adequate toilet facilities [shall] must be provided in the vicinity of the clean room external to the work place. Where such facilities [so] do not exist, portable service [shall] must be provided.

§ 42. Subdivision f of Section 1-91 of Title 15 of the Rules of the City of New York is amended to read as follows:

(f) If the containment area of an asbestos project covers the entire floor of the affected building, or an area greater than 15,000 square feet on any given floor, the installation of a negative air cut off switch or switches shall be required at a single location outside the work place, such as inside a stairwell, one floor below the lowest floor containing a work place, or at a secured location in the ground floor lobby when conditions warrant (such as when the work place is in a basement or below). The required switch or switches [shall] must be installed by a licensed electrician pursuant to a permit issued by the Department of Buildings. If negative pressure ventilation equipment is used on multiple floors the cut off switch [shall] must be able to turn off the equipment on all floors.

§ 43. Subdivisions b and d of Section 1-102 of Title 15 of the Rules of the City of New York are amended to read as follows:

(b) When amended water is used, the ACM [shall] must be sprayed with sufficient frequency and quantity for enhanced penetration. Sufficient time [shall] must be allowed for penetration to occur prior to removal action or other disturbance taking place. Accumulation of standing or free water is prohibited. [Fluffy materials shall] Soft loosely bound ACM must be saturated. [Non-hygroscopic materials] Material that resists wetting, such as tremolite or amosite, [shall] must be thoroughly wetted on all surfaces while work is being conducted.

\* \* \*

(d) ACM on detachment from the substrate is to be bagged directly or dropped onto a flexible catch basin and promptly bagged. Detached ACM is not permitted to lie on the floor for any period of time. Excess air in the bag [shall] must be minimized and the bag

[shall] must be sealed. [Non-hygroscopic materials shall] Material that resists wetting must not be dropped. ACM [shall] must not be dropped from a height greater than 10 feet. Above 10 feet in height dust-free enclosed inclined chutes may be used. Vertical chutes are prohibited. [Maximum inclination from horizontal shall be 60 degrees.] The angle of the chute must not exceed 60 degrees from horizontal.

§ 44. Subdivision d and the introductory language of subdivision l of Section 1-103 of Title 15 of the Rules of the City of New York are amended to read as follows:

(d) The encapsulant solvent or vehicle [shall] must not contain a volatile [hydrocarbon] substance.

\* \* \*

(l) The following maintenance procedures are [recommended] required, except when the encapsulated material is on utility lines located in the street:

§ 45. The introductory language of subdivision e of Section 1-104 of Title 15 of the Rules of the City of New York is amended to read as follows:

(e) The following maintenance procedures are [recommended] required:

§ 46. Subdivision a of Section 1-105 of Title 15 of the Rules of the City of New York is amended to read as follows:

(a) Glovebag procedures [shall] must be done using commercially available glovebags of 6-mil clear plastic, appropriately sized for the project. Glovebag procedures may only be used in conjunction with the full containment of the work area (see § 1-81) or the tent procedure (see § 1-106). Glovebags may not be shifted and [shall] must not be moved from the initial surface to another surface, or reinstalled on the initial surface once removed. Glovebag procedures may only be used on horizontal piping.

§ 47. The introductory language of Section 1-106 of Title 15 of the Rules of the City of New York, and subdivisions a, b, and d of that section, are amended to read as follows:

**§1-106 Tent Procedures.** All sections of these rules must be followed in conjunction with this section except §1-112(a) - (l). Tent Procedures [shall] must be conducted as follows:

(a) Tent procedures [shall] must be limited to the removal of less than 260 linear feet and 160 square feet of ACM on any individual floor and [shall] must not result in disturbance of ACM during tent erection. Tent procedures may be used as part of a large asbestos project only as provided for in Section 1-81(f) or in conjunction with the glovebag procedure set forth in Section 1-105 of these rules. Multiple tent enclosures may be used as part of a large asbestos project on an individual floor only in conjunction with the use of the glovebag procedure and a variance for the use of a remote worker decontamination enclosure. Multiple tent enclosures without the use of the glovebag procedure on a large asbestos project require a variance for the use of modified tent procedures and a remote worker decontamination enclosure.

(b) Tent procedures [shall] must be [accomplished] conducted in a constructed or commercially available fire retardant plastic tent, plasticizing and sealing all surfaces and fixed objects not being abated within the tent periphery forming an enclosure. The tent [shall] must be of fire retardant 6-mil plastic at a minimum, with seams heat-sealed, or double-folded, stapled and taped airtight and then taped flush with the adjacent tent wall. This is a single use barrier that [shall] must not be reused once dismantled or collapsed.

\* \* \*

(d) Asbestos handlers involved in the tent procedure [shall] must wear personal protective equipment as specified in §1-51(c), plus a second disposable suit. All street clothes [shall] must be removed and stored in a clean room within the work site. The personal protective equipment with two disposable suits [shall] must be used for installation of the tent and throughout the procedure if a decontamination unit with a shower is not [contiguous] physically connected to the work area. If a decontamination unit (with shower and clean room at a minimum) is [contiguous] physically connected to the work area, only one disposable suit shall be required; in this case, prior to exiting the tent, the worker [shall] must HEPA vacuum and wet clean the disposable suit.

§ 48. Paragraph 3 of subdivision i of Section 1-106 of Title 15 of the Rules of the City of New York is amended to read as follows:

(3) be [lightly] encapsulated to lockdown residual asbestos.

§ 49. Subdivisions a, e, i, and j of Section 1-107 of Title 15 of the Rules of the City of New York are amended to read as follows:

(a) These procedures apply only to the removal of asbestos-containing roofing material (ACRM) from exterior roof surfaces. The work area on the roof [shall] must be cordoned off with clearly visible barriers such as caution tape, and only authorized persons [shall] may have access. All sections of these rules [shall] must be followed in

conjunction with this section with the exception of[,] §1-81(m), §1-81(p), §1-91, §1-102(b), §1-112(d), and [§1-112(e)] §1-112(g).

\* \* \*

(e) Persons entering the work area [shall] must wear personal protective equipment as required by Section 1-51 as well as correctly-fitting, good traction rubber boots.

\* \* \*

(i) Provisions [shall] must be made to ensure a safe and adequate air supply to any affected [building(s)] building. All vents, skylights, air intakes, windows and doors opening onto the roof, and all other openings [shall] must be sealed with 2 layers of fire retardant 6mil plastic or [fitting] fitted with HEPA filters when appropriate. [Temporary extensions may be installed to a height of 10 feet to ensure adequate air exchange instead of sealing vents, air intakes, etc.] Vents, air intakes, etc. can be vertically extended temporarily to a height of ten feet instead of sealing them with 2 layers of plastic or HEPA-filters. Drains may be equipped with 5 micron filtering system in lieu of being sealed.

(j) Fixed objects including perimeter walls, bulkheads, cooling towers, ducts and other rooftop [appurtenances shall] accessories must be covered in one sheet of fire retardant 6 mil plastic up to a height of at least six feet.

§ 50. Subdivisions a and e of Section 1-108 of Title 15 of the Rules of the City of New York are amended to read as follows:

(a) These procedures only apply to the removal of surface flooring material including vinyl asbestos floor tiles (VAT), ACM floor coverings (e.g., linoleum) and associated mastics and adhesives, where the only ACM being abated in the work area is flooring material. All sections of these rules [shall] must be followed in conjunction with this section with the exception of §1-81(m), §1-81(p), §1-91(c), §1-91(h), §1-102(b), §1-112(d), and [§1-112(e)] §1-112(g).

\* \* \*

(e) Persons entering the work area [shall] must wear personal protective equipment as required by Section 1-51 as well as correctly-fitting, good-traction rubber boots.

§ 51. Existing subdivisions c, d, e and f of Section 1-109 of Title 15 of the Rules of the City of New York are relettered as subdivisions e, f, g and h respectively and amended, and new subdivisions c and d are added to that section, to read as follows:

(c) Persons entering the work area must wear personal protective equipment as required by Section 1-51.

(d) Removal Procedure.

(1) Removal of ACM must be by wet methods in accordance with Section 1-102.

(2) ACM removed must be placed in a leak-tight container without dropping the ACM into the container.

[(c)](e) Cleanup Procedure.

(1) The stripped substrate [shall] must be HEPA vacuumed and wet-wiped.

(2) A visual clearance inspection [shall] must be conducted by the asbestos handler supervisor and project monitor after the work area dries, to ensure the absence of ACM residue or debris in the work area.

(3) After the inspection is completed, the warning tapes and barriers may be removed.

(4) The clearance inspection [shall] must be documented in the log and the project air sampling log.

[(d)](f) Air monitoring [shall] must be conducted in accordance with the relevant provisions of subchapter D of these rules.

[(e)](g) Abatement [shall] must not be performed under this section during [adverse] bad weather [conditions] (e.g. precipitation, high winds, [ambient ] temperatures in the immediate outdoor surroundings below 32 degrees Fahrenheit, etc.).

[(f)](h) Power tools used to drill, cut into, or otherwise disturb ACM [shall] must be equipped with HEPA-filtered local exhaust ventilation and operated to prevent potential fiber release.

§ 52. Subdivision d of Section 1-111 of Title 15 of the Rules of the City of New York is amended to read as follows:

(d) [Excessive water accumulation] If there is free standing water or if flooding occurs in the work area, [shall require] work [to] must stop until the water is collected and [disposed of properly] safely and properly removed.

§ 53. Subdivisions a, i, and m of Section 1-112 of Title 15 of the Rules of the City of New York are amended to read as follows:

(a) After removal of visible accumulations of asbestos-containing waste material, [a HEPA vacuuming shall be performed on] all surfaces must be HEPA vacuumed. To pick up excess water and [gross] saturated debris, a wet-dry shop HEPA vacuum, dedicated to asbestos abatement, may be used.

\* \* \*

(i) [As a prerequisite to commencement of] Before starting clearance air monitoring, a thorough visual inspection [shall] must be conducted to verify the absence of asbestos-containing waste material (e.g. dust).

\* \* \*

(m) Within 21 days of the completion of all steps set forth above, including successful clearance air monitoring, a project monitor's report (Form ACP15) [shall] must be submitted to DEP [on a DEP-approved form]. This report [shall] must be based on an inspection performed after the completion of all steps listed in this section, and [shall] may not be based on the visual inspection performed prior to the commencement of clearance air monitoring. The project monitor who prepares the report [shall] must be independent of the abatement contractor. If a project is being performed on multiple floors of a building, a separate project monitor's report may be submitted as each floor is completed. [Failure to comply] Compliance with this subdivision [shall be] is the responsibility of the building owner.

§ 54. Section 1-120 of Title 15 of the Rules of the City of New York is amended to read as follows:

**§1-120 Applicability of Regulations to Pre-Demolition Abatement Activities.** The following regulations shall apply to pre-demolition abatement activities:

<b>§§1-01 through 1-61</b>	<b>General Regulations</b>
<b>1-81*</b>	<b>Work Place Preparation Requirements</b>
<b>1-82</b>	<b>Worker Decontamination Enclosure System</b>
<b>1-83</b>	<b>Waste Decontamination Enclosure System</b>
<b>1-91 through 1-94</b>	<b>Work Place Procedures</b>
<b>1-102</b>	<b>ACM Disturbance, Handling and Removal Procedures</b>
<b>1-105</b>	<b>Glovebag Procedure</b>
<b>1-106</b>	<b>Tent Procedure</b>
<b>1-107</b>	<b>Foam Procedure for Roof Removal</b>
<b>1-108</b>	<b>Foam/Viscous Liquid Use in Flooring Removal</b>
<b>1-109</b>	<b>Abatement from Vertical Exterior Surfaces</b>
<b>1-120 through 1-128</b>	<b>Pre-Demolition Abatement Activity Procedures</b>

\*Subsections (b), (j), (l), (u), (v) and (z) only

§ 55. Subdivisions a, j, and m of Section 1-125 of Title 15 of the Rules of the City of New York are amended to read as follows:

(a) Prior to the start of abatement activities on asbestos projects and minor projects the building owner or designated representative [shall] must post a general notification at all main entrances to the structure. Postings of this notification [shall] must be in English and Spanish, at eye level in a conspicuous well-lit place that can be viewed by the public without obstruction. Information provided in the notification [shall] must include contractor, project location, that the project is regulated by NYC DEP, and the Call Center "311" for government information and services. The notice [shall] must have the following heading: NOTICE OF ASBESTOS ABATEMENT, in a minimum of 2 inches sans serif, gothic or block style lettering, with the balance of the lettering of the notice to be of the same type lettering in a minimum of 1 inch size. The notification [shall] must be posted throughout all abatement activities.

\* \* \*

(j) Cinderblock and porous construction materials, painted or unpainted, [shall] must be covered with one layer of fire retardant 6-mil plastic sheeting, sealed at edges and seams.

\* \* \*

(m) Required means of egress, including emergency and fire exits, [shall] must be maintained at all times during abatement activities except as otherwise provided pursuant to [Section 3303 of] the New York City Building [Code] and Fire Codes. Exits [shall] must be checked daily [against] to ensure that there is no blockage or impediments to exiting.

§ 56. Paragraph 2 of subdivision a, and subdivision d, of Section 1-127 of Title 15 of the Rules of the City of New York are amended to read as follows:

(2) Visible accumulations of asbestos-containing waste material may be containerized utilizing rubber dust pans and rubber squeegees or HEPA vacuums. Metal shovels may also be used EXCEPT in the vicinity of [isolation or surface barriers] plastic sheeting which could be perforated by these tools.

\* \* \*

(d) [Excessive water accumulation] If there is free standing water or if flooding occurs in the area [shall require] work [to] must stop until the water is collected and [disposed of properly] safely and properly removed.

§ 57. Subdivisions d, g, and h of Section 1-128 of Title 15 of the Rules of the City of New York are amended to read as follows:

(d) [Where porous construction materials or cinder block-like materials have been plasticized for surface barrier containment, the] The plastic sheeting [shall] installed pursuant to Section 1-125(j) must be cleaned as in subdivision (c) above, then sprayed with a lockdown encapsulant and removed when dry.

\* \* \*

(g) After successful clearance air monitoring (see [15 RCNY §§] § 1-31 et seq.) [the isolation barriers shall be removed in conjunction with the use of a HEPA vacuum.] a HEPA vacuum must be used to clean up any dust or debris when removing the isolation barriers.

(h) Within 21 days of the completion of all steps set forth above, including successful clearance air monitoring, a project monitor's report (Form ACP15) [shall] must be submitted to DEP [on a DEP-approved form]. This report must be based on an inspection performed after the completion of all steps listed in this section, and shall not be based on the visual inspection performed prior to the commencement of clearance air monitoring. The project monitor who prepares the report must be independent of the abatement contractor. If a project is being performed on multiple floors of a building, a separate project monitor's report may be filed as each floor is completed. Compliance with this subdivision is the responsibility of the building owner.

**NEW YORK CITY LAW DEPARTMENT  
DIVISION OF LEGAL COUNSEL  
100 CHURCH STREET  
NEW YORK, NY 10007  
(212) 356-4028**

**CERTIFICATION PURSUANT TO  
CHARTER §1043(d)**

**RULE TITLE:** Amendment of Asbestos Control Program Rules

**REFERENCE NUMBER:** 2017 RG 029

**RULEMAKING AGENCY:** Department of Environmental Protection

I certify that this office has reviewed the above-referenced proposed rule as required by Section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
- (ii) is not in conflict with other applicable rules;
- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN  
Acting Corporation Counsel

Date: December 14, 2017

**NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS  
253 BROADWAY, 10<sup>th</sup> FLOOR  
NEW YORK, NY 10007  
(212) 788-1400**

**CERTIFICATION/ANALYSIS  
PURSUANT TO CHARTER SECTION 1043(d)**

**RULE TITLE:** Amendment of Asbestos Control Program Rules

**REFERENCE NUMBER:** DEP-36

**RULEMAKING AGENCY:** Department of Environmental Protection

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

/s/ Francisco X. Navarro  
Mayor's Office of Operations

January 2, 2018  
Date



SPECIAL MATERIALS

OFFICE OF THE MAYOR

NOTICE



THE CITY OF NEW YORK OFFICE OF THE MAYOR
NEW YORK, NY 10007

EMERGENCY EXECUTIVE ORDER NO. 94

DECLARATION OF LOCAL STATE OF EMERGENCY
January 4, 2018

WINTER WEATHER EMERGENCY DECLARATION

WHEREAS, the public safety is imperiled by a severe snow storm which has interrupted the flow of traffic, restricted the operation of emergency vehicles and impeded the delivery of essential goods and services;

WHEREAS, it is necessary to restrict vehicular traffic as provided herein in order to protect life and property and to allow for rapid and effective snow removal;

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York pursuant to law, including Executive Law §24 and Vehicle and Traffic Law §1602, I hereby proclaim a state of local emergency in the City of New York and order:

Section 1. The public is urged to avoid all unnecessary driving effective immediately, Thursday, January 4, 2018, 12:00 P.M. to Friday, January 5, 2018, 5:00 A.M. and use public transportation wherever possible.

Section 2. Any vehicle found to be blocking roadways or impeding the ability to plow streets shall be subject to towing.

Section 3. The Emergency Management, Fire, Police, Sanitation, and Transportation Commissioners shall take all appropriate and necessary steps to preserve public safety and to render all required and available assistance to protect the security, well-being and health of the residents of the City.

Section 4. New York City public schools and public school buildings shall be closed on January 4, 2018.

Section 5. Alternate side of the street parking rules shall be suspended Thursday, January 4, 2018, Friday, January 5, 2018, and Saturday, January 6, 2018.

Section 6. In accordance with Executive Law §24, any person who knowingly violates the provisions of this order shall be guilty of a class B misdemeanor.

Section 7. This order shall take effect immediately and shall remain in effect for five days unless extended or sooner revoked.

Signature of Bill de Blasio

Bill de Blasio
MAYOR

j9



THE CITY OF NEW YORK OFFICE OF THE MAYOR
NEW YORK, NY 10007

EMERGENCY EXECUTIVE ORDER NO. 95

January 5, 2018

WHEREAS, on January 4, 2018, Emergency Executive Order No. 94 declared a state of emergency in the City of New York due to extreme winter weather conditions; and

WHEREAS, Emergency Executive Order No. 94 set forth prohibitions on unnecessary driving and urged members of the public to use public transportation wherever possible;

NOW, THEREFORE, it is hereby ordered:

Section 1. The state of emergency declared by Emergency Executive Order No. 94 is hereby declared to have ended.

Section 2. Section 2 of Emergency Executive Order No. 94, prohibiting the blocking of roadways or impeding the ability to plow streets, remains in effect until 5:00 A.M. Monday, January 8, 2018.

Section 3. Section 5 of Emergency Executive Order No. 94, suspending alternate side of the street parking on Friday January 5, 2018, and Saturday, January 6, 2018, remains in effect.

Section 4. This order shall take effect immediately and shall be deemed to have been in effect as of 12:00 P.M. on January 5, 2018.

Signature of Bill de Blasio

Bill de Blasio
MAYOR

j9

CHANGES IN PERSONNEL

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists personnel changes for the Police Department for the period ending 12/15/17.

GWORDA	PETAL	60817	\$32426.0000	APPOINTED	NO	11/12/17	056
HALIM	MD	A 60817	\$32426.0000	APPOINTED	NO	11/12/17	056
HALL	ERICA	60817	\$32426.0000	APPOINTED	NO	11/12/17	056
HAMER	SABRINA	71105	\$29204.0000	DECREASE	YES	11/19/17	056
HANNAY	ANGELIE	60817	\$32426.0000	APPOINTED	NO	11/12/17	056
HARGRAVE	FELICIA	T 60817	\$32426.0000	APPOINTED	NO	12/07/17	056
HARRIS	SHANIKA	W 60817	\$32426.0000	APPOINTED	NO	11/12/17	056
HARRY	CAROL	A 60817	\$32426.0000	APPOINTED	NO	11/12/17	056
HEPWORTH	ANDREW	J 7026A	\$122935.0000	PROMOTED	NO	11/21/17	056
HEWAGE	SUJITH	A 60817	\$32426.0000	APPOINTED	NO	11/12/17	056
HILL	CHRISTIA	V 60817	\$32426.0000	RESIGNED	NO	11/22/17	056
HILL	KRISTY	60817	\$32426.0000	APPOINTED	NO	11/12/17	056
HOARLE	TIMOTHY	F 70210	\$85292.0000	RETIRED	NO	12/09/17	056
HOLMES	JANAE	71651	\$30706.0000	RESIGNED	NO	10/23/17	056

NEWTON	EMANUEL	O 60817	\$32426.0000	APPOINTED	NO	11/12/17	056
NICKENS	ARIEL	A 71012	\$49571.0000	RESIGNED	NO	06/10/17	056
NICOLAS	SASKIA	71012	\$36611.0000	RESIGNED	NO	11/03/17	056
NIEVES	CINDY	60817	\$32426.0000	APPOINTED	NO	11/12/17	056
NIEVES	STEPHANI	60817	\$32426.0000	APPOINTED	NO	11/12/17	056
NOAKE	JAMAL	S 60817	\$32426.0000	APPOINTED	NO	11/12/17	056
NOLAN	CHRISTIN	A 7021A	\$92184.0000	RETIRED	NO	07/26/17	056
NOUFAL	HAYTHAM	A 71651	\$37198.0000	DISMISSED	YES	10/26/17	056
O'CONNOR	MICHAEL	J 7021B	\$103585.0000	RETIRED	NO	08/01/17	056
O'DONNELL	MATHEW	O 7021B	\$103585.0000	RETIRED	NO	08/01/17	056
O'DWYER JR	GERRARD	7021A	\$92184.0000	RETIRED	NO	08/01/17	056
O'LEARY	DENNIS	L 70210	\$59401.0000	RESIGNED	NO	12/01/17	056
OCASIO	CLARI	A 60817	\$32426.0000	APPOINTED	NO	11/12/17	056
PADILLA	ASHLEY	N 60817	\$32426.0000	APPOINTED	NO	11/12/17	056
PARSON	SHANTA	A 60817	\$32426.0000	APPOINTED	NO	11/12/17	056
PAUL-STEPHENS	CECILE	V 60817	\$32426.0000	APPOINTED	NO	11/12/17	056
PAZ	MARIO	60817	\$32426.0000	APPOINTED	NO	11/12/17	056
PELLOT	YVETTE	J 71652	\$47053.0000	PROMOTED	NO	09/28/17	056
PENA	LUCIA	I 71022	\$54010.0000	INCREASE	YES	10/01/17	056
PEREZ	MABEL	71022	\$47796.0000	RESIGNED	YES	11/29/17	056
PEREZ	TRACY	71012	\$36611.0000	RESIGNED	NO	11/22/17	056
PERROTTI	JOSEPH	G 7026B	\$122935.0000	PROMOTED	NO	11/21/17	056
PERRY	CONRAD	J 7021B	\$103585.0000	RETIRED	NO	08/01/17	056
PICA	NICHOLAS	G 70210	\$85292.0000	RESIGNED	NO	12/01/17	056

POLICE DEPARTMENT  
FOR PERIOD ENDING 12/15/17

TITLE							
NAME	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY	
HORNE	SHAHIDAH	M 60817	\$32426.0000	APPOINTED	NO	11/12/17	056
HOSIER	SHANA	C 60817	\$42136.0000	RESIGNED	NO	11/18/17	056
HOSSAIN	IQBAL	71651	\$38625.0000	INCREASE	NO	09/24/17	056
HOSSAIN	MUHAMMAD	S 71651	\$38625.0000	RESIGNED	NO	10/14/17	056
HUANG	ARVIEE	40502	\$69431.0000	RESIGNED	YES	12/01/17	056
HUNTER	AUSTIN	J 60817	\$32426.0000	APPOINTED	NO	11/12/17	056
HUTSON	JOHN	B 60817	\$32426.0000	APPOINTED	NO	11/12/17	056
IMPERATO	VINCENT	7021B	\$103585.0000	RETIRED	NO	08/01/17	056
ISAAC	SAROYA	S 60817	\$32426.0000	APPOINTED	NO	11/12/17	056
ISLAM	MD	N 60817	\$32426.0000	APPOINTED	NO	11/12/17	056
ISLAM	MD	T 60817	\$32426.0000	APPOINTED	NO	11/12/17	056
JACKSON	ANDREW	W 7021A	\$92184.0000	RETIRED	NO	08/01/17	056
JAMES	DEBRA	A 60817	\$32426.0000	APPOINTED	NO	11/12/17	056
JENKINS	ANTOINET	31105	\$44454.0000	RETIRED	NO	12/05/17	056
JOHNSON	ERICA	60817	\$32426.0000	APPOINTED	NO	11/12/17	056
JOHNSON	LORENZO	7026E	\$175895.0000	PROMOTED	NO	11/21/17	056
JOHNSON	PATRICE	60817	\$32426.0000	APPOINTED	NO	11/12/17	056
JOHNSON	RONDESIA	T 60817	\$32426.0000	APPOINTED	NO	11/12/17	056
JOHNSON	TOSHEMA	60817	\$32426.0000	APPOINTED	NO	11/12/17	056
JORDAN	ASHLEY	D 60817	\$32426.0000	APPOINTED	NO	11/12/17	056
JOSEPH	CHERIAN	P 71651	\$40751.0000	RETIRED	NO	11/29/17	056
JOSEPH	JULIAN	S 60817	\$32426.0000	APPOINTED	NO	11/12/17	056
KEATING	CHRISTOP	L 7021D	\$92184.0000	RETIRED	NO	07/19/17	056
KEEFE	CHRISTOP	R 7023B	\$108322.0000	PROMOTED	NO	11/21/17	056
KELLY	TIMOTHY	7026E	\$175895.0000	PROMOTED	NO	11/21/17	056
KHAN	MAHMUDUR	R 60817	\$32426.0000	APPOINTED	NO	11/12/17	056
KOWALSKI	STANLEY	J 92511	\$322.4000	RETIRED	YES	11/27/17	056
LACK	PORTIA	E 7021D	\$92184.0000	RETIRED	NO	08/01/17	056
LATIFAH	FITZALBE	M 60817	\$32426.0000	APPOINTED	NO	11/12/17	056
LEAVER	MICHAEL	R 7021A	\$92184.0000	RETIRED	NO	07/21/17	056
LEE	HENRI	R 70210	\$42500.0000	RESIGNED	NO	12/01/17	056
LENNON	CHARLES	7021B	\$103585.0000	RETIRED	NO	08/01/17	056
LEXIDOR	KARLINE	60817	\$32426.0000	APPOINTED	NO	11/12/17	056
LICITRA	ERICKA	R 7026E	\$122935.0000	PROMOTED	NO	11/21/17	056
LOPEZ	LUIS	A 7021A	\$92184.0000	RETIRED	NO	08/01/17	056
LOPEZ	REYNALDO	M 70210	\$54394.0000	RESIGNED	NO	11/30/17	056
LUNSFORD	JASON	M 7026A	\$122935.0000	PROMOTED	NO	11/21/17	056
LYNAH	ERICA	D 70210	\$85292.0000	RETIRED	NO	12/08/17	056
MACCHERONI	MARIE	S 10147	\$47027.0000	PROMOTED	NO	09/28/17	056
MAHMOOD	SM	71651	\$29812.0000	RESIGNED	NO	11/26/17	056
MANDALAR	ALEXANDE	60817	\$32426.0000	APPOINTED	NO	11/12/17	056
MARQUEZ	VILMARYS	10147	\$47027.0000	PROMOTED	NO	09/28/17	056
MARTINEZ	BIENVENI	7026D	\$167047.0000	PROMOTED	NO	11/21/17	056
MARTINEZ	DANIEL	71012	\$36611.0000	APPOINTED	NO	10/27/17	056
MASON	SEAN	P 70265	\$158693.0000	RETIRED	NO	11/27/17	056
MCPALPINE	MALIK	60817	\$32426.0000	APPOINTED	NO	11/12/17	056
MCCOLLUM	SEKYIA	S 60817	\$32426.0000	APPOINTED	NO	11/12/17	056
MCCORMACK	TIMOTHY	J 7026E	\$175895.0000	PROMOTED	NO	11/21/17	056
MCCOY	JAMES	T 70210	\$48666.0000	RESIGNED	NO	12/01/17	056
MCENERY	MICHAEL	M 71012	\$36611.0000	RESIGNED	NO	11/11/17	056
MCLEOD	UMANN	S 71651	\$38625.0000	INCREASE	NO	09/24/17	056

POLICE DEPARTMENT  
FOR PERIOD ENDING 12/15/17

TITLE							
NAME	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY	
MCPHERSON	KAVON	C 60817	\$32426.0000	APPOINTED	NO	11/12/17	056
MEADE	BRANDON	A 60817	\$32426.0000	APPOINTED	NO	11/12/17	056
MEADE	DANIEL	P 7021B	\$103585.0000	RETIRED	NO	08/01/17	056
MELLENDEZ	ELIZABET	60817	\$32426.0000	APPOINTED	NO	11/12/17	056
MENDEZ	ANDY	71652	\$47053.0000	PROMOTED	NO	09/28/17	056
MENDEZ-FANEYTT	JASON	E 60817	\$32426.0000	APPOINTED	NO	11/12/17	056
MERCEDES	WILTON	G 90702	\$276.0000	DECREASE	YES	10/29/17	056
MICHAUD	JOHN	L 7021C	\$118902.0000	RETIRED	NO	07/07/17	056
MIDDLETON	JASON	T 60817	\$32426.0000	APPOINTED	NO	11/12/17	056
MILLIGAN	WESTON	D 71651	\$41214.0000	RETIRED	NO	12/02/17	056
MINTER	MONIQUE	I 60817	\$32426.0000	APPOINTED	NO	11/12/17	056
MIRIJANIAN	TIGRANUH	21744	\$85000.0000	APPOINTED	YES	11/26/17	056
MITCHELL	DEBORAH	Y 10124	\$51470.0000	RETIRED	NO	11/28/17	056
MONGO	EQUAN	O 60817	\$32426.0000	APPOINTED	NO	11/12/17	056
MONK	AHSAKI	60817	\$32426.0000	APPOINTED	NO	11/12/17	056
MORALES	MICHAEL	A 7021B	\$103585.0000	RETIRED	NO	08/01/17	056
MOREL	KILVIO	A 7021A	\$92184.0000	RETIRED	NO	12/01/17	056
MORGAN	KIANTE	K 60817	\$32426.0000	APPOINTED	NO	11/12/17	056
MORIN	RYAN	J 70210	\$48666.0000	RESIGNED	NO	11/25/17	056
MORRILL	JULIE	L 7026D	\$167047.0000	PROMOTED	NO	11/21/17	056
MOUNDRAKIS	GEORGE	60817	\$32426.0000	RESIGNED	NO	12/05/17	056
MOUSRY	MOHAMED	71651	\$31221.0000	RESIGNED	NO	12/05/17	056
MUKUNTHAN	LEELAMAL	60817	\$32426.0000	APPOINTED	NO	11/12/17	056
MULIERI-RUSZKOW	ROSEANN	70205	\$14.4000	RESIGNED	YES	10/31/17	056
NABELL	SM	71651	\$38625.0000	INCREASE	NO	09/24/17	056
NEVES	ADALGISA	S 60817	\$32426.0000	APPOINTED	NO	11/12/17	056
NEWAZ	MD	A 60817	\$32426.0000	APPOINTED	NO	11/12/17	056

POLICE DEPARTMENT  
FOR PERIOD ENDING 12/15/17

TITLE							
NAME	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY	
PIETRUNTI	JAIMEE	D 60817	\$32426.0000	APPOINTED	NO	11/12/17	056
PIPKIN	SABRINA	E 71651	\$38625.0000	INCREASE	NO	09/24/17	056
POSILLICO	GERARD	J 70210	\$48666.0000	RESIGNED	NO	12/01/17	056
QUINONES	SHARLEEN	V 60817	\$32426.0000	APPOINTED	NO	11/12/17	056
RAGGI	TARA	J 7021A	\$92184.0000	RETIRED	NO	08/01/17	056
RAGSDALE	ALBERT	R 7021A	\$92184.0000	RETIRED	NO	08/01/17	056
RAMOS	FELIX	L 7021B	\$103585.0000	RETIRED	NO	07/15/17	056
RAMOS-MAYSONET	TIFPANY	N 60817	\$32426.0000	APPOINTED	NO	11/12/17	056
RAY	TERRANCE	J 71022	\$54010.0000	INCREASE	YES	10/01/17	056
REID	SILVANA	A 60817	\$32426.0000	APPOINTED	NO	11/12/17	056
REISLER	CECILE	L 60817	\$32426.0000	APPOINTED	NO	11/12/17	056
REYES	VERONICA	60817	\$32426.0000	APPOINTED	NO	11/12/17	056
RICHARDSON	LAKESHIA	N 71022	\$54010.0000	RESIGNED	YES	11/25/17	056
RICHARDSON	LAKESHIA	N 60817	\$42136.0000	APPOINTED	NO	11/25/17	056
RIDGES JR	WARREN	60817	\$32426.0000	RESIGNED	NO	11/12/17	056
RIVERA	DEANNA	K 70210	\$42500.0000	RESIGNED	NO	11/22/17	056
ROBERT	DANIELLE	L 60817	\$32426.0000	APPOINTED	NO	11/12/17	056
ROBERTS	SHANICE	S 60817	\$32426.0000	APPOINTED	NO	11/12/17	056
ROBERTS	WALTER	A 7023B	\$108322.0000	PROMOTED	NO	11/21/17	056
ROBERTS-ADAMS	TAMBE	S 60817	\$32426.0000	APPOINTED	NO	11/12/17	056
RODRIGUEZ	CYNTHIA	70235	\$106175.0000	RETIRED	NO	12/08/17	056
RODRIGUEZ	DARLING	60817	\$32426.0000	APPOINTED	NO	11/12/17	056
RODRIGUEZ	LAURA	E 71652	\$47053.0000	PROMOTED	NO	09/28/17	056
ROJAS RODRIGUEZ	MARIA	A 60817	\$32426.0000	APPOINTED	NO	11/12/17	056
ROTH	JAMES	J 70210	\$54394.0000	RESIGNED	NO	12/01/17	056
ROY	POJA	60817	\$32426.0000	APPOINTED	NO	11/12/17	056
SAGARDIA	WILSON	7021A	\$92184.0000	RETIRED	NO	08/01/17	056
SALVADORI	KEVIN	J 70210	\$48666.0000	RESIGNED	NO	12/01/17	056
SANCHEZ	DAVID	7021					

TUCKER	KELVIN	O	10124	\$56191.0000	PROMOTED	NO	09/28/17	056
VAN SCHUYLER	THOMAS	B	7021D	\$91974.0000	RETIRED	NO	12/08/17	056
VETRANO	RICHARD	A	7026B	\$122935.0000	PROMOTED	NO	11/21/17	056
VICTOR	CHRISTEL		60817	\$32426.0000	APPOINTED	NO	11/21/17	056
VILLIACIS	VICTOR	A	70210	\$48666.0000	RESIGNED	NO	12/06/17	056
VIXAMAR	BERENICE	M	7021B	\$103585.0000	RETIRED	NO	08/01/17	056
WALDRON	EDWARD	T	7021D	\$92184.0000	RETIRED	NO	07/29/17	056
WALL	DAVID	A	7026D	\$167047.0000	PROMOTED	NO	11/21/17	056
WALSH	MATTHEW	H	7023A	\$108322.0000	PROMOTED	NO	11/21/17	056
WALSH	MICHAEL	R	70210	\$85292.0000	RETIRED	NO	12/08/17	056
WALSH	TIFFANY	S	60817	\$32426.0000	APPOINTED	NO	11/12/17	056
WARREN	LANA	J	10147	\$47092.0000	RETIRED	NO	12/01/17	056
WARREN-FREEMAN	SHAYNA	K	60817	\$39993.0000	RESIGNED	NO	11/14/17	056
WEBER	MICHAEL	G	7023B	\$108322.0000	PROMOTED	NO	11/21/17	056
WELLS	SCOTT	P	7021D	\$92184.0000	RETIRED	NO	07/29/17	056
WESHNER	ERIC	S	7021B	\$103585.0000	RETIRED	NO	08/01/17	056
WHELAN	KEVIN	M	7023A	\$108322.0000	PROMOTED	NO	11/21/17	056
WHITAKER	TSHINNEY	S	60817	\$32426.0000	APPOINTED	NO	11/12/17	056
WHITE	DEBROY	A	60817	\$32426.0000	APPOINTED	NO	11/12/17	056
WIENER	CURT	L	7021D	\$92184.0000	RETIRED	NO	07/29/17	056
WILLIAMS	LAKEISHA	N	10147	\$47027.0000	PROMOTED	NO	09/28/17	056
WILSON	JEAN ANN	K	60817	\$32426.0000	APPOINTED	NO	11/12/17	056
WILSON	JOSHUA	S	60817	\$32426.0000	APPOINTED	NO	11/12/17	056
WILSON	TONIQUA	I	60817	\$32426.0000	APPOINTED	NO	11/12/17	056
WIXTED	THOMAS	J	70210	\$59401.0000	RESIGNED	NO	12/01/17	056
ZAIMIS-STRATI	ATHANASI		60817	\$32426.0000	APPOINTED	NO	11/12/17	056
ZALDUMBIDE	EMILIE		10144	\$41683.0000	RETIRED	NO	12/01/17	056
ZAMAN	AKHTAR		71652	\$47053.0000	PROMOTED	NO	09/28/17	056
ZAMBRANO	BLANCA	P	60817	\$32426.0000	APPOINTED	NO	11/12/17	056
ZAY	JOE		60817	\$32426.0000	APPOINTED	NO	11/12/17	056
ZIEGLER-MELTON	SHANEQUA	C	60817	\$32426.0000	APPOINTED	NO	11/12/17	056
ZIGAHN	MICHAEL	A	70210	\$48666.0000	RESIGNED	NO	12/05/17	056

BOOTH	JAMES	P	5305F	\$189605.0000	INCREASE	NO	11/05/17	057
BRENNER	LAUREN		71010	\$38403.0000	APPOINTED	NO	12/03/17	057
BROWN	TERRYLL	L	95005	\$209770.0000	INCREASE	YES	11/26/17	057
COLLINS	KEVIN	J	5305A	\$48237.0000	RESIGNED	YES	11/22/17	057
CONTRERAS	JOSHUA	C	53053	\$50604.0000	RESIGNED	NO	11/28/17	057
DIPIETRA	WILLIAM	F	53053	\$53163.0000	DECEASED	NO	11/26/17	057
DISCHIAVE	DAVID	E	13652	\$101000.0000	APPOINTED	YES	05/16/17	057
ESPOSITO	ANTHONY	M	71010	\$38403.0000	APPOINTED	NO	12/03/17	057
ESTRADA	CLAUDIA	J	10251	\$37251.0000	APPOINTED	NO	11/26/17	057
ETKINS	BRYAN	A	71010	\$38403.0000	APPOINTED	NO	12/03/17	057
FITTON	MICHAEL	J	5305F	\$163568.2200	INCREASE	NO	11/05/17	057
GALLEGOS-SARAMG	LARRY	J	70310	\$43904.0000	TERMINATED	NO	09/28/17	057
GASTON-SHIRER	MARTIN	D	71010	\$38403.0000	APPOINTED	NO	12/03/17	057
GIANACA	CHRISTOP	P	71010	\$38403.0000	APPOINTED	NO	12/03/17	057
GRIBBON	FRANCIS	X	12935	\$209770.0000	INCREASE	YES	11/26/17	057
HOWARD	CORY	C	71010	\$38403.0000	APPOINTED	NO	12/03/17	057
JOHNSON	PATRICK	A	53053	\$5163.0000	RETIRED	NO	11/30/17	057
JUTE	CHRIS-RO		53053	\$53163.0000	RETIRED	NO	12/02/17	057
KLEINKOPF	RYAN	L	71010	\$38403.0000	APPOINTED	NO	12/03/17	057
LAHEY	SEAN	S	53055	\$71202.0000	RETIRED	NO	12/01/17	057
LAURY	REYNALDO		53053	\$53163.0000	RETIRED	NO	11/28/17	057
LAURENCEAU	JERRY	A	70310	\$85292.0000	TERMINATED	NO	09/28/17	057
LOPEZ	JEAN	C	70310	\$43904.0000	TERMINATED	NO	09/28/17	057
LOVING	CECILIA	B	12935	\$209770.0000	INCREASE	YES	11/26/17	057
LUI	DAVID	L	53053	\$35254.0000	RESIGNED	NO	11/28/17	057
MATONIS	MICHAEL	M	5305A	\$65866.0000	RETIRED	NO	12/07/17	057
MAZZEO	JOSEPH	A	71010	\$38403.0000	APPOINTED	NO	12/03/17	057
MCCORMACK	RYAN		70310	\$43904.0000	TERMINATED	NO	09/28/17	057
MOLINA	SYNDIE	E	5305A	\$65226.0000	DISMISSED	NO	11/22/17	057
NAPOLI	ANTHONY	V	5305F	\$140755.0000	INCREASE	NO	11/05/17	057
NUNZIATA	CARL		53055	\$71202.0000	RETIRED	NO	12/01/17	057
O'DONNELL	KEVIN	M	71010	\$38403.0000	APPOINTED	NO	12/03/17	057
PERRY	PATRICK	J	71010	\$38403.0000	APPOINTED	NO	12/03/17	057
PETRAKIS	NICHOLAS		22427	\$82000.0000	INCREASE	NO	12/03/17	057
REYES	DIANA		5305A	\$65866.0000	RESIGNED	NO	12/08/17	057
ROBINSON	BRITTANY	M	71010	\$38403.0000	APPOINTED	NO	12/03/17	057
ROMAN	KATHYLEE		53053	\$53163.0000	RESIGNED	NO	11/28/17	057
ROTHFELD	MICHAEL	S	5305A	\$65866.0000	RETIRED	NO	12/06/17	057
ROYSTER	CYNTHIA	E	12158	\$32.2700	RETIRED	NO	12/01/17	057
RUSH	STEPHEN	G	12929	\$209770.0000	INCREASE	YES	11/26/17	057
SAMBULA	MAYRA	N	71010	\$38403.0000	APPOINTED	NO	12/03/17	057

FIRE DEPARTMENT  
FOR PERIOD ENDING 12/15/17

NAME	NUM	SALARY	ACTION	PROV EFF DATE	AGENCY			
AHEE	ROGER	J	5305F	\$137995.0000	RETIRED	NO	07/28/17	057
BENANTI	JOHN	A	12935	\$209770.0000	INCREASE	YES	11/26/17	057
BONAVITA	ROCCO		8300B	\$90000.0000	INCREASE	YES	10/29/17	057
BONSIGNORE	LILLIAN	A	5305F	\$140755.0000	INCREASE	NO	11/05/17	057

# COURT NOTICE MAP FOR TRAVIS NEIGHBORHOOD STORM WATER SEWER PROJECT - STAGE 1

MAP No. 4232

REFERENCE DRAWINGS  
ENCL. MAPS  
FORMS  
BOOK SHEETS  
MAP 7000-10 SHEETS 2 OF 2

FILED MAPS  
NO. 2854 - BURKE AVE.  
NO. 800 - PRICES LANE

**LEGEND**

- BUILDING
- BUILDING WALLS
- FENCE
- GUIDE RAIL
- ENCROACHMENTS
- CURB
- FILED MAP STREET LINE & DIMENSION
- ACQUISITION EASEMENT LINE & DIMENSION
- DAMAGE PARCEL LINE
- BLOCK LINE
- TAX LOT LINE & DIMENSION
- TAX LOT NUMBER
- DAMAGE PARCEL No.
- TAX MAP BLOCK No.
- US STANDARD OF MEASUREMENT
- DIMENSION SHOWN WHERE THERE IS NO CONFLICT OF MEASUREMENT
- DIMENSION RESTRICTED IN SEED
- DEPRESSED CURB
- FILED MAP NO. 800

**DAMAGE AND ACQUISITION MAP NO. 4232**

IN THE MATTER OF ACQUIRING AN EASEMENT TO ALL OR PARTS OF TAX LOTS 36 AND 37 IN STATEN ISLAND TAX BLOCK 2772

**30' WIDE SEWER EASEMENT**

**IN BURKE AVENUE / PRICES LANE**

IN THE BOROUGH OF STATEN ISLAND  
CITY OF NEW YORK

**NOTES**

ALL ENCROACHMENTS SHOWN TO POLES OR TREES REFER TO THE CENTER OF SAME.  
FIELD SURVEY COMPLETED 10-20-17  
ALL SQUARE AND LOT LINES AND OTHER BOUNDARY LINES AND TAX LOTS AS SHOWN ON THIS MAP ARE THE RESULT OF A FIELD SURVEY CONDUCTED BY THE BUREAU OF SITE ENGINEERING AND CONSTRUCTION DIVISION OF SAFETY AND SITE SUPPORT ON OR ABOUT THE DATE SHOWN ON THIS MAP.  
THIS IS TO CERTIFY THAT THERE ARE NO VISIBLE STREAMS OR VISIBLE NATURAL WATER COURSES ACROSS THE PROPERTY AS SHOWN ON THIS MAP.

**ABBREVIATIONS**

- P.L. --- PLANTER
- O.P.F. --- OPEN PORCH
- C.P.F. --- COVERED PORCH
- R.F. --- ROOF FINCH
- L.F. --- LOW FENCE
- C.L.F. --- CHAIN LINK FENCE
- V.F. --- VINYL FENCE
- L.S. --- LAND SCAPING
- S.L. --- SIDE WALK
- S.P.C. --- STEEL PIERCE CURB
- C.C. --- CONCRETE CURB
- E.P.F. --- EDGE OF PAVEMENT
- C.A.W. --- CONCRETE RETAINING WALL
- T.P. --- TREE PIT

PARCEL BLOCK NO.	LOT NO.	REVISED OWNER	AREA IN SQ. FT.	REMARKS	REMARKS	2017-2017	2017-2017	2017-2017
			TOTAL			LAND ONLY	TOTAL	LAND ONLY
2772	3/2	DAUGHERTY, PATRIK A	1,200			1,200	1,200	1,200
2772	4/2	SWINE, A. OSCAR	1,440			1,440	1,440	1,440
TOTAL:			2,640	N/A		2,640	2,640	2,640

PARTY CHIEF: V. PRISBY  
COMPUTATION: K. MARWOOD - CHECKED: K. RAMBER  
DRAFTED: K. MARWOOD - CHECKED: K. RAMBER  
FILED: [ ]

KURT RAMBER, L.S. CHIEF TOPOGRAPHICAL SECTION  
OLTON OLIVER, L.S. DIVISION OF SITE ENGINEERING  
MARK A. DANU ASSOCIATE TOPOGRAPHER DIVISION OF SAFETY AND SITE SUPPORT

DATE: 1/9/18