



CITY PLANNING COMMISSION

March 2, 2005/Calendar No.20

C 050017 PSQ

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 site selection of property located northwest of Brookville Boulevard and Broad Street (Block 14260, part of Lot 1), Community District 13, Borough of Queens, for use as a pumping station.

The application for site selection was filed by New York City Department of Environmental Protection (DEP) and the Department of Citywide Administrative Services (DCAS) on July 14, 2004, in order to facilitate construction of a wastewater pumping station in Queens, Community District 13.

BACKGROUND

The Department of Environmental Protection is proposing to construct a 320 square-foot unmanned pumping station on approximately 9,000 square-feet of city-owned land (Block 14260, part of Lot 1) located on the west side of Brookville Boulevard between Rockaway Boulevard and Broad Street in the Warnerville neighborhood, southeast Queens, Community District 13. The site is east of John F. Kennedy Airport and adjacent to Hook Creek and Thurston Basin.

The proposed site is zoned M1-1 and located within 400 feet of Thurston Basin and one-quarter mile of Hook Creek which are tributaries to Jamaica Bay. The site also lies within an adjacent area of a wetland designated by the New York State Department of Environmental Protection. The site is vacant, but approximately 6,000 square feet are under a short-term lease for truck parking. The area immediately north of the site is used for truck storage. The lot abutting the site to the south is vacant. The land west of the site is part of the airport property and undeveloped.

The surrounding area is also zoned M1-1. Commercial, retail and industrial uses front on Rockaway

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Boulevard to the north and Brookville Boulevard to the east. Surrounding uses include a truck terminal, cement plant and a construction debris recycling center.

The area to the south is zoned M1-1 but developed with approximately 65, one- and two-family homes which comprise the residential communities of Warnerville and Meadowmere. These residences are legal, non-conforming uses, some of which were constructed in the late 19th and early 20th centuries.

DEP intends to construct new sanitary sewer and storm water collection systems for the Warnerville and Meadowmere communities. These 14-acre residential and industrial areas are not connected to the city's sanitary system or any treatment center, and as a result, untreated wastewater is currently discharged directly from the Meadowmere and Warnerville residential communities into Hook Creek and Thurston Basin. The pumping station is needed in order to convey the sanitary flow to an existing sewer system for treatment at the Jamaica Water Pollution Control Plant, thus eliminating untreated discharge directly into surrounding waterways.

Wastewater would be conveyed by gravity to the proposed pumping station through pipes of varying diameter under the shoulders of Rockaway and Brookville boulevards. The wastewater would be pumped north from the station through two mains under the street bed of Brookville Boulevard for treatment at the New York City Jamaica Water Pollution Control Plant sanitary collection system at 149th Avenue.

The project would be designed so storm water runoff from the site would not impact the wetland area.

The proposed pumping station would be an unmanned 320 square foot facility above ground. The

structure would be approximately 15 feet high and house electronic controls and the pump's electrical source. There would be one parking space on site for maintenance employee visits. The facility would be screened by landscaping and access to the site would be from Brookville Boulevard. Located below grade would be submersible pumps, wet wells and a flow-splitting diversion structure. The wet wells would be sealed from the atmosphere and the underground valve vault would be contained within concrete walls and sealed hatches to prevent odors from escaping. There would be no ventilation of the underground wet wells to cause odors.

Other than termination of the existing short-term lease on the site, no business displacement is anticipated by the project. The area's homes front on unmapped streets with no established legal grades and street widths. Although the streets do not meet New York City standards, the City's Law Department issued a Corporation Counsel Opinion on March 22, 1994 permitting construction of the proposed sewer systems within these unmapped streets.

The proposed facility was not included in the Citywide Statements of Needs 2004-2005, however, a letter pursuant to Section 204 (g) of the New York City Charter was sent to the Borough President of Queens.

When completed, the proposed pumping station will facilitate the elimination of untreated sewage discharge and wastewater contaminants into Hook Creek and Jamaica Bay.

ENVIRONMENTAL REVIEW

This application (C 050017 PSQ) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York

Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 01DEP047Q. The lead agency is the New York City Department of Environmental Protection.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on May 6, 2004.

UNIFORM LAND USE REVIEW

This application (C 050017 PSQ) was certified as complete by the Department of City Planning on November 1, 2004, and was duly referred to Community Board 13 and the Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

Community Board Public Hearing

Community Board 13 held a public hearing on this application on December 20, 2004, and on that date, by a vote of 19 to 0 with no abstentions, adopted a resolution recommending approval of the application with the following conditions:

...that suitable drawings and/or renderings of the pump house be submitted to the community board for our review and records as soon as they are available. In addition, we requested that...DEP pay special attention to the need or potential need for odor preventive measures once the siting of the facility has been authorized...

However, the community board voted without a quorum and was, therefore, non-complying.

Borough President Recommendation

This application was considered by the Borough President, who issued a recommendation on January

27, 2005 approving the application with the following condition:

The perimeter of the facility and all areas within it should be landscaped and maintained regularly by DEP crews.

However, the Borough President's recommendation was submitted after the 30-day review period.

City Planning Commission Public Hearing

On January 19, 2005 (Calendar No. 7), the City Planning Commission scheduled February 2, 2005, for a public hearing on this application (C 050017 PSQ). The hearing was duly held on February 2, 2005 (Calendar No. 16).

There were four speakers in favor of the application and none in opposition. The project architect briefly reviewed the site plan for the proposed pumping station and answered questions related to the form of the building and landscaping of the site. An executive project manager from DEP described the project and stated that DEP was under a New York State consent order to eliminate direct discharge of untreated wastewater into the surrounding waterways. A representative of the project's engineering firm described the existing conditions, the proposed sewer system and answered questions about the technology that would be used in the construction of the system. The DEP project manager described the water quality issues and responded to the Commission's comments about the construction schedule and cost to local residents.

There were no other speakers and the hearing was closed.

Waterfront Revitalization Program Consistency Review

This application was reviewed by the Department of City Planning for consistency with the policies of

the New York City Waterfront Revitalization Program (WRP), as amended, approved by the New York City Council on October 13, 1999 and by the New York State Department of State on May 28, 2002, pursuant to the New York State Waterfront Revitalization and Coastal Resources Act of 1981 (New York State Executive Law, Section 910 et seq.). The designated WRP number is 03-031.

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

CONSIDERATION

The Commission believes that the application for site selection of city-owned property located on the west side of Brookville Boulevard between Rockaway Boulevard and Broad Street (Block 14260, part of Lot 1) for the construction of a wastewater pumping station is appropriate.

The communities of Warnerville and Meadowmere do not have sanitary and storm sewer systems and untreated wastewater is discharged directly into Hook Creek and Thurston Basin which drain into Jamaica Bay. The Department of Environmental Protection must meet federally-mandated water quality standards by eliminating such discharge with the construction of sanitary and storm sewers in these communities.

The proposed pumping station would be an unmanned 320 square foot facility that houses electronic controls and the pump's electrical source above ground and submersible pumps, wet wells and a flow-splitting diversion structure would be below grade. Construction of the sanitary sewer system would be under existing streets, flowing gravitationally to the pumping station and then pumped under Brookville Boulevard north to the New York City Jamaica Water Pollution Control Plant sanitary collection

system at 149th Avenue for treatment. The facility will be visited weekly by maintenance personnel.

The Commission also acknowledges the community board's concern with regard to odor prevention and believes the measures incorporated into the design of the pumping station will prevent odors from diffusing into the nearby residential communities. The Commission encourages DEP to work with the Community Board once the design of the pumping station has been finalized.

The Commission believes that, when completed, the proposed pumping station and subsequent sanitary and storm sewer projects in Warnerville and Meadowmere will help eliminate untreated discharge and wastewater contaminants into Hook Creek, Thurston Basin and Jamaica Bay. The Commission recognizes that this action will improve the overall water quality of these and surrounding water bodies.

RESOLUTION

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

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

RESOLVED, by the City Planning Commission, pursuant to Sections 197-c and 200 of the New York City Charter, that based on the environmental determination, and the consideration and findings described in this report, the application submitted by the New York City Department of Environmental Protection and the Department of Citywide Administrative Services pursuant to Section 197-c of the

New York City Charter for site selection of property located northwest of Brookville Boulevard and Broad Street (Block 14260, part of lot 1), Borough of Queens, Community District 13, is approved.

The above resolution (C 050017 PSQ), duly adopted by the City Planning Commission on March 2, 2005 (Calendar No. 20), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

AMANDA M. BURDEN, AICP, Chair

KENNETH J. KNUCKLES, ESQ., Vice-Chairman

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Commissioners.**