



CITY PLANNING COMMISSION

October 6, 2021 / Calendar No. 18

C 200321 PSK

IN THE MATTER OF an application submitted by the New York City Department Environmental Protection, the Department of Sanitation and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection of property located at 2 2nd Avenue (Block 977, Lot 3) for use as a combined sewer overflow (CSO) control facility, Borough of Brooklyn, Community District 6.

This application (C 200321 PSK) for a site selection of property located at 2 Second Avenue (Block 977, Lot 3) was filed by the New York City Department of Sanitation (DSNY), the New York City Department of Environmental Protection (DEP), and the New York City Department of Citywide Administrative Services (DCAS) on April 21, 2020. This application, in conjunction with the related applications for a site section and acquisition (C 200319 PCK) and city map amendments (C 180039 MMK and C 200320 MMK), would facilitate the construction of a combined sewer overflow (CSO) control facility in the Gowanus neighborhood of Brooklyn, Community District 6.

RELATED ACTIONS

In addition to the site selection application (C 200321 PSK) that is the subject of this report, the proposed projects also require action by the City Planning Commission (CPC) on the following applications, which are being considered concurrently with this application:

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|---------------------|---|
| C 200319 PCK | Site selection and acquisition of real property by the City for salt and equipment storage, environmental education activities and additional space as needed for the CSO control facility. |
| C 200320 MMK | City map amendment for the elimination of Fifth Street between Second Avenue and the Gowanus Canal |
| C 180039 MMK | City map amendment for the elimination of Douglas Street between Nevins Street and the Gowanus Canal |

BACKGROUND

A full background discussion and description of this application appears in the report for the related Site Selection and Acquisition action (C 200319 PCK).

ENVIRONMENTAL REVIEW

This application (C 200321 PSK), in conjunction with the related applications (C 200319 PCK, C 200320 MMK and C 180039 MMK) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA) and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 *et seq.* and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The lead agency is DEP. The designated CEQR number is 17DEP040K.

A summary of the environmental review appears in the report on the related application for a site selection and acquisition (C 200319 PCK).

WATERFRONT REVITALIZATION PROGRAM CONSISTENCY REVIEW

This application (C 200321 PSK) was reviewed by the City Coastal Commission 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 30, 2013 and by the New York State Department of State on February 3, 2016, 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 16-194. This action was determined to be consistent with the policies of the New York City Waterfront Revitalization Program.

UNIFORM LAND USE REVIEW

On May 3, 2021, this application (C 200321 PSK) and related applications (C 200319 PCK, C

200320 MMK and C 180039 MMK) were certified as complete by the Department of City Planning and were duly referred to Community Board 6 and the Brooklyn Borough President, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

Community Board Public Hearing

Brooklyn Community Board 6 held a public hearing on this application (C 200321 PSK) and the related applications (C 200319 PCK, C 200320 MMK and C 180039 MMK) on June 24, 2021.

On July 6, 2021, Community Board 6, by a vote of 14 in favor, one opposed and two abstaining, adopted a resolution recommending approval of the application with conditions.

A summary of the Community Board's recommendations appears in the report for the related Site Selection and Acquisition action (C 200319 PCK).

Borough President Recommendation

The Brooklyn Borough President held a public hearing on this application (C 200321 PSK) and the related applications (C 200319 PCK, C 200320 MMK and C 180039 MMK) on July 7, 2021.

On August 12, 2021, The Brooklyn Borough President issued a conditional approval of the application.

A summary of the Borough President's recommendations appears in the report for the related site selection and acquisition action (C 200319 PCK).

City Planning Commission Public Hearing

On July 28, 2021 (Calendar No. 16), the City Planning Commission scheduled August 28, 2021, for a public hearing on this application (C 200321 PSK) and the related actions. The hearing was duly held on August 18, 2021 (Calendar No. 60) in conjunction with the public

hearing on the applications for related actions.

There were 13 speakers in favor and none in opposition, as described in the report for the related Site Selection and Acquisition action (C 200319 PCK), and the hearing was closed.

CONSIDERATION

The Commission believes that this application for a site selection of real property (C 200321 PSK) in conjunction with the related applications (C 200319 PCK, C 200320 MMK and C 180039 MMK) are appropriate. A full consideration and analysis of the issues and the reasons for approving the application appear in the report for the related application for a site selection and acquisition (C 200319 PCK).

RESOLUTION

RESOLVED, that having considered the Final Environmental Impact Statement (FEIS), for which a Notice of Completion was issued on February 1, 2018, with respect to this application (CEQR No. 17DEP040K), the City Planning Commission finds that the requirements of the New York State Environmental Quality Review Act and Regulations have been met and that:

1. Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
2. The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval those project components related to the environment and mitigation measures that were identified as practicable.

The report of the City Planning Commission, together with the FEIS, constitutes the written statement of facts, and of social, economic and other factors and standards, that form the basis of the decision, pursuant to Section 617.11(d) of the SEQRA regulations; and be it further

RESOLVED, by the City Planning Commission, pursuant to Section 197-c of the New York City Charter, that based on the environmental determination and the consideration described in this report, the application by the New York City Department Environmental Protection, Department of Sanitation and the Department of Citywide Administrative Services located at 2 2nd Avenue (Block 977, Lot 3) for use as a combined sewer overflow (CSO) control facility, Borough of Brooklyn, Community District 6, is approved.

The above resolution (C 200321 PSK), duly adopted by the City Planning Commission on October 6, 2021 (Calendar No. 18), 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.

ANITA LAREMONT, *Chair*

KENNETH J. KNUCKLES, ESQ., *Vice Chairman*

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LARISA ORTIZ, RAJ RAMPERSHAD, *Commissioners*