

CITY PLANNING COMMISSION DISPOSITION SHEET

**PUBLIC MEETING:
MONDAY 20, 1997
1:00 P.M. CITY HALL
NEW YORK, NEW YORK 10007**

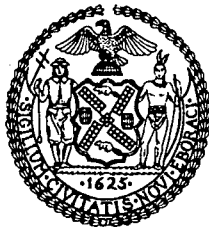
**Rosa R. Romero, Calendar Officer
22 Reade Street, Room 2E
New York, New York 10007-1216
(212) 720-3370**

CAL NO.	ULURP NO.	CD NO	C.P.C. ACTION	CAL NO.	ULURP NO.	CD NO	C.P.C. ACTION
1	C 940327 MMK	18	Favorable Report Adopted				
2	Proposed Rules	cw	" "				

COMMISSION ATTENDANCE:	Present (P) Absent (A)	COMMISSION VOTING RECORD: In Favor - Y Oppose - N Abstain - AB Recuse - R																		
Calendar Numbers:		1	2																	
Joseph B. Rose, Chairman	P	Y	Y																	
Victor G. Alicea, Vice Chairman	P	Y	Y																	
Albert Abney	P	Y	Y																	
Angela M. Battaglia	A																			
Amanda M. Burden, A.I.C.P.	P	Y	Y																	
Irwin Cantor, P.E.	P	Y	Y																	
Kathy Hirata Chin, Esq.	P	Y	Y																	
Alexander Garvin	P	Y	Y																	
Anthony I. Giacobbe, Esq.	P	Y	Y																	
William J. Grinker	P	Y	Y																	
Brenda Levin	P	Y	Y																	
Edward Rogowsky	P	Y	Y																	
Jacob B. Ward, Esq., Commissioners	P	Y	Y																	

MEETING ADJOURNED AT: 1:35 P.M.

COMPREHENSIVE
CITY PLANNING CALENDAR
of
The City of New York
—
CITY PLANNING COMMISSION
—
MONDAY, OCTOBER 20, 1997
—
SPECIAL MEETING AT 1:00 P.M.
in
SPECTOR HALL
22 READE STREET, MANHATTAN



Rudolph W. Giuliani, Mayor
City of New York
Prepared by Rosa R. Romero, Calendar Officer

CITY PLANNING COMMISSION

22 Reade Street, New York, N.Y. 10007-1216

JOSEPH B. ROSE, *Chairman*
VICTOR G. ALICEA, *Vice-Chairman*
ALBERT ABNEY
ANGELA M. BATTAGLIA
AMANDA M. BURDEN, A.I.C.P.
IRWIN G. CANTOR, *P.E.*
KATHY HIRATA CHIN, *Esq.*
ALEXANDER GARVIN
ANTHONY I. GIACOBBE, *Esq.*
WILLIAM J. GRINKER
BRENDA LEVIN
EDWARD T. ROGOWSKY
JACOB B. WARD, *Esq.*, *Commissioners*
ROSA R. ROMERO, *Calendar Officer*

The regular public meetings of the Commission shall be held twice monthly on Wednesday at 10:00 a. m. in City Hall, Manhattan, unless otherwise ordered.

REPORTS

BOROUGH OF BROOKLYN

No. 1

CD 18

C 940327 MMK

IN THE MATTER OF an application submitted by the Department of Environmental Protection and the Department of Parks and Recreation, pursuant to Sections 197-c and 199 of the New York City Charter, **for an amendment to the City Map involving the elimination of Marginal Street, Wharf or Place and the establishment of a Park generally bounded by East 76th Street, Paerdegat Avenue North, Shore Parkway, Bergen Avenue, Ralph Avenue and Flatlands Avenue, Borough of Brooklyn, and any acquisition or disposition of property related thereto, all in accordance with Map No. Y-2617, dated February 10, 1997 and signed by the Borough President.**

(On August 6, 1997, Cal. No. 7, the Commission scheduled September 3, 1997 for a public hearing. On September 3, 1997, Cal. No. 11, the hearing was continued. On September 17, 1997, Cal. No. 12, the hearing was closed.)

For consideration.

CITYWIDE

No. 2

**CITY OF NEW YORK
CITY PLANNING COMMISSION**

AMENDMENTS TO THE CITY PLANNING COMMISSION'S RULES OF PROCEDURE

New material is indicated by underlining. Deleted material is indicated by bracketing.

Chapter 1 and Chapter 2 of Title 62 of the Rules of the City of New York are hereby amended to read as follows:

Chapter 1 Practice and Procedure of City Planning Commission

§1-01 General Rules. (a) The regular public [meetings] hearings of the City Planning Commission shall be held twice monthly on Wednesday at 10 a.m. in [Room 16] City Hall, unless otherwise ordered by the Chair. Other regular public meetings of the City Planning Commission, also known as Review Sessions, shall be held twice monthly on Monday at 22 Reade Street, Spector Hall unless otherwise ordered by the Chair. The time and location of any meeting may be confirmed by contacting the Office of the Calendar Officer at the Department of City Planning.

(b) Special [public] meetings of the City Planning Commission may be called by the [Chairman] Chair or by seven members.

* * *

(f) The order of business at regular public [meetings] hearings shall be as follows unless otherwise ordered by the Chair.

* * *

- [(4) Reports on previously heard items.
- (5) Public Hearing.]
- (4) Public Hearings.
- (5) Reports on previously heard items.

* * *

(h) The Chair shall direct a roll call upon every proposition to be acted upon pursuant to Sections 195, 197-a, 197-c, 200 and 201 of the Charter of the City of New York (the Charter)[, and all votes]. Votes shall be taken by the ayes and nays.

* * *

(j) The Chair shall establish the order in which speakers are heard [At] at public hearings [those opposed to a proposition shall be heard first and then those in favor thereof, unless otherwise ordered]. Speakers shall be limited to no more than three minutes to present testimony unless more time is permitted by the Chair.

(k) City employees designated by the Chair [Commission] shall be the only persons allowed [assigned] within the guard rail of the dais during public meetings.

(l) All reports[, whether from members] of the Commission or its members pertaining to matters acted on by the Commission [or staff of the Department of City Planning] shall be incorporated in the record.

(m) All proposals scheduled for public hearings shall be duly advertised in accordance with Charter provisions and all applicable laws.

(n) The public may attend all meetings of the Commission, including public hearings, except that the Commission may close such a meeting to the public only as provided in the New York State Open Meetings Law (Public Officers Law, §§100-111).

§1-02 The Calendar Officer [Secretary to the Commission]: Notices, Calendars, Minutes, Record, and Communications.

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

(b) The [Secretary] 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 [the order of business] §1-01(f), and shall be properly classified. The [Secretary] 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 a 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 at the Calendar Office, City Planning Commission, Room 2E, 22 Reade Street, New York, New York 10007-1216. 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.

[c](d) The [Secretary] Calendar Officer shall [cause] maintain the minutes of each public meeting [to be printed and bound in volumes of convenient size, with an index thereto], and shall [be] make them available for examination by the public in the Office of the [Secretary] Calendar Officer.

[d](e) [At the request of any member, minutes] Minutes and a record of votes shall be taken at any executive [meeting shall be taken] session to the extent required by §106 of the Public Officers Law.

[e](f) All communications, petitions and reports intended for consideration shall be addressed to the Commission and delivered at or mailed to the [Secretary's office] Calendar Office and shall consist of an original accompanied by [nine] seventeen copies.

[f](g) The [Secretary] Calendar Officer shall transmit to the [Board of Estimate] City Council [or its successor agency] and other City departments affected thereby true copies of all reports and resolutions adopted.

§1-03 Suspension of Rules. The suspension of any of the rules of Practice and Procedure of the City Planning Commission may be ordered by unanimous vote.

[§1-04 Petitions Requesting a Change of Zone Pursuant to §201 of the Charter.]

[Repealed]

[§1-05 Applications for Approval of Projects in the Lincoln Square Special District.]

[Repealed]

[§1-06 Renewal of Authorization or Special Permit.]

[Repealed]

Section §1-07, entitled "Natural Feature Restoration Fee," shall be renumbered §1-04.

Chapter 2 Uniform Land Use Review Procedure (ULURP)

§ 2-01.1 Zoning Resolution Amendments Adopted Pursuant to City Charter § 200 or § 201. Applications to amend the Zoning Resolution pursuant to City Charter § 201 and actions to amend the Zoning Resolution initiated by the Commission pursuant to Charter § 200, which concern revisions to the text of the Zoning Resolution, shall be subject to the provisions of paragraphs (b), (c), (d) and (g) of § 2-06 and paragraph (c) of §2-02 of these rules.

§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 the proper forms for the action as provided by the Department and must be accompanied by all of the information and documents required by such form in the appropriate number of copies specified thereon. For the purpose of the acquisition of property by the city, pursuant to §§2-01(e) and 2-01(k) of this chapter, the applicant shall be [considered] the requesting agency and the Department of [General] Citywide Administrative Services.

When presented at Central Intake, the application shall accompanied by payment of the required fee, if any. Central Intake will not accept incomplete applications or applications without the required fee.

* * *

§2-03 Community Board Actions

* * *

(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 [which has been scheduled in the Comprehensive City Planning Calendar for a community board public hearing] 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).

* * *

(g) *Requests for review of action not in a community district.* A community board or borough board may request a copy of the application and supporting documents for any [such] action subject to ULURP which is not located within the district boundaries of the community board, or the borough board, making the request. The request must be made in writing to the Calendar Office of the Commission 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 an application and supporting documents for any [such] action subject to ULURP which is not located within the boundaries of the borough.

* * *

§2-05 Borough Board Actions.

* * *

(d) *Public attendance at meetings.* The public may attend all meetings of a borough board at which an application [which has been scheduled in the Comprehensive City Planning Calendar for a borough board public hearing] 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).

§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) 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 [§ 2-05(h)(5)] §2-06(g) below.

* * *

(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 [§2-05(c)(1)] §2-06(c)(1), of this chapter, shall be given as follows:

* * *

[(f) Public attendance at review sessions....]

[Repealed]

[(g)](f) *Conduct of hearing.* (1) *Location.* Commission public hearings shall be held in [the Board of Estimate Chamber,] City Hall, unless otherwise [determined by the Commission] ordered by the Chair.

* * *

[(4) Record....]

[Repealed]

[(h)](g) *Commission Actions.*

* * *

(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 [ULURP] application. [The] In making this determination, the Commission shall consider whether the proposed modification:

* * *

If the Commission has determined that the proposed modification will require a supplementary environmental review or the initiation of a new [ULURP] 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).

(On September 3, 1997, Cal. No. 4, the Commission scheduled September 17, 1997 for a public hearing. On September 17, 1997, Cal. No. 16, the hearing was closed.)

For consideration.
