

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON ZONING AND FRANCHISES

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February 8, 2010
Start: XX:XXam/pm
Recess: XX:XXam/pm

HELD AT: Council Chambers
City Hall

B E F O R E:
MARK WEPRIN
Chairperson

COUNCIL MEMBERS:
Jessica S. Lappin
Daniel R. Garodnick
Robert Jackson
Vincent Ignizio
James Vacca
Diana Reyna
Larry B. Seabrook
Leroy G. Comrie, Jr.
Joel Rivera

A P P E A R A N C E S (CONTINUED)

Timmy Panyasiri
Pam Real Thai II, Corp.

2 CHAIRPERSON WEPRIN: Ladies and
3 gentlemen, we're going to try to get started. Our
4 applicant was here nice and early. Okay.

5 All right, good morning, my name is
6 Mark Weprin, and I am the Chair of the
7 Subcommittee on Zoning and Franchises. We're
8 joined today by Council Member Lappin from
9 Manhattan, Council Member Garodnick from
10 Manhattan, and Council Member Jackson from
11 Manhattan, going that way, Council Member Ignizio
12 from Staten Island, and Council Member Vacca from
13 the Bronx. Did I miss anybody? Think that's it
14 for now. Some members will be arriving as we go,
15 but we're going to move ahead.

16 Our first item LU number 27 in
17 Manhattan, Community Board 4, Item number 20105099
18 TCM for Thai Encore Restaurant. If the applicants
19 would come forward and take a seat, we'll get
20 started.

21 [Pause]

22 We're now joined by Council Member
23 Reyna and Council Member Seabrook, sorry, Larry,
24 from the Bronx.

25 MALE VOICE: Comrie.

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2 CHAIRPERSON WEPRIN: And Council
3 Member Comrie, I'm sorry, everyone poured in
4 there.

5 I don't go to my left well [off
6 mic]. [Pause] ...To go, okay. Thank you.

7 [Pause]

8 TIMMY PANYASIRI: Hi, good morning,
9 my name is Timmy Panyasiri, I'm from Pam Real Thai
10 II, Corp., just want to go over the agreement that
11 we have with Community Board 4 and District
12 Office.

13 This letter should serve as our
14 agreement with your District Office and Community
15 Board 4 that we will commit to the following:
16 One, the maintenance of in total four tables and
17 eight chairs; two, a reduction in hours to 9:30
18 p.m. Sunday through Thursday and 10 p.m. on Friday
19 and Saturday, meaning all patrons would be clear
20 at those time; three, the addition of a visible
21 permanent sign to be placed in the front window
22 urging patrons to be respectful of neighbors and
23 keep noise to a minimum. The sign will include
24 phone number and contact person, the sign would be
25 made of plastic or another equally permanent

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2 material, a handwritten note will not satisfy this
3 stipulation. Four, the wait staff will be
4 responsible for monitoring the noise level of the
5 sidewalk café and for redirecting smokers to the
6 eastern corner at 9th Avenue and 47th Street.
7 Five, the best effort to ensure that the largest
8 parties are seated at the table closest to 9th
9 Avenue. Thank you.

10 CHAIRPERSON WEPRIN: Thank you very
11 much. Should I ask question [off mic]. [Pause]
12 I understand that there was a similar agreement in
13 the past that was--the Community Board had
14 initially said you didn't honor. Is that true and
15 what happened in that case?

16 TIMMY PANYASIRI: Yes, there was--
17 it was about the time issue and the amount of
18 people that were sitting at the table. With the
19 time issue, it was that the business was pretty
20 much very bad last year, so when, you know, my
21 whole restaurant was empty and when a customer
22 asked us, you know, it's like 9 o'clock and we
23 have to clear out by 9:30, so when they asked us,
24 okay, can we sit outside and, you know, I have no
25 choice, we just, you know, just to take a chance

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2 and let them. And also, since we have four tables
3 and eight chairs, when I have a customer asking,
4 you know, I have five, can we sit at table four
5 and put up another chair, so I do that for them.

6 CHAIRPERSON WEPRIN: Did you
7 discuss that with the Community Board? I mean how
8 do we know that's not going to happen going
9 forward and is that an issue the Community Board
10 discussed with you and were they agreeable to
11 letting you continue to do this, or you're now
12 going to have to follow this pretty strictly?

13 TIMMY PANYASIRI: Yes, yes,
14 absolutely, he's spoken to us and he's our
15 neighbor too, right next door, so he pretty much,
16 if I'm not following this again, he will let us
17 know and I believe that--you know, it's my first
18 time, I'm very young, I still have a lot to learn,
19 so my first, my first, my first shot at it, so I
20 didn't do so good at it. I believe I could fix
21 myself, I believe everybody could fix themselves
22 and I will give it another try.

23 CHAIRPERSON WEPRIN: Okay. Does
24 anyone have any questions? Mr. Jackson.

25 COUNCIL MEMBER JACKSON: Thank you,

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2 thank you, Mr. Chair. Sir, let me appreciate the
3 fact that you're very young and that you're a
4 businessman, I think that that's very good.

5 TIMMY PANYASIRI: Thank you, sir.

6 COUNCIL MEMBER JACKSON: But
7 because you're young does not mean that you don't
8 understand the agreement that you made. And, in
9 fact, you're a business person and I can
10 understand the economic situation of a restaurants
11 and especially--and your location on 47th Street,
12 but if in fact the agreement says that at 9:30
13 there should be no other people out there, you
14 know, I can understand at 9 o'clock, saying, sure,
15 you can sit out there, but at 9:30 I will have to
16 relocate you inside, and that's not very difficult
17 to do, so you have an obligation. And I
18 understand business is bad, but you won't have a
19 business if you don't agree to the terms, you
20 won't have those tables if you violate it again.
21 So I'm just saying to you, you must live by the
22 agreement and please don't use an excuse that
23 you're young, you're an adult--

24 TIMMY PANYASIRI: Yes, sir.

25 COUNCIL MEMBER JACKSON: --and you

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know the agreement that you reached.

TIMMY PANYASIRI: Yes, sir.

COUNCIL MEMBER JACKSON: And so one of the things as an incentive, you say, sure, you can set them up, you can give them free hors d'oeuvres or a little drink and what have you and so forth, and at 9:30 or whatever the limit is, just quickly have your waiter staff move them inside.

TIMMY PANYASIRI: Yes, sir.

COUNCIL MEMBER JACKSON: I think that that's what you should do and you should've done. Thank you, Mr. Chair.

CHAIRPERSON WEPRIN: Anyone else have any comments or questions?

We are joined by Joel Rivera from the Bronx, also.

Okay. All right, we're going to move to close the hearing now and we are going to take a vote on the item LU 27, Manhattan CB 4--

TIMMY PANYASIRI: Thank you.

CHAIRPERSON WEPRIN: --20105099
TCM. The Chair will recommend an aye vote, a yes vote on this matter and I will ask the Counsel to

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please call the roll.

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CHRISTIAN HYLTON: Christian

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Hylton, Counsel to the Committee. Chair Weprin?

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[Pause] Chair Weprin?

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CHAIRPERSON WEPRIN: Oh, aye.

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CHRISTIAN HYLTON: Council Member

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Rivera.

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COUNCIL MEMBER RIVERA: I vote aye.

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CHRISTIAN HYLTON: Council Member

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Reyna?

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COUNCIL MEMBER REYNA: Aye.

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CHRISTIAN HYLTON: Council Member

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Comrie.

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COUNCIL MEMBER COMRIE: Aye.

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CHRISTIAN HYLTON: Council Member

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Jackson.

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COUNCIL MEMBER JACKSON: I vote

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aye, understanding the agreement that he's not

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going to violate the stipulation again.

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CHRISTIAN HYLTON: Council Member

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Seabrook.

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COUNCIL MEMBER SEABROOK: I vote

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aye.

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CHRISTIAN HYLTON: Council Member

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Garodnick?

COUNCIL MEMBER GARODNICK: Aye.

CHRISTIAN HYLTON: Council Member

Lappin.

COUNCIL MEMBER LAPPIN: Aye.

CHRISTIAN HYLTON: Council Member

Vacca.

COUNCIL MEMBER VACCA: Aye.

CHRISTIAN HYLTON: Council Member

Ignizio.

COUNCIL MEMBER IGNIZIO: Yes.

CHRISTIAN HYLTON: By a vote of 10

in the affirmative, none in the negative, no abstentions, LU 27 is approved and referred to the full Land Use Committee.

CHAIRPERSON WEPRIN: Okay. Any further business before us today? Seeing none, I make a motion to adjourn.

COUNCIL MEMBER JACKSON: So moved.

Thank you.

CHAIRPERSON WEPRIN: I thank all the members for being here, thank you.

TIMMY PANYASIRI: Thank you, sir.

C E R T I F I C A T E

I, Tammy Wittman, certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

Signature Tammy Wittman

Date February 18, 2010