

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

SUBCOMMITTEE ON ZONING AND FRANCHISES

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December 14, 2011

Start: 10:00am

Recess: 10:35

HELD AT: Council Chambers
City Hall

B E F O R E:

MARK S. WEPRIN
Chairperson

COUNCIL MEMBERS:

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

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

George Schwartz
Representative
Scarpina Bar & Grill

Robert Bookman
Representative
Wallse Restaurant

Colleen Alderson
Director of Parklands
New York City Department of Parks and Recreation

2 CHAIRPERSON WEPRIN: And action.
3 Good morning. Thank you, Jerry. Good morning
4 everyone. I am Mark Weprin. I am the Chair of
5 the Zoning and Franchises Subcommittee of the Land
6 Use Committee. I am delighted this morning to be
7 joined by the chair of the Land Use Committee,
8 Leroy Comrie, Robert Jackson, Chair of the
9 Education Committee, Al Vann from Brooklyn—I had
10 no idea what though. I blanked on it... the
11 Assembly Corporations Committee, Jimmy Vacca,
12 Larry Seabrook and Vincent Ignizio. Did I miss
13 anybody? No. That's what I get for starting to do
14 committees. I apologize, Al. It's like, "What is
15 he chairing?" And I couldn't remember.

16 [background conversation]

17 CHAIRPERSON WEPRIN: And also
18 Council Member Dan Garodnick is here and is
19 chairing on another committee simultaneously; he
20 is that special.

21 [laughter]

22 CHAIRPERSON WEPRIN: Okay, so we're
23 going to start. We have two cafes on today, and
24 then one zoning item. We are going to start with
25 Land Use No. 542, which is Scarpina Bar & Grill.

2 And... hold on one second. Who's here for 542?
3 That's George Schwartz [phonetic], I believe. Mr.
4 Schwartz, there you are. Come on up. Come join-
5 have a seat here at the front table. Try to
6 figure out how the mic works; it's not that easy,
7 and then please state your name for the record and
8 describe the application that you're asking for.
9 There you go.

10 GEORGE SCHWARTZ: George Schwartz.
11 I'm an architect and I'm represent Scarpina Bar &
12 Grill at 88 University Place in Manhattan for a
13 sidewalk café.

14 [background conversation]

15 GEORGE SCHWARTZ: I'm too far? I'm
16 sorry. Should I repeat? Okay. My name is George
17 Schwartz. I'm an architect. I'm representing
18 Scarpina Bar & Grill at 88 University Place in
19 Manhattan for a sidewalk café application.

20 CHAIRPERSON WEPRIN: I have a
21 letter here from a Schenzi [phonetic] Selomage
22 [phonetic].

23 GEORGE SCHWARTZ: Yes, that is the
24 owner of the restaurant.

25 CHAIRPERSON WEPRIN: Okay. I will

2 read that into the record if that's okay.

3 GEORGE SCHWARTZ: Sure.

4 CHAIRPERSON WEPRIN: It says, to
5 Council Members Weprin and Mendez—it's in Council
6 Member Mendez's district. This is to inform you
7 that as per Council request the proposed
8 unenclosed sidewalk café at 88 University Place is
9 hereby amended by reducing the distance to the
10 curb by three feet, reducing the seating by one
11 table and two chairs. The amended plan enclosed--
12 which we have a copy of--shows 6 tables and 12
13 chairs at a distance of 11 feet 2 inches to the
14 street curb. Yours Truly, Schenzi Selomage, who
15 is the owner of Scarpina Bar & Grill. Council
16 Member Mendez is okay with this amendment. Does
17 anyone on the panel have any comments or questions
18 for this gentleman? Seeing none, we thank you
19 very much, and we're going to close this item. So
20 thank you. You are excused. You're welcome to
21 hang out if you like...

22 Okay. Next we're going to do Land
23 Use No. 543, which is Wallse Restaurant on West
24 11th Street. I'm calling up Robert Bookman
25 [phonetic]. Is it just you, Robert?

2 ROBERT BOOKMAN: Just me.

3 CHAIRPERSON WEPRIN: How are you,
4 Mr. Bookman? Welcome back.

5 ROBERT BOOKMAN: Thank you, sir.

6 CHAIRPERSON WEPRIN: Please state
7 your name once again for the record and describe
8 what the application is.

9 ROBERT BOOKMAN: Robert Bookman
10 from the law firm Pesetsky and Bookman. We're at
11 325 Broadway, New York, New York. Good morning,
12 Mr. Chair, members of the Committee and
13 distinguished staff, I'm here on behalf of Schatzi
14 Corp doing business as Wallse. It is a restaurant
15 over ten years old on West 11th Street deep in the
16 heart of the West Village. We've had a café for
17 about a decade. Unfortunately as time goes by
18 with some cafes, they tend to not comply with
19 exactly what they were approved for. That's what
20 this was all about, so we've prepared a letter.
21 We've worked with Council Member Quinn's office
22 and your good staff and prepare this agreement.

23 CHAIRPERSON WEPRIN: Mr. Bookman,
24 do you want to just read the letter into the
25 record?

ROBERT BOOKMAN: Dear Council

Member Quinn, this letter serves as our agreement with the Chair, Council Member Mark Weprin and the encompassing members of the Subcommittee on Zoning and Franchises that we will commit to the following: 1) existing lamp posts located on the southeast corner of West 11th Street and Washington Street and the exterior fire escape of West 11th street will be indicated on the sidewalk café plans; 2) the size of the sidewalk café will reduce from 8 tables and 16 seats to 7 tables and 14 seats, specifically removing the one table and two chairs that currently impede the safe deployment of the exterior fire escape on West 11th Street. This will be done in accordance with the New York City fire Department regulations; 3) all tables will be no larger than the approved 24 inches wide; 4) the seven planters, two umbrellas and menu table currently in the sidewalk café zone will be removed as they have not been indicated on the approved plans; 5) all the aforementioned changes will be reflected in revised plans submitted to the New York City Department of Consumer Affairs. If there are any questions,

2 feel free to call my office. Signed by the
3 president of the company and - - as well.

4 CHAIRPERSON WEPRIN: We just need a
5 copy of the-

6 ROBERT BOOKMAN: [Interposing]
7 Absolutely. We'll get a stamp from and they give
8 it to you so you know we submitted it.

9 CHAIRPERSON WEPRIN: Good. Good
10 job reading. Probably your good course in law
11 school probably. Reading aloud. I got the thumbs
12 up from Speaker Quinn's staff in the back of the
13 room there, saying that she is on board with these
14 agreements, with these changes, so with that in
15 mind, I look to the members of the Committee.
16 Anyone interested in commenting or asking about
17 this restaurant? I heard that Peter was there and
18 completely ruined the whole mojo of the place. It
19 went from being a really cool place, to being an
20 uncool place.

21 ROBERT BOOKMAN: Way too upscale
22 for Peter.

23 CHAIRPERSON WEPRIN: That's it.
24 Anybody have any comments? No more coffee for me.
25 Alright. Well, thank you very much, Mr. Bookman.

2 We are going to close this item.

3 ROBERT BOOKMAN: Thank you very
4 much.

5 CHAIRPERSON WEPRIN: Thank you.

6 [background conversation]

7 CHAIRPERSON WEPRIN: Alright. Now
8 we're going to move on to the next item. It's
9 Land Use Nos. 544 and 545, the Broadway Malls. -
10 - . Is that Colleen [phonetic] is coming? Okay.
11 I'd like to call up Colleen Alderson [phonetic],
12 is it? Alderson, right. Colleen, if you could
13 please state your name for the record and describe
14 the application. Also, tell us who is here with
15 you. We always like to hear that.

16 COLLEEN ALDERSON: Sure. My name
17 is Colleen Alderson. I'm the director of
18 Parklands for the New York City Department of
19 Parks and Recreation. Karen Becker [phonetic] is
20 the Parks Department director of government
21 relations--

22 CHAIRPERSON WEPRIN: [Interposing]
23 Shameless ploy I had to get in for Karen Becker.

24 COLLEEN ALDERSON: --and Gregory
25 Mitterman [phonetic] is also with the Parklands

Office for the Parks Department, so...

[background conversation.]

COLLEEN ALDERSON: So, good

morning, Council Members. I'm here to testify on behalf of the agency as a co-applicant with the New York City Department of Transportation for the ULEP [phonetic] application and subsequent text amendment to change the city map for the elimination, discontinuous enclosing of portions of Broadway between West 94th Street and West 97th Street within Community Board 7 in the borough of Manhattan and the establishment of parkland in the areas on the Broadway Malls. The purpose of the application is facilitated by the reconstruction by the New York City Transit Authority of the West 96th Street Station, which serves the numbers 1, 2 and 3 lines and is located in Manhattan's Upper West Side. This change to the city map will officially recognize this reconstruction. The area we are specifically referring to on Broadway is city-owned 150 feet wide, improved and open to two way traffic. Existing landscape medians divide the north and southbound travel lanes of Broadway from West 59th Street at Columbus Circle

1 to West 122nd Street, where the subway tracks
2 emerge from underground and are then elevated
3 above Broadway. While under the jurisdiction of
4 the Parks Department, the Broadway Malls that are
5 located within the bed of the map's street have
6 not been previously mapped as parkland on the city
7 map. Recently the New York City Transit Authority
8 completed the construction of a new above ground
9 one story station house on a portion of the median
10 just north of West 95th Street. In order to
11 construct the new ADA compliant station, the
12 widths or portions of the three medians that this
13 application encompasses have been increased from
14 22 feet to approximately 54 feet at their widest
15 sections. With the city map change, Parks would
16 acquire jurisdiction over the portions of street
17 bed that would be eliminated for the widening of
18 the three medians and would not result in the loss
19 of traffic lanes. The Parks Department's newly
20 acquired land from the widened medians together
21 with Park's currently held land on the three
22 existing medians would be established as parkland
23 and eliminated as street on the city map. State
24 alienation authorization for the discontinued use
25

2 of the portions of Broadway Malls to facilitate
3 the 96 Street subway station house project was
4 authorized on July 26th, 2006 as per Chapter 284 of
5 the laws of 2006. The portion of the median being
6 improved within Transit Authority's Station House
7 will not be established as parkland, nor would it
8 be eliminated as street; merely the roadways of
9 Broadway between West 94th and West 97th Streets,
10 which would be separated by mapped public parkland
11 as a result of the proposed city map change
12 described and would each still be considered a
13 wide street through the text amendment. This
14 application went through the New York State and
15 Environmental Quality Review Act and the city
16 Environmental Quality Review procedures and no
17 negative environmental impacts were found. In
18 addition, Community Board 7 and the Manhattan
19 Borough President have issued favorable
20 recommendations on the actions. I thank you for
21 allowing me to come before you today and I'd be
22 happy to answer any questions that you might have.

23 CHAIRPERSON WEPRIN: Thank you very
24 much. I'm looking at the panel. Does anyone have
25 any questions on this matter? We'll start with

2 Mr. Vann.

3 COUNCIL MEMBER VANN: Do you happen
4 to know who chairs the Community Development
5 Committee of the City Council?

6 CHAIRPERSON WEPRIN: I do.

7 COUNCIL MEMBER VANN: I yield to..
8 [laughter]

9 COUNCIL MEMBER VANN: Yes, or no?

10 COLLEEN ALDERSON: No.

11 COUNCIL MEMBER VANN: Okay, thank
12 you.

13 COLLEEN ALDERSON: Sorry.

14 COUNCIL MEMBER VANN: I won't hold
15 it against you.

16 COLLEEN ALDERSON: Okay. I'm
17 sorry. Karen - - I know.

18 CHAIRPERSON WEPRIN: Mr. Jackson?

19 COUNCIL MEMBER JACKSON: Thank you,
20 Mr. Chair. Good morning. While you were reading
21 your text and your explanation of all of the
22 particular details, I was wondering myself what if
23 we did not approve this? What would happen?

24 COLLEEN ALDERSON: Well, the malls
25 are still considered under the Parks Department's

2 jurisdiction, but the city map would not reflect
3 how the medians appear today, and I think for
4 clarity's sake and just to establish the medians
5 as parkland on the city map—that's really what
6 this action is for, and the text amendment
7 specifically is to enable the streets affected by
8 the city map to still be considered a wide street,
9 so status—

10 COUNCIL MEMBER JACKSON:

11 [Interposing] What do you mean by a wide street?

12 COLLEEN ALDERSON: In the New York
13 City Zoning Resolution, 75 feet is the cut off for
14 what is considered a wide street and there are
15 certain zoning implications and because the
16 medians would be mapped as parkland, it changes
17 the block's fronting Broadway to be considered a
18 narrow street. In order to keep things as the
19 status quo, that is why the text amendment
20 language is proposed. There are certain Zoning
21 Resolution requirements having to do with parking
22 and street wall, and the City Planning, I think,
23 wanted to make sure that those same procedures and
24 caveats are still applied. So it's just to keep
25 everything as the status quo.

2 COUNCIL MEMBER JACKSON: So the
3 area that we're talking about from 94th to 97th is
4 still considered a wide street?

5 COLLEEN ALDERSON: Correct, with
6 the text amendment. That's what that does.

7 COUNCIL MEMBER JACKSON: And the
8 sidewalks adjacent to that area—I'm looking at the
9 picture there, is there still parking or there's
10 no parking at that location because it is wider as
11 a result of making it ADA and so forth and so on?

12 COLLEEN ALDERSON: What happened is
13 the sidewalks are part of the street right of way
14 and what happened is some of the sidewalk width
15 was added to the medians to make sure that the
16 same amount of travel lanes occur. In terms of
17 parking for the three block stretch, there was a
18 total loss of three parking spaces.

19 COUNCIL MEMBER JACKSON: Not bad.

20 COLLEEN ALDERSON: So...

21 COUNCIL MEMBER JACKSON: And there
22 was an environmental impact statement?

23 COLLEEN ALDERSON: Correct.

24 Correct. Oh No. I'm sorry. I should correct
25 that. What happened is because federal funding

2 was used by the Transit Authority toward the
3 station house project, there was actually a review
4 done under NEPA [phonetic] and--

5 COUNCIL MEMBER JACKSON:

6 [Interposing] What's NEPA? I'm sorry?

7 COLLEEN ALDERSON: It's--

8 FEMALE VOICE: [off mic]

9 COLLEEN ALDERSON: Correct, so if
10 there is federal funds applied through the Federal
11 Transit Administration, they have to assure that
12 giving that money that there is no possible
13 impact, so the Transit Authority did do
14 environmental review under NEPA. The city
15 coordinated and was part of that review as well.
16 For the text amendment and for our mapping change,
17 we did do the city environmental review. We did
18 an EAS and it resulted in a negative declaration.

19 COUNCIL MEMBER JACKSON: Do you
20 think that as a result of this particular subway
21 station and the widening of the median to be taken
22 over by Parks or be considered parkland that the
23 traffic flow from south to north and north to
24 south in that area basically slows down traffic
25 coming to that particular location? And is that

2 an impact, if in fact that happens?

3 COLLEEN ALDERSON: It was
4 determined—there was a detailed traffic analysis
5 done and it was determined that there was by
6 virtue of these changes, there was no change to
7 the traffic flow as a result of this. I think
8 there was one second signal time that was changed
9 on one of the cross streets. I think the purpose
10 of that was to allow more pedestrian flow to the
11 station house. It didn't have to do necessarily
12 with traffic.

13 COUNCIL MEMBER JACKSON: Okay.
14 Thank you very much. Thank you, Mr. Chair.

15 CHAIRPERSON WEPRIN: Mr. Ignizio?

16 COUNCIL MEMBER IGNIZIO: Yes, I
17 have a question regarding any potential street
18 alteration that may in the future need to be made.
19 Is this now considered parklands such that it
20 cannot be made if there is any alteration the
21 street needs? They determine they need an extra
22 foot in order add an additional lane—to put in a
23 bike lane, which the DOT Commissioner is so fond
24 of, to put in a bus rapid transit. What
25 restrictions in basically putting this property

2 over to you does the DOT and people at large now
3 have to deal with?

4 COLLEEN ALDERSON: Well, if there
5 were any changes through--any traffic changes that
6 would affect the medians between 94th and 97th, then
7 it would have to go through - - if a portion of
8 the median was to be used as part of a new traffic
9 lane or a turning lane, but if the changes are
10 within the street bed outside of the median, there
11 would be no - - required to change the city map.
12 Whatever--if city DOT wanted to take out a traffic
13 lane to put in a bus lane, that wouldn't require
14 any mapping changes. It's only if the medians
15 become affected.

16 COUNCIL MEMBER IGNIZIO: Okay.
17 Thank you.

18 CHAIRPERSON WEPRIN: Give us one
19 minute. Okay, we have been joined by Council
20 Member Reyna, who would like to ask a question.

21 COUNCIL MEMBER REYNA: I apologize
22 for my tardiness, Chair. Thank you very much. I
23 just wanted to understand if I can just put this
24 in my own words just to see if I'm getting this
25 right. We've built a structure that did not

2 exist, where this street was once considered wide
3 street is now a narrow street, but we want to
4 technically continue to refer to it as a wide
5 street for development? For future development?

6 COLLEEN ALDERSON: The station
7 house was a reconstruction in order to bring it up
8 to current standards to provide better access,
9 better pedestrian flow between the street—

10 COUNCIL MEMBER REYNA: [Interposing]
11 But it wasn't as bulky as it is today?

12 COLLEEN ALDERSON: Correct. It's a
13 little bit wider, and that's why some of the
14 street bed was added to the malls to facilitate
15 the station house project. The width between a
16 building on one side of Broadway and a width of
17 the road bed to the other side 150 feet was what
18 previously happened. It was all treated as
19 street. What we're doing is mapping the median as
20 parkland, so what happens is for the buildings
21 facing Broadway, the technically are now facing a
22 narrow street, so through the text amendment, we
23 are explaining that for those three streets
24 affected it will still be considered a wide street
25 in terms of the Zoning Resolution, which has

2 critical components in it so that if you're on a
3 wide street, there are certain procedures you have
4 to follow to make sure that if you're proposing a
5 new development, it complies for health and
6 safety. So street wall, parking implications and
7 we didn't want that change to happen.

8 COUNCIL MEMBER REYNA: Right, but
9 what I'm trying to understand is the street is
10 technically narrower.

11 COLLEEN ALDERSON: There is still
12 the amount of traffic lanes. We took some from
13 the sidewalk, so there's less sidewalk, but the
14 traffic lanes are the same.

15 COUNCIL MEMBER REYNA: Okay.

16 COLLEEN ALDERSON: Yes.

17 COUNCIL MEMBER REYNA: So the
18 street is technically 150 feet?

19 COLLEEN ALDERSON: Today and
20 through the map change, it will be changed.

21 COUNCIL MEMBER REYNA: To?

22 COLLEEN ALDERSON: It will be part
23 of street on one side of Broadway mapped
24 parklands, so instead of the-

25 [crosstalk]

2 COUNCIL MEMBER REYNA: But
3 technically it's not 150 feet.

4 COLLEEN ALDERSON: Today it is.
5 With this city map change, it would be not 150
6 feet.

7 COUNCIL MEMBER REYNA: and if it's
8 not 150 feet moving forward, then it would be
9 considered a narrow or a wide street?

10 COLLEEN ALDERSON: The cut off is
11 75 feet in the Zoning Resolution.

12 COUNCIL MEMBER REYNA: In reference
13 to a narrow street?

14 COLLEEN ALDERSON: Correct.

15 COUNCIL MEMBER REYNA: And you want
16 to regard this as a wide street?

17 COLLEEN ALDERSON: Correct.

18 Correct because what happens is you only have 40,
19 50 feet on each side of Broadway now 'cause you
20 have the mapped parkland now established in the
21 middle, so it changes for the buildings fronting
22 Broadway. They have less than 75 feet. Does that
23 make sense?

24 [background conversation]

25 COUNCIL MEMBER REYNA: And this

2 Zoning Resolution is isolated to this one area, or
3 this has been - - ?

4 [crosstalk]

5 COLLEEN ALDERSON: --city wide.

6 The threshold for what's considered a wide street
7 applies city-wide.

8 COUNCIL MEMBER REYNA: No, but this
9 text resolution-

10 COLLEEN ALDERSON: [Interposing]

11 Would only apply to these three blocks.

12 COUNCIL MEMBER REYNA: And it's
13 never been done before?

14 COLLEEN ALDERSON: Not to my
15 knowledge. I would have to ask City Planning.

16 COUNCIL MEMBER REYNA: And this
17 would assist future development?

18 COLLEEN ALDERSON: It doesn't
19 assist anyone in terms of development. It keeps
20 everything as the status quo.

21 COUNCIL MEMBER REYNA: But you're
22 saying that it would affect it if you didn't do
23 this?

24 COLLEEN ALDERSON: Correct. If we
25 do not do the text amendment, the properties

1 fronting Broadway would be considered fronting a
2 narrow street and they would not be responsible
3 for going to City Planning for certain approvals—
4

5 COUNCIL MEMBER REYNA:

6 [Interposing] So this triggers what would be a
7 process that permanently they would not have to
8 participate in?

9 COLLEEN ALDERSON: The text
10 amendment keeps everything the status quo.

11 COUNCIL MEMBER REYNA: So they
12 continue to come back to City Planning?

13 COLLEEN ALDERSON: Exactly.
14 Whatever is required in the zoning resolution
15 would still apply to them.

16 COUNCIL MEMBER REYNA: And if this
17 did not happen, then they would not have to go to
18 the City Planning.

19 COLLEEN ALDERSON: Perhaps.
20 There's certain detailed items in the zoning
21 resolution that apply whether a narrow or wide
22 street, so there are certain implications and we
23 did not want to change that for the community. We
24 wanted to make sure that the same provisions in
25 the zoning resolution that apply today apply in

2 the future with this map change. We didn't want
3 our mapping of the medians to effect any
4 development review process that should happen for
5 the buildings fronting Broadway.

6 COUNCIL MEMBER REYNA: Is this
7 something that you're taking a look at in other
8 areas because—

9 COLLEEN ALDERSON: [Interposing]
10 No, No. This mapping of the malls is only related
11 to the station house project. We're only mapping
12 the medians between 94th and 97th, which was
13 effected by the station house redevelopment. So
14 the mapping is completely tied to the station
15 house project.

16 COUNCIL MEMBER REYNA: Thank you.

17 CHAIRPERSON WEPRIN: Thank you,
18 Council Member Reyna. Anybody else have any
19 comments or questions? Seeing none, I want to
20 thank you very much for being here. I'm going to
21 close this hearing and we are going to move to
22 vote on these items. Once again we are going to
23 couple the following items into one vote, Land Use
24 No. 542, Scarpina Bar & Grill, Land Use No. 543
25 Wallse Restaurant and the text amendments Land Use

2 No. 544 and 545, the Broadway Malls. All these
3 items are coupled. I will call on Christian
4 Hilton, the counsel to the Committee, to please
5 read the roll.

6 COUNSEL: Chair Weprin?

7 CHAIRPERSON WEPRIN: Aye.

8 COUNSEL: Council Member Rivera?

9 COUNCIL MEMBER RIVERA: I vote aye.

10 COUNSEL: Council Member Reyna?

11 COUNCIL MEMBER REYNA: I vote aye.

12 COUNSEL: Council Member Comrie?

13 COUNCIL MEMBER COMRIE: I vote aye.

14 COUNSEL: Council Member Jackson?

15 COUNCIL MEMBER JACKSON: Aye on

16 all.

17 COUNSEL: Council Member Seabrook?

18 COUNCIL MEMBER SEABROOK: Aye on

19 all.

20 COUNSEL: Council Member Vann?

21 COUNCIL MEMBER VANN: Aye.

22 COUNSEL: Council Member Ignizio?

23 COUNCIL MEMBER IGNIZIO: Yes.

24 COUNSEL: By a vote of eight in the

25 affirmative, none in the negative and no

2 abstentions, L.U. 542, 543, 544, and 545 are
3 approved and referred to the full Land Use
4 Committee.

5 CHAIRPERSON WEPRIN: Thank you.
6 Council Member Garodnick and Council Member Vacca
7 are chairing Committees in the building. We will
8 try to get them post haste here to vote on this
9 item as soon as possible. Alright, and so.. Okay.
10 I just want to say on behalf of the Subcommittee
11 on Zoning and Franchises, we are sort of saddened
12 to say that this is the last Subcommittee meeting
13 for the general council to the Land Use Committee
14 of Carol Shine who is here. Round of applause
15 please.

16 [applause]

17 CHAIRPERSON WEPRIN: And as a
18 tribute to Carol, we are closing this hearing. We
19 are adjourning this meeting, holding open the
20 rolls just for the two Chairs who stepped out of
21 the room. And with that, the meeting is now
22 adjourned.

23 [gavel]

24 COUNSEL: Council Member Vacca?

25 COUNCIL MEMBER VACCA: I vote aye

2 on all.

3 COUNSEL: The vote now stands at
4 nine in the affirmative, none in the negative and
5 no abstentions.

6 [pause]

7 COUNSEL: Council Member Garodnick?

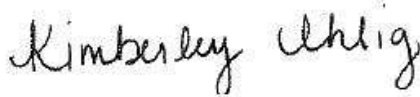
8 COUNCIL MEMBER GARODNICK: Thank
9 you. I vote aye.

10 COUNSEL: By a vote of ten in the
11 affirmative-final vote ten in the affirmative,
12 none in the negative, no abstentions all items
13 have been approved and referred to the full Land
14 Use Committee. This meeting is adjourned.

C E R T I F I C A T E

I, Kimberley Uhlig 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

Handwritten signature of Kimberley Uhlig in cursive script, written over a horizontal line.Date 1/4/12