

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON LAND USE

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December 17, 2009
Start: 10:29 am
Recess: 10:47 am

HELD AT: Hearing Room
250 Broadway, 16th Floor

B E F O R E: LEROY G. COMRIE, JR.
Acting Chairperson

COUNCIL MEMBERS:
Leroy G. Comrie, Jr.
Maria del Carmen Arroyo
Tony Avella
Charles Barron
Elizabeth Crowley
Simcha Felder
Daniel R. Garodnick
Sara M. Gonzalez
Vincent Ignizio
Robert Jackson
Jessica S. Lappin
John C. Liu
Rosie Mendez
Larry B. Seabrook
Helen Sears
Annabel Palma

CHAIRPERSON COMRIE: Good

afternoon. I'm Leroy Comrie. We are starting the Land Use Committee. Today we have 11 items that we'll be voting on.

The first item is Manhattan Community Board 6, Council Member Dan Garodnick's area. I'll wait for everybody to quiet down. It's a school siting, Preconsidered LU 20105219SCM for P.S./I.S. 281-M.

The next item is in Council Member Mealy's district, Brooklyn Community Board 3. It's an amendment to a previously approved UDAAP. It's amendment 20105220HAK and it's an amendment for 924 and 928 Madison Street and 1023, 1013, 1007, 1052 and 1054 Putnam Avenue, Borough of Brooklyn.

The next item is LU 1271. It's another amendment to a previously approved UDAAP in Council Member Gennaro and Council Member White's district, Community Board 12. It's Land Use item 2010529HAQ, Affordable Housing Development Corporation.

The item is a citywide item Land Use 1282. It's a citywide item authorizing

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2 Resolutions for public pay phone franchises, Land
3 Use item 20105211GFY.

4 The next item is in Council Member
5 Koppell's district. It's a sidewalk café in
6 Brooklyn Community Board 28 called Greentree, Item
7 20095681TCX.

8 The next item is Land Use item
9 1284, another zoning text amendment in Council
10 Member Gerson's district, the Delury Square Park
11 text amendment, item N090509ZRM.

12 The next item is Council Member
13 Gonzalez's district, Sunset Park 197-a plan, Land
14 Use 1285, Brooklyn Community Board 7, item
15 N080396NPK, plan for Community Board 7's amended
16 197-a plan.

17 The next item is in Speaker Quinn's
18 district, Land Use item 1286, another sidewalk
19 café in Manhattan Community Board 25, Rosie
20 O'Grady's, 20105193TCM.

21 We have three other items in
22 Council Member de Blasio and Council Member
23 Dilan's district. It's a property exchange
24 pursuant to General Municipal Law Section 572-h,
25 item 20105215PPK. It's in Brooklyn Community

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2 Boards 5 and 6. It's a swap of exchange for a
3 city-owned parcel and a state-owned parcel with
4 Baltic and Forbell Streets. 250 Baltic Street
5 swapping with 338 Forbell Street in Council
6 Districts 39 and 37.

7 We have a UDAAP in Council Member
8 Mealy's district, Community Board 16, Hopkinson
9 and Park Place, item C100067HAK.

10 The last item is a landmark in
11 Council Member Avella's district, Land Use 1292.
12 It's in Queens Community Board 7 and it's item
13 20105203HQK.

14 All of these items have been
15 discussed and voted in the affirmative in the
16 subcommittee meetings. I would recommend an
17 affirmative vote on all these items. I'd like to
18 combine all of the items for one vote. At this
19 time, unless there are any questions from any of
20 the members we can proceed to a vote. Council
21 Member Garodnick?

22 COUNCIL MEMBER GARODNICK: Thank
23 you, Mr. Chairman, I'll be very brief. I just
24 wanted to express my support of Preconsidered Land
25 Use, the one involving P.S./I.S. 281-M, that's

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2 20105219SCM. It is a siting of a school on 35th
3 Street and First Avenue. This is a siting which
4 is appropriate for the school. It was part of a
5 broader rezoning that we already did and passed in
6 the Council.

7 But the School Construction
8 Authority, in response to community concerns about
9 the site and the plan has agreed to an extensive
10 process for community consultation. We're
11 grateful to that.

12 I want to thank Chair Lappin for
13 her support and of course Council Member Mendez
14 who shares the area and represents the district
15 right across the street from this siting. So I
16 want to encourage my colleagues to support that,
17 particularly in light of the community
18 consultation process that the School Construction
19 Authority has engaged in.

20 And of course we do want the
21 administration to be engaged on the broader issue
22 of this site, the site plan, the fact that we now
23 have a school which is moving forward faster than
24 the development which was planned and we're going
25 to need their help to find ways to address that

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2 and mitigate any potential problems and find a way
3 to plan for this site in a way that works for all
4 interested parties here.

5 I also want to congratulate Council
6 Member Gonzalez on the 197-a plan that is not only
7 good for her community but she has personally
8 worked on for years and years and years. So
9 congratulations Council Member Gonzalez.

10 CHAIRPERSON COMRIE: Council Member
11 Lappin followed by Council Member Gonzalez.

12 COUNCIL MEMBER LAPPIN: I just
13 wanted to congratulate Council Member Garodnick.
14 As we discussed a little bit yesterday at the
15 Education hearing, we have massive overcrowding in
16 District 2, particularly on the East Side of
17 Manhattan and have been discussing actively with
18 the Department of Education how we fix that. This
19 is a big piece of that puzzle.

20 When the Land Use Committee
21 approved the rezoning for the Con Ed solo site
22 this was a precondition for that. And even though
23 the site itself has stalled and the owner is
24 having some difficulty with his finances, it's
25 wonderful that the city is still moving forward

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2 with the school because we desperately need those
3 seats. So I want to thank Council Member
4 Garodnick for his leadership on this and certainly
5 urge my colleagues to vote in favor.

6 COUNCIL MEMBER GONZALEZ: Thank you
7 Chair. I'm going to take all the minutes from
8 seven years that I've been here. I just want to
9 let Council Member Charles Barron know that.

10 COUNCIL MEMBER BARRON: Time, time,
11 time.

12 COUNCIL MEMBER GONZALEZ: The 197-a
13 in Sunset Park is an incredible, incredible thing
14 for us. I mean we've been working on it for many,
15 many years when I was chair of that community
16 board.

17 I just want to congratulate
18 Community Board 7 in Sunset Park for all their
19 hard work, especially their chair Randy Peers.
20 But more than anything, especially Joseph
21 Longobardi, I wanted to go on record because he
22 became Joe 197-a. I mean we hired consultants and
23 paid them pennies actually to do the work that
24 they did and we've really come a long way.

25 I'm really very pleased to be able

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2 to shepherd this through because I was part of
3 that vision and that vision has become a reality.
4 It's really significant for revitalization of the
5 waterfront. We signed on to the waterfront
6 principles in 2000 and today I urge all of my
7 colleagues to vote yes because it's been a lot of
8 hard work and it means job creation, recreation
9 and green for the waterfront which will mean a
10 future, Charles Barron. So I really, really need
11 your vote on this. Thank you my colleagues. Aye
12 on all.

13 CHAIRPERSON COMRIE: I just want to
14 introduce all of the members that are here.
15 Council Member Gonzalez, Council Member
16 Comptroller-elect John Liu, Council Member Annabel
17 Palma, Council Member Maria del Carmen Arroyo,
18 Council Member Charles Barron, Council Member Liz
19 Crowley, Council Member Dan Garodnick, Council
20 Member Tony Avella, Council Member Helen Sears,
21 Council Member Simcha Felder, Council Member
22 Jessica Lappin, Council Member Vincent Ignizio and
23 Council Member Robert Jackson. With that, I
24 recommend an aye vote to all of the items on the
25 agenda today. With that I want to thank everybody

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2 and wish everybody an early happy weekend before
3 Christmas holiday. Don't throw any elbows out
4 there if you haven't done any shopping yet. All
5 right, in the generic, happy holidays. Christmas
6 is the only one you have to shop for, so I was
7 thinking on shopping. All right. I'm going under
8 here, so let's just move on to the vote.

9 CAROL SHINE: Carol Shine, Counsel
10 to the committee. Acting Chair Comrie?

11 CHAIRPERSON COMRIE: Aye on all.

12 CAROL SHINE: Council Member
13 Avella?

14 COUNCIL MEMBER AVELLA: Aye on all.

15 CAROL SHINE: Council Member
16 Barron?

17 COUNCIL MEMBER BARRON: [No
18 response].

19 CAROL SHINE: Council Member
20 Jackson?

21 COUNCIL MEMBER JACKSON: [Foreign
22 language].

23 CAROL SHINE: Yes on everything.
24 Council Member Liu?

25 COUNCIL MEMBER LIU: Yes.

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CAROL SHINE: Council Member Sears?
COUNCIL MEMBER SEARS: Aye.
CAROL SHINE: Council Member
Gonzalez?
COUNCIL MEMBER GONZALEZ: Aye.
CAROL SHINE: Council Member Palma?
COUNCIL MEMBER PALMA: Aye.
CAROL SHINE: Council Member
Arroyo?
COUNCIL MEMBER ARROYO: Aye.
CAROL SHINE: Council Member
Garodnick?
COUNCIL MEMBER GARODNICK: Aye.
CAROL SHINE: Council Member
Lappin?
COUNCIL MEMBER LAPPIN: Aye.
CAROL SHINE: Council Member
Crowley?
COUNCIL MEMBER CROWLEY: [No
response].
CAROL SHINE: Council Member
Ignizio?
COUNCIL MEMBER IGNIZIO: I'd like
to vote no on Land Use 1292 and aye on all others

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2 and congratulate Sara Gonzalez for the hard work
3 she's done on this and our acting chair, what a
4 great job you did. Maybe it's foreshadowing for
5 the future. God bless you.

6 CAROL SHINE: Council Member
7 Felder?

8 COUNCIL MEMBER FELDER: I wasn't
9 going to say anything, but first of all I want to
10 take exception to the remarks that Vincent Ignizio
11 made about the possible future chair of this
12 committee. I'm not going to say anymore. And
13 about the other remarks, I have the deepest
14 respect for Councilman Comrie, but my wife and
15 kids will attest to the fact that you don't know
16 what you're talking about. I vote yes on all.

17 CAROL SHINE: The vote stands at 14
18 in the affirmative, none in the negative and no
19 abstentions on all items except for LU 1292 which
20 is 13 in the affirmative, 1 in the negative and no
21 abstentions.

22 CHAIRPERSON COMRIE: We will hold
23 the vote open until the start of the next meeting,
24 which is at 11:00, for any members that are still
25 on their way. 11:00 is the Parks Committee.

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[Pause]

CAROL SHINE: Council Member

Seabrook?

COUNCIL MEMBER SEABROOK: Aye on

all.

CAROL SHINE: The vote stands at 15

in the affirmative, none in the negative on all

items with the exception of LU 1292 in which the

vote stands 14 in the affirmative, 1 in the

negative and no abstentions. Council Member

Mendez?

COUNCIL MEMBER MENDEZ: I vote aye

on all.

CAROL SHINE: The vote stands at 16

in the affirmative, none in the negative and no

abstentions on all items with the exception of LU

1282 on which the vote is 15 in the affirmative,

no abstentions and one in the negative.

C E R T I F I C A T E

I, Donna Hintze 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 *Donna Hintze*

Date December 30, 2009