

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON LAND USE

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October 6, 2008
Start: 10:00am
Recess: N/A

HELD AT: Committee Room
City Hall

B E F O R E:
MELINDA R. KATZ
Chairperson

COUNCIL MEMBERS:
Joel Rivera
Tony Avella
Maria Baez
Charles S. Barron
Leroy G. Comrie, Jr.
Eric N. Gioia
Robert Jackson
John C. Liu
Larry B. Seabrook
Helen Sears
Albert Vann
Annabel Palma
Maria del Carmen Arroyo

A P P E A R A N C E S

COUNCIL MEMBERS:

Inez E. Dickens
Jessica S. Lappin
Rosie Mendez
Vincent Ignizio
James S. Oddo
Simcha Felder
Daniel R. Garodnick

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2 CHAIRPERSON KATZ: Let's start Land
3 Use. If I can have everyone's attention, because
4 this is extremely important for tomorrow.

5 [Pause]

6 CHAIRPERSON KATZ: As you know and
7 you've heard me say a million times in this
8 Committee, we apologize for the delay. As you
9 know, just like in your districts or just like in
10 other districts that we care about, a lot of times
11 we make last minute changes or decisions regarding
12 Land Use and the Council Member needs time to
13 negotiate. So I want everyone's attention for
14 just one minute, because this is extremely
15 important. We have a planning meeting for
16 tomorrow.

17 [Pause]

18 CHAIRPERSON KATZ: We have a
19 planning meeting for tomorrow at 9:45. The reason
20 I need everyone's attention right now is because
21 we also have Land Use at 10:00. The reason I'm
22 making this so important is because City Planning
23 is meeting tomorrow as well. If we need, and we
24 don't know if we're going to need, to send over a
25 modification for tomorrow's East 125th Street-- we

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2 don't know, there may be a modification, there may
3 not be; the Council Member is still working on it,
4 we need to get it to City Planning extremely
5 early. So I am imploring everyone to please come
6 on time tomorrow so that if there needs to be
7 modifications, City Planning is still meeting by
8 the time we finish our meeting, okay? So that's
9 why it was so important. So I just wanted to run
10 that by everyone, make sure you understand the
11 significance of it. In order to get the
12 modification it will be extremely important, if we
13 happen to need one. Okay? And I apologize for
14 having another meeting tomorrow. It's just the
15 way it is at this moment. Let's go through the
16 agenda so we can get out quickly and do our work
17 in the City Council. LU number 819 and 841
18 through 843 are all related. It is four related
19 applications to facilitate the development of the
20 Hospital, the new Hospital for Special Surgery.
21 It is a special permit, a city map amendment,
22 another special permit and a zoning text
23 amendment. East 125th Street is deferred until
24 tomorrow. LU numbers 882 through 883 is the Dutch
25 Kills rezoning. It is modified, but it is

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2 basically an amendment to the zoning text. They
3 are two related applications to preserve the build
4 scale and allow residential development as of
5 right, and it is also an amendment to the zoning
6 map pursuant to those goals. LU number 891 is
7 George Cunningham Store. It is in Council Member
8 Vinny Ignizio's district. It is landmarking. LU
9 numbers 893 is in Council Member Avella's
10 district. It is a sidewalk café and it is a
11 motion to file pursuant to a withdrawal. Any
12 discussion, ladies and gentlemen? Oh, I'm sorry.
13 I apologize. Council Member Garodnick, you needed
14 to vote.

15 COUNCIL MEMBER GARODNICK: Madame
16 Chair, just permission to vote on the items--

17 CHAIRPERSON KATZ: [Interposing]
18 Yes.

19 COUNCIL MEMBER GARODNICK: --on
20 today's calendar. I vote aye.

21 CHAIRPERSON KATZ: Thank you.
22 Council Member Felder?

23 COUNCIL MEMBER FELDER: Nothing to
24 do with the items, but on your earlier
25 announcement, is there any possibility that we're

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going to know at 9:00 in the morning whether
there's a Land Use vote?

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CHAIRPERSON KATZ: There has to be
a Land Use vote tomorrow. No matter what, there
has to be a vote.

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COUNCIL MEMBER FELDER: No matter
what there's going to be a vote in the morning at
10:00. Is that what you're saying?

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CHAIRPERSON KATZ: Yes. At 10:00,
yes, no matter what.

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COUNCIL MEMBER FELDER: Thank you.

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CHAIRPERSON KATZ: Yes. Very good
point. Thank you. Yes. In other words we should
be on time anyway, right? Either way, in answer
to what I think you're asking, whether there's a
modification or not, there has to be a vote at
10:00.

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COUNCIL MEMBER FELDER: I would
never, ever think of doing it on time.

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CHAIRPERSON KATZ: I understand.
Council Member Barron.

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COUNCIL MEMBER BARRON: Yes. Just
a point of information, I just would like
everybody to know that I object to the meeting

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2 tomorrow at 10:00, because it's my birthday,
3 October 7th.

4 CHAIRPERSON KATZ: I know I heard
5 that. There you go.

6 COUNCIL MEMBER BARRON: And I
7 didn't want to bring this up, because I'm not the
8 type.

9 [Laughter]

10 COUNCIL MEMBER BARRON: So I just
11 want to let you all know, if you all surprise me
12 and bring a cake or something like that, I would
13 really be surprised if you did that. And I would
14 have no objections and just on tomorrow, can't we
15 all get along? I've changed. I've changed.

16 CHAIRPERSON KATZ: Jimmy will be
17 responsible for bringing the birthday cake.

18 [Pause]

19 CHAIRPERSON KATZ: Any other
20 comments or questions? Council Member Lappin?

21 COUNCIL MEMBER LAPPIN: I think
22 most of the full Land Use Committee was here
23 during the Zoning Committee, so I'm not going to
24 reiterate. I would just ask my colleagues for
25 their support on the item in my district, the

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2 Hospital for Special Surgery. And I thank the
3 Subcommittee Chair, Tony Avella, for laying this
4 over and giving us a chance to negotiate it. I
5 also wanted to thank Chair Katz, because she also
6 was very helpful and engaged on this particular
7 item, and I very much appreciate both of your
8 help.

9 CHAIRPERSON KATZ: Thank you.

10 Council Member Vann?

11 COUNCIL MEMBER VANN: Yeah. Madame
12 Chair, regrettably I have a funeral tomorrow
13 morning and will not be able to attend. I don't
14 know if the meeting will be recessed or not.

15 CHAIRPERSON KATZ: No, no.

16 COUNCIL MEMBER VANN: I don't want
17 to lose my vote, nonetheless, I must attend that.

18 CHAIRPERSON KATZ: I apologize.

19 And that was going to be my next announcement.

20 I'm sorry that you have a funeral, number one. My
21 next announcement was for those of you that are
22 here and if you know other people on the Committee
23 that are not here, we will not be able to lay the
24 vote over until tomorrow. We have to adjourn this
25 meeting today in order to send the modifications

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2 over to City Planning to make sure that they can
3 vote on it in the morning. So we're not going to
4 be able to vote tomorrow for today's meeting.

5 Just FYI. And tomorrow we can't hold the vote
6 open because we've got to get it right over to
7 City Planning, any modifications. So just so you
8 know, this is why the timing tomorrow is so
9 important? Any other questions? Discussion?
10 Call the roll.

11 CLERK: Council Member Katz.

12 CHAIRPERSON KATZ: I vote aye on
13 all.

14 CLERK: Rivera.

15 COUNCIL MEMBER RIVERA: I vote aye.

16 CLERK: Avella.

17 COUNCIL MEMBER AVELLA: Aye on all.

18 CLERK: Baez.

19 COUNCIL MEMBER BAEZ: Aye on all.

20 CLERK: Barron.

21 COUNCIL MEMBER BARRON: Aye on all.

22 CLERK: Comrie.

23 COUNCIL MEMBER COMRIE: Aye on all.

24 CLERK: Gioia.

25 COUNCIL MEMBER GIOIA: Yes.

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CLERK: Jackson.

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COUNCIL MEMBER JACKSON: Aye on

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all.

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CLERK: Liu.

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COUNCIL MEMBER LIU: Yes.

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CLERK: Seabrook.

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COUNCIL MEMBER SEABROOK: Aye on

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all.

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CLERK: Sears.

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COUNCIL MEMBER SEARS: Aye.

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CLERK: Vann.

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COUNCIL MEMBER VANN: Aye.

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CLERK: Palma.

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COUNCIL MEMBER PALMA: Aye.

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CLERK: Arroyo.

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COUNCIL MEMBER ARROYO: Aye.

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CLERK: Dickens.

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COUNCIL MEMBER DICKENS: Aye.

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CLERK: Lappin.

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COUNCIL MEMBER LAPPIN: Aye.

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CLERK: Mendez.

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COUNCIL MEMBER MENDEZ: Aye.

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CLERK: Ignizio.

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COUNCIL MEMBER IGNIZIO: Yes.

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CLERK: Oddo.

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COUNCIL MEMBER ODDO: Yes.

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CLERK: Felder.

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COUNCIL MEMBER FELDER: Yes.

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CLERK: By a vote of 21 in the

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affirmative, 0 in the negative and no abstentions,

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all items are adopted. Members, please sign the

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Committee reports. Thank you.

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CHAIRPERSON KATZ: All right, I

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know this is a broken record but please, just

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remember that tomorrow we need to send the votes

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over to City Planning as soon as we can, so we

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will not be able to hold the vote open. Thank you

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very much for everyone's patience on today. I

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appreciate it. The meeting will held open today

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for ten minutes. Thank you.

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[Pause]

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CLERK: Final vote on the Committee

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on Land Use now stands at 21 in the affirmative, 0

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in the negative and 0 abstentions. Thank you.

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FEMALE VOICE: The meeting of

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October 7th of 2008--

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CHAIRPERSON KATZ: [Interposing]

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6th.

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FEMALE VOICE: October 6th, 2008 is

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adjourned to October 7th.

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[Pause]

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FEMALE VOICE: Is just adjourned.

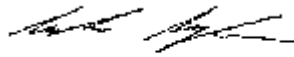
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All right.

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C E R T I F I C A T E

I, Erika Swyler 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  _____

Date October 16, 2008 _____