

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON HOUSING AND BUILDINGS

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April 30, 2012  
Start: 10:27 a.m.  
Recess: 11:04 a.m.

HELD AT: 250 Broadway  
Committee Room, 16th Floor

B E F O R E:  
ERIK MARTIN DILAN  
Chairperson

COUNCIL MEMBERS:  
Joel Rivera  
Leroy G. Comrie, Jr.  
Lewis A. Fidler  
Robert Jackson  
Melissa Mark-Viverito  
Rosie Mendez  
Elizabeth Crowley  
Jumaane D. Williams  
James S. Oddo  
Gale A. Brewer  
Letitia James  
Brad Lander  
Eric Ulrich

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2 CHAIRPERSON DILAN: I'd like to  
3 call the committee to order. Good morning  
4 everyone, my name is Erik Martin Dilan, I am the  
5 chairperson of the City Council's Committee on  
6 Housing and Buildings, and today the Committee  
7 will conduct the hearing for the purpose of a  
8 vote--if I could ask the Committee to come to  
9 order, please--for the purposes of a vote on  
10 proposed Intro 340-A, which is a Local Law to  
11 amend the New York City Building Code in relation  
12 to sun control devices.

13 The Committee conducted a hearing  
14 on this introduction earlier on in this session on  
15 October 20th of 2010 and heard testimony from  
16 representatives from the Mayor's Office of Long-  
17 Term Planning and Sustainability and other persons  
18 interested in the bill.

19 In brief, a sun control device can  
20 be used to combat heat gains in buildings, it can  
21 reduce glare and improve occupant comfort. If  
22 properly designed, sun control devices can  
23 decrease air conditioning loads between 30 and  
24 60%. The New York City Building Code currently  
25 only allows sun control devices to extend ten

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2 inches from a building's façade, decreasing their  
3 effectiveness. Proposed Intro 340-A would  
4 increase the maximum allowable projection of a sun  
5 control device beyond the street line of a  
6 building to two to six--

7 FEMALE VOICE: Two feet.

8 CHAIRPERSON DILAN: --2 feet to 6  
9 inches, which corresponds to revisions to the City  
10 Zoning resolution scheduled to be voted upon today  
11 by the full Council at today's Stated Meeting.

12 Proposed Intro 340-A has been  
13 amended from its original version by adding sun  
14 control devices to an additional section of the  
15 New York City Building Code regulation on the use  
16 of awnings, the addition of sun control devices to  
17 a list of encroachments of a street line subject  
18 to area limitations, extending the allowable  
19 projection for balconies, including railings and  
20 supporting brackets from 22 inches to 2 feet to 6  
21 inches beyond the street line, allowing sun  
22 control devices supported entirely from the  
23 building to project not more than 2 feet, 6 inches  
24 beyond the street line if no part of the device is  
25 less than 8 feet above the ground or sidewalk

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2 level. And lastly, it was amended by the  
3 enactment clause to provide for an effective date  
4 of July 1, 2010.

5 And I would like to ask my  
6 colleagues to vote in favor of this legislation  
7 and would ask the clerk to call the roll.

8 KEVIN: Kevin [off mic], Committee  
9 Clerk, roll call on the Committee on Housing and  
10 Buildings, Intro 340-A. Council Member Dilan.

11 CHAIRPERSON DILAN: I vote aye.

12 KEVIN: Rivera.

13 COUNCIL MEMBER RIVERA: I vote aye.

14 KEVIN: Comrie.

15 COUNCIL MEMBER COMRIE: [Off mic].

16 KEVIN: Fidler.

17 COUNCIL MEMBER FIDLER: Yes.

18 KEVIN: Jackson.

19 COUNCIL MEMBER JACKSON: Aye.

20 KEVIN: Mark-Viverito.

21 COUNCIL MEMBER MARK-VIVERITO: I  
22 vote aye.

23 KEVIN: Mendez.

24 COUNCIL MEMBER MENDEZ: I vote aye.

25 KEVIN: Crowley.

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2 COUNCIL MEMBER CROWLEY: I vote  
3 aye.

4 KEVIN: Williams.

5 COUNCIL MEMBER WILLIAMS: Aye.

6 KEVIN: Oddo.

7 COUNCIL MEMBER ODDO: Yes.

8 KEVIN: By a vote of ten in the  
9 affirmative, zero in the negative, no abstentions,  
10 the item has been adopted. Members, please sign  
11 the Committee report.

12 CHAIRPERSON DILAN: Okay. We'll  
13 leave the roll open for as long as the rules  
14 permit to allow for some members who are in  
15 transit to vote, and then at such time, the  
16 Committee will adjourn.

17 [Long pause]

18 COUNCIL MEMBER BREWER: We ready?

19 KEVIN: Brewer.

20 COUNCIL MEMBER BREWER: I vote aye.

21 KEVIN: James.

22 COUNCIL MEMBER JAMES: I vote aye.

23 KEVIN: Vote stands at 12 in the  
24 affirmative, zero in the negative, no abstentions.

25 [Long pause]

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KEVIN: Lander.

COUNCIL MEMBER LANDER: Aye.

KEVIN: Vote stands at 13 in the affirmative, zero in the negative, no abstentions.

[Long pause]

KEVIN: Lander. I mean, I'm sorry, Ulrich.

COUNCIL MEMBER ULRICH: Don't ever offend me like that again. And with that, I vote aye.

KEVIN: By a vote of 14 in the affirmative, zero in the negative, no abstentions, item has been adopted.

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 May 18, 2012