

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

LAND USE SUBCOMMITTEE ON ZONING AND FRANCHISES

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March 11, 2009
Start: 10:36am
Recess: 10:51am

HELD AT: Council Chambers
City Hall

B E F O R E:
TONY AVELLA
Chairperson

COUNCIL MEMBERS:
Eric N. Gioia
Robert Jackson
Melinda R. Katz
Joel Rivera
Larry Seabrook
Helen Sears

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

Marchella Sandi
Owner
Gallo Nero, Inc

Peter Maskuris
923 Ninth Avenue Inc

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2 CHAIRPERSON AVELLA: Good morning
3 everyone, and it is still morning I believe. I'd
4 like to call this meeting of sub-committee on
5 Zoning and Franchises to order. First of all, I
6 want to ask my colleagues on this committee,
7 please make every attempt to show up at the
8 scheduled time. We were supposed to start at
9 9:30, we are now starting at 10:35. I think it's
10 an embarrassment to the community and this
11 institution. I do want to compliment Council
12 Member Larry Seabrook, he was here at 9:25.

13 We have two items on the agenda,
14 both sidewalk café applications in Speaker Quinn's
15 district. We had the public hearing on both items
16 at our last committee meeting. However there has
17 been an agreement on both subsequently and what I
18 will do is one by one call up the applicant to
19 read into the record what the new agreement is.

20 First I'd like to call up the owner
21 representative Gallo Nero who is asking for
22 permission to establish, maintain and operate an
23 unenclosed sidewalk café at 185 Bleecker Street.
24 It's a renewal. It's a typo.

25 MARCHELLA SANDI: Hi. Dear

1

2 Council, Speaker Quinn, this letter shall serve--

3 CHAIRPERSON AVELLA: [interposing]

4 First of all introduce yourself and your name.

5 MR. SANDI: My name is Marchella

6 Sandi. I am the owner Gallo Nero, Inc. at 185

7 Bleecker. I want to read this letter. Dear

8 Council, Speaker Quinn, this letter shall serve as

9 our agreement with your district office and the

10 community board 2 that we will commit to the

11 following:

12 I, Marchella Sandi, the owner of

13 Char restaurant will follow my sidewalk plan

14 including seat set up. I have made certain that

15 the restaurant management and the staff understand

16 these regulations and follow them aggressively

17 according to the plan, including number of allowed

18 seats and the proper set up. Sincerely Marchella

19 Sandi.

20 CHAIRPERSON AVELLA: Just for the

21 record since you didn't mention in your letter,

22 the set up plan is for 11 tables, 22 chairs.

23 MR. SANDI: Yes.

24 CHAIRPERSON AVELLA: Thank you. We

25 will now ask the applicant of Hell's Kitchen who

1
2 is also applying for an application for an
3 unenclosed sidewalk café at 523 Ninth Avenue to
4 come up and read the commitment into the record as
5 well.

6 PETER MASKURIS: How are you doing?
7 My name is Peter Maskuris. I'm speaking on behalf
8 of 923 Ninth Avenue Inc. I'm here to read a
9 letter as well. Dear Council, Speaker Quinn,
10 removal of four illegal sidewalk planters, two of
11 which specifically block fire escape egresses and
12 violate fire code. Reduction of chairs in café
13 set up from 18 to 16, making a configuration total
14 of 8 tables and 16 chairs. Also, we were asked to
15 make marks on the sidewalk café for boundaries,
16 submission of a diagram illustrating the café's
17 physical configuration to be used and as an
18 addendum to the submitted blueprint illustrating
19 the table reduction. That's all.

20 CHAIRPERSON AVELLA: And as part of
21 the letter, we also got this diagram, correct,
22 which is...

23 MR. MASKURIS: Yes.

24 CHAIRPERSON AVELLA: Thank you.
25 Since both agreements are arranged by Speaker

1
2 Quinn, she now approves of both applications. We
3 will ask Council to call the vote. Chair
4 recommends approval.

5 CLERK: Chair Avella.

6 CHAIRPERSON AVELLA: Aye on both
7 items.

8 CLERK: Council Member Rivera.

9 COUNCIL MEMBER RIVERA: I vote aye.

10 CLERK: Council Member Gioia.

11 COUNCIL MEMBER GIOIA: Thank you.

12 I vote yes.

13 CLERK: Council Member Jackson.

14 COUNCIL MEMBER JACKSON: I vote aye
15 on all.

16 CLERK: Council Member Katz.

17 COUNCIL MEMBER KATZ: Aye on both.

18 CLERK: Council Member Seabrook.

19 COUNCIL MEMBER SEABROOK: Aye on
20 all.

21 CLERK: Council Member Sears.

22 COUNCIL MEMBER SEARS: Aye.

23 CLERK: By a vote of seven in the
24 affirmative, none in the negative and no
25 abstentions, LU 998 and 999 are approved and

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referred to the full Land Use committee.

CHAIRPERSON AVELLA: That closes
this meeting of sub-committee of Zoning and
Franchises.

C E R T I F I C A T E

I, Amber Gibson, 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 Amber Gibson

Date March 24, 2009