

CITY COUNCIL  
CITY OF NEW YORK

-----X

TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON LAND USE

-----X

February 25, 2010  
Start: XX:XXam/pm  
Recess: XX:XXam/pm

HELD AT: Council Chambers  
City Hall

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

COUNCIL MEMBERS:  
Vincent Ignizio  
Albert Vann  
Brad Lander  
Stephen Levin  
Mark Weprin  
Jumaane D. Williams  
Daniel R. Garodnick  
Charles Barron  
Annabel Palma  
Robert Jackson  
Peter Koo  
Daniel J. Halloran  
Maria del Carmen Arroyo  
Rosie Mendez

CHAIRPERSON COMRIE: Land Use

Committee for February 25th. I am privileged to

say good morning to everyone, glad everyone

sloshed here from wherever you were coming from.

We have with us Council Member Vinnie Ignizio from

Staten Island--

COUNCIL MEMBER IGNIZIO: Snowbound.

CHAIRPERSON COMRIE: Snowbound,

Staten Island.

[Off mic]

CHAIRPERSON COMRIE: Okay. Council

Member Al Vann from Brooklyn, was it snowing when

you left?

[Off mic]

[Laughter]

CHAIRPERSON COMRIE: All right.

Brad Lander from Brooklyn.

COUNCIL MEMBER LANDER: It's a

beautiful day.

[Off mic]

CHAIRPERSON COMRIE: Amen. Steve

Levin from Brooklyn, Mark Weprin from Queens.

MALE VOICE: [Off mic] Fire and

brimstone, by [off mic].

1  
2 CHAIRPERSON COMRIE: Fire and  
3 brimstone, all right. Jumaane Williams from  
4 Brooklyn.

5 COUNCIL MEMBER WILLIAMS: Yeah, I'm  
6 dodging the thick, wet--

7 [Pause]

8 CHAIRPERSON COMRIE: Thick, wet  
9 snow, okay. Dan Garodnick from Manhattan, it  
10 never snows in Manhattan.

11 [Off mic]

12 [Pause]

13 COUNCIL MEMBER GARODNICK:  
14 Beautiful, sunny on the Upper East Side.

15 [Off mic]

16 CHAIRPERSON COMRIE: Council Member  
17 Charles Barron from Brooklyn, Council Member  
18 Annabel Palma from the Bronx, Council Member  
19 Robert Jackson from Manhattan, and Council Member  
20 Jimmy Koo. And we--

21 [Off mic]

22 CHAIRPERSON COMRIE: Peter Koo,  
23 what's the matter with--

24 COUNCIL MEMBER KOO: Who made  
25 quorum.

1  
2 CHAIRPERSON CROWLEY: Peter Koo,  
3 who made quorum. I know, I got to stop that. I  
4 got to stop that, I don't know why I keep doing  
5 that. Yeah, something I need to figure out, jeez.

6 Just before we start, I just want  
7 to remind members that the Subcommittee meetings  
8 are on March 9th and the Budget meeting and the  
9 full Land Use Committee meeting will be both held  
10 on March 11, and the Budget meeting is a separate  
11 attendance record from the full Land Use Committee  
12 meeting, so you need to be in both.

13 And do we need to hold on for you  
14 to look at your schedule?

15 [Off mic]

16 CHAIRPERSON COMRIE: Okay. All  
17 right. And also I want to remind members that a  
18 lot of the sidewalk café applications are coming  
19 in quickly, you need to be attentive to it and  
20 responsive to it or you won't be able to vote on  
21 it. If you don't respond within a certain period,  
22 you will not be able to impact the application for  
23 the sidewalk café.

24 We can get through this in a couple  
25 of minutes.

1

2

MALE VOICE: I'm sorry--

3

CHAIRPERSON COMRIE: That's okay.

4

We have five related applications combining one project in the Speaker's district. It's Land Use items numbers 28 through 32. They're all concerned with the West 44th Street, 11th Avenue rezoning, Manhattan Community Board 4, docket number N10052 ZRM, it's dealing with the R10 inclusionary zoning housing designated area.

10

11

There were amendments to the zoning text, amendments to the zoning map, two special permits permitted, one UDAP and disposition, which facilitated the construction of a mixed-use development including an affordable housing piece.

15

16

The other calendar items is C10051

17

ZMN, C10053 ZSM, and C10054 ZSM, and C10055 HAM,

18

it was approved by the Community Board with a

19

unanimous vote, 35 to nothing. It went through

20

all of the projects, we had a full hearing in the

21

subcommittee.

22

We've been joined by Council Member

23

Dan Halloran from Queens.

24

We also have two sidewalk cafes,

25

both in Council Member Chin's district, LU number

1  
2 33, the Lovely Day sidewalk café or sidewalk  
3 restaurant, Manhattan Community Board 12, item  
4 number 20105118 TCM; Land Use item number 34,  
5 Ivy's Bistro, Manhattan Community Board 1, item  
6 number 20105167 TCM. We have a school siting in  
7 Council Member Oddo's district, the Targee Street  
8 Primary School, Land Use item number 35, in Staten  
9 Island, Community Board 2, that's a Land Use item  
10 20105061 SCR.

11 And we have a item that was  
12 withdrawn, Land Use item numbers 36, the  
13 replacement for P.S. 51. That motion was filed  
14 pursuant to withdrawal, it's in the Speaker's  
15 district, and it needs to be resubmitted, there  
16 was a lot of discussion about what they wanted to  
17 do with that.

18 There's some UDAPs, Land Use items  
19 number 19 and 20, one, non-ULURP number 19,  
20 20105186 HAK, in Council Member Reyna's district,  
21 64 Harman Street, 1231 Putnam Avenue, 69 Cornelia  
22 Street in Brooklyn. And one in Council Member  
23 Mark-Viverito's district, the item number 20105213  
24 HAM, in 342 East 100th Street, and that's a Tenant  
25 Interim Lease. The other ones were asset control

1

2

actions.

3

4

5

6

7

Again, I want to remind members-- any comment on any of the items on today's docket or calendar? Good, so we can proceed to a vote, there's some members that are still working their way here through the snow.

8

9

10

11

12

I want to remind folks again that the March 9 Subcommittee meeting hearings will be held here and the March 11th Budget hearings will be held here also, or maybe across the street, we have 'em--

13

[Off mic]

14

15

16

17

CHAIRPERSON COMRIE: --across the street. And, again, March 11th will be the full Land Use Committee meeting and the Budget hearing, which are two separate attendance records.

18

19

20

21

22

And, again, the sidewalk cafes are coming through fast and furious, you need to speak with Peter Janosik as soon as possible about dealing with sidewalk cafes in your district if you want to have a chance to impact on them.

23

With that--

24

FEMALE VOICE: Recommend--

25

[Pause]

1  
2 CHAIRPERSON COMRIE: I recommend  
3 an aye vote on everything on today's calendar, and  
4 the Clerk could call the roll--or the Counsel  
5 could call the roll.

6 WILLIAM MARTIN: William Martin,  
7 Committee Clerk, roll call on the Committee on  
8 Land Use. Council Member Comrie.

9 CHAIRPERSON COMRIE: Aye on all.

10 WILLIAM MARTIN: Barron.

11 COUNCIL MEMBER BARRON: All the  
12 items in the Speaker's district I'm voting down  
13 and--look at them, they think I'm serious. Aye on  
14 all.

15 WILLIAM MARTIN: Jackson.

16 COUNCIL MEMBER JACKSON: I vote aye  
17 on all.

18 [Off mic]

19 WILLIAM MARTIN: Vann.

20 COUNCIL MEMBER VANN: Aye on all.

21 WILLIAM MARTIN: Palma.

22 COUNCIL MEMBER PALMA: Aye, aye on-

23 -

24 [Pause]

25 WILLIAM MARTIN: Garodnick.



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

COUNCIL MEMBER GARODNICK: Aye.

WILLIAM MARTIN: Lander.

COUNCIL MEMBER LANDER: Aye.

WILLIAM MARTIN: Levin.

COUNCIL MEMBER LEVIN: Aye on all.

WILLIAM MARTIN: Weprin.

COUNCIL MEMBER WEPRIN: Aye on all.

WILLIAM MARTIN: Williams.

COUNCIL MEMBER WILLIAMS: Aye.

WILLIAM MARTIN: Ignizio.

COUNCIL MEMBER IGNIZIO: Yes.

WILLIAM MARTIN: Halloran.

COUNCIL MEMBER HALLORAN: Aye on  
all.

WILLIAM MARTIN: Koo.

COUNCIL MEMBER KOO: Aye on all.

WILLIAM MARTIN: By a vote of 13 in  
the affirmative, zero in the negative, and no  
abstentions, all items have been adopted. Members  
please sign the committee reports.

[Off mic]

CHAIRPERSON COMRIE: All right,  
Council Member--wait, wait, wait, we have Council  
Member Arroyo made it right on time.

1  
2 COUNCIL MEMBER ARROYO: And Mendez  
3 is on her way up.

4 [Off mic]

5 CHAIRPERSON COMRIE: And Mendez is  
6 on her way up.

7 [Off mic]

8 [Pause]

9 CHAIRPERSON COMRIE: Yes, Council  
10 Member Vann.

11 [Off mic]

12 [Pause]

13 COUNCIL MEMBER VANN: Mr. Chairman-

14 -

15 [Pause]

16 COUNCIL MEMBER VANN: ...Job--

17 MALE VOICE 1: --your microphone.

18 MALE VOICE 2: I turned it on.

19 [Off mic]

20 MALE VOICE 2: You're good, go  
21 ahead.

22 COUNCIL MEMBER VANN: I don't need  
23 a mic, but you're [off mic] when I talk, man--

24 MALE VOICE 2: No.

25 COUNCIL MEMBER VANN: --what's

1

2 going on here?

3

[Off mic]

4

COUNCIL MEMBER VANN: I just wanted

5

to--

6

[Pause]

7

CHAIRPERSON COMRIE: [Off mic].

8

[Pause]

9

COUNCIL MEMBER VANN: Why is

10

everybody giving me advice, did I ask for all

11

this? What's going on here?

12

MALE VOICE: You're new around

13

here.

14

COUNCIL MEMBER VANN: I was. As a

15

friend and colleague, I wanted to bring to your

16

attention, and I guess being one of the oldest

17

guys in the room, I have an appreciation for time,

18

time is of the essence, time is money, you know,

19

all of that, and some of us got here at 10

20

o'clock. And you might want to put your foot

21

down, Mr. Chairman, and let our members know that

22

they really need to be here pretty close to time

23

because we start almost an hour late and so we

24

don't want to start that habit, we want to get

25

here and get our business done. I know you do, so

1  
2 I just want to be supportive of you, Mr. Chairman,  
3 and that you let our members know what you expect.

4 CHAIRPERSON COMRIE: I agree, and I  
5 kind of gave everybody a bye today because of the  
6 strangeness of the weather, but I was here on  
7 time, I actually gave up two morning meetings to  
8 be here on time. It's important if we can get  
9 here on time, we will not keep you long, so it's  
10 important for members to try to get here on time  
11 so we can do the business of the committee and  
12 move on to the other business that we have to do.  
13 So I do agree with you, it's just that today was a  
14 strange weather day, so I wasn't going to make an  
15 issue of it today, I was going to get everybody.

16 But please be on time for your  
17 subcommittee meetings on March 9th, and please be  
18 here on March 11th for the full Land Use Committee  
19 meeting on time. Thank you.

20 [Off mic]

21 CHAIRPERSON COMRIE: With that,  
22 we'll leave the roll--did we finish the roll?

23 FEMALE VOICE: No--

24 [Off mic]

25 CHAIRPERSON COMRIE: Oh, okay. All

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18

right.

WILLIAM MARTIN: Arroyo.

COUNCIL MEMBER ARROYO: Aye.

WILLIAM MARTIN: Mendez.

COUNCIL MEMBER MENDEZ: Aye.

WILLIAM MARTIN: Vote now stands at  
15 in the affirmative.

CHAIRPERSON COMRIE: We're going to  
keep the roll open for 15 minutes, we're expecting  
a couple more members.

[Off mic]

[Long pause]

WILLIAM MARTIN: Final vote on the  
Committee on Land Use is 15 in the affirmative,  
zero in the negative, no abstentions.

FEMALE VOICE: Meeting--

[Pause]

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 March 8, 2010