

CITY COUNCIL  
CITY OF NEW YORK

-----X

TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON LAND USE

-----X

March 11, 2010  
Start: 10:15 am  
Recess: 10:50 am

HELD AT: Council Chambers  
City Hall

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

COUNCIL MEMBERS:  
Jumaane D. Williams  
Mark Weprin  
Sara M. Gonzalez  
Diana Reyna  
Peter Koo  
Albert Vann  
Inez E. Dickens  
Vincent Ignizio  
Larry B. Seabrook  
Annabel Palma  
James Vacca  
Daniel R. Garodnick  
Robert Jackson

## A P P E A R A N C E S

## COUNCIL MEMBERS:

Stephen Levin  
Maria del Carmen Arroyo  
Joel Rivera  
Jessica S. Lappin  
Charles Barron  
Daniel J. Halloran  
Brad Lander  
Rosie Mendez

1  
2 CHAIRPERSON COMRIE: Okay. Good  
3 morning, everyone.

4 MULTIPLE VOICES: Good morning.

5 CHAIRPERSON COMRIE: I'm pleased  
6 that we are starting at 10:17, 18, or 20,  
7 depending on what your clock says. I'm Leroy  
8 Comrie, Chair of the Committee. We are joined by  
9 Jumaane Williams from Brooklyn, Mark Weprin from  
10 Queens, Sara Gonzalez from Brooklyn, Diana Reyna  
11 from Brooklyn--

12 [Off mic]

13 MALE VOICE: Peter Koo.

14 CHAIRPERSON COMRIE: Peter Koo,  
15 thank you, Peter Koo from Queens, Al Vann from  
16 Brooklyn, Inez Dickens from Harlem and  
17 thereabouts, Vinnie Ignizio from Staten Island,  
18 Larry Seabrook from the Bronx, Annabel Palma from--  
19 --and Jimmy Vacca from the Bronx. Anybody hiding  
20 behind Peter? No, okay.

21 We are here today to deal with just  
22 a few items on the voting agenda and then at 11  
23 o'clock we will be having our budget hearings for  
24 Land Use Committees. I'm going to remind members  
25 that those are two separate meetings.

1  
2 We've been joined by Dan Garodnick  
3 from Manhattan.

4 And I'm remind members that those  
5 are two separate committee meetings, you have to  
6 be voted present at both to be counted.

7 The first items are Land Use number  
8 41, a sidewalk café in Council Member Chin's  
9 district in Manhattan Community Board 3 called  
10 Thor Lounge. Item number 20105293 TCM, it's to--  
11 excuse me--maintain and operate a unenclosed  
12 sidewalk café located 107 Rivington Street.

13 We've been joined by Council Member  
14 Robert Jackson.

15 We have the next a sidewalk café  
16 called Edward's, Land Use Item number 42 in  
17 Council Member Chin's district, Manhattan  
18 Community Board 1, Item number 20105319 TCM, it's  
19 also an application to continue to operate and  
20 maintain an unenclosed sidewalk café at 136 West  
21 Broadway.

22 The third one is Land Use Item  
23 number 43, another sidewalk café called Poco New  
24 York City, it's in Council Member Mendez's  
25 district, Manhattan Community Board 3, Item number

1  
2 20095496 TCM. It's a sidewalk café reduced to 10  
3 tables and 20 chairs, it's to continue to  
4 establish and maintain an unenclosed sidewalk café  
5 at 33 Avenue B.

6 Also, we have in the Land Use Item  
7 number 44, Council Member Vacca's district, it's a  
8 lower density growth management area in Bronx  
9 Community Board 10, it's an amendment to the  
10 zoning text relating to off-street parking,  
11 regulations in Community District 10. Item number  
12 N100134 ZRX, which would tighten the regulations  
13 and make it much more difficult for people to not  
14 have the proper amount of parking in that area.

15 In Landmarks we have a historic  
16 district in Council Member Koppell's district,  
17 Land Use Item number 45, the Perry Avenue Historic  
18 District in Bronx Community Board 7. This would  
19 create a historic district along Perry Avenue.  
20 The Item number is 20105275 HKX and it would  
21 create a historic district along--I'm not going to  
22 give you the boundaries, they're in the text.

23 Land Use Item number 46, Godova  
24 [phonetic] Mexican Grill, a motion to file  
25 pursuant to withdrawal in Speaker Quinn's

1  
2 district, Manhattan Community Board 4, it was also  
3 for a sidewalk café and it's a motion to file  
4 pursuant to withdrawal. Item number 20095377 TCM.

5 And also Land Use Item number 47 in  
6 Council Member Levin's district, the MetroTech  
7 office space, it's notion of intent to acquire  
8 office space in MetroTech, Brooklyn Community  
9 Board 2, 20105401 P XK. This is an intent to  
10 acquire space submitted by DCAS to utilize  
11 property at MetroTech.

12 We have a Land Use Item number 21  
13 and some Preconsidered UDAAPs, it's a non-ULURP  
14 item, 20105214 HAM in Council Member Dickens'  
15 district, it's the address 310 and 312 West 122nd  
16 Street, it's a Tenant Interim Lease in Community  
17 Board 10.

18 And also Preconsidered non-ULURP  
19 Item number 20105416 HAM, 50 West 132nd Street in  
20 Manhattan, it's a HUD multi-family loan also in  
21 Community Board 10.

22 And if that is everything on  
23 today's agenda, Council Member Jackson has a  
24 question.

25 COUNCIL MEMBER JACKSON: Mr. Chair,

1

2 can you repeat all that for me again, please?

3 [Off mic]

4 CHAIRPERSON COMRIE: Yeah, after--

5 COUNCIL MEMBER JACKSON: Okay.

6 CHAIRPERSON COMRIE: --after you

7 make a comment. I have a cold, so I'm just

8 struggling to say everything and enunciate

9 everything properly.

10 So we've been joined by Council

11 Member Garodnick.

12 I want to congratulate Council

13 Member Vacca on what he did to make sure that his

14 community would have the proper number of parking

15 spaces when he realized that people were taking

16 advantage of the zoning text. And congratulate

17 also the Bronx City Planning Office for working

18 with him and putting together the plan.

19 We've been joined by Council

20 Members Levin, Arroyo, and Majority Leader Rivera.

21 MALE VOICE: Was there a bus, did

22 you guys come on a bus together?

23 CHAIRPERSON COMRIE: Yeah, right,

24 so with that, I will move to call for a vote,

25 unless anyone has any specific questions on any of

1

2 the items?

3

4

The Chair recommends an aye vote on all items and, with that, we'll move to the vote.

5

6

CAROL SHINE: Carol Shine, Counsel to the Committee. Chair Comrie.

7

CHAIRPERSON COMRIE: Aye on all.

8

CAROL SHINE: Council Member

9

Rivera.

10

[background noise]

11

COUNCIL MEMBER RIVERA: ...aye on

12

all.

13

CAROL SHINE: Council Member Reyna.

14

COUNCIL MEMBER REYNA: Aye on all.

15

CAROL SHINE: Council Member

16

Jackson.

17

COUNCIL MEMBER JACKSON: Aye on

18

all.

19

CAROL SHINE: Council Member

20

Seabrook.

21

COUNCIL MEMBER SEABROOK: Aye on

22

all.

23

CAROL SHINE: Council Member Vann.

24

COUNCIL MEMBER VANN: Yes.

25

CAROL SHINE: Council Member



1

2 Gonzalez.

3 COUNCIL MEMBER GONZALEZ: Aye on

4 all.

5 CAROL SHINE: Council Member Palma.

6 COUNCIL MEMBER PALMA: Aye.

7 CAROL SHINE: Council Member

8 Arroyo.

9 COUNCIL MEMBER ARROYO: Yes.

10 CAROL SHINE: Council Member

11 Dickens.

12 COUNCIL MEMBER DICKENS: Aye.

13 CAROL SHINE: Council Member

14 Garodnick.

15 COUNCIL MEMBER GARODNICK: Aye.

16 CAROL SHINE: Council Member Vacca.

17 COUNCIL MEMBER VACCA: Aye.

18 CAROL SHINE: Council Member Levin.

19 COUNCIL MEMBER LEVIN: Aye.

20 CAROL SHINE: Council Member

21 Weprin.

22 COUNCIL MEMBER WEPRIN: Aye on all.

23 CAROL SHINE: Council Member

24 Williams.

25 COUNCIL MEMBER WILLIAMS: Aye.

1

2

CAROL SHINE: Council Member

3

Ignizio.

4

COUNCIL MEMBER IGNIZIO: Yes.

5

CAROL SHINE: Council Member Koo.

6

COUNCIL MEMBER KOO: Aye on all.

7

CAROL SHINE: By a vote of 17 in

8

the affirmative, none in the negative, and no

9

abstentions, the aforementioned items are approved

10

and referred to the full council.

11

[Off mic]

12

CHAIRPERSON COMRIE: Oh, I want to

13

remind you that the budget hearings will start at

14

11, the Commissioners are expected from DoITT and

15

planning, City Planning and Landmarks are all

16

expected to be here, so you can have a--

17

FEMALE VOICE: Council Member

18

Halloran--

19

[background noise]

20

CHAIRPERSON COMRIE: We're going to

21

keep the vote open until the meeting, next meeting

22

starts just to be nice.

23

With that, you can take a break,

24

grab some coffee, come back, 'cause you need to be

25

counted.

1

[Off mic]

2

CHAIRPERSON COMRIE: All right,

3

with that, we'll adjourn the meeting until the

4

next meeting starts at 11 o'clock. We'll keep the

5

roll open until 11 o'clock.

6

[Off mic]

7

[Pause]

8

CAROL SHINE: Council Member

9

Lappin.

10

COUNCIL MEMBER LAPPIN: Aye.

11

CAROL SHINE: The vote stands at 18

12

in the affirmative, none in the negative, and no

13

abstentions.

14

[Off mic]

15

[Pause]

16

CAROL SHINE: Okay. Council Member

17

Barron.

18

COUNCIL MEMBER BARRON: What?

19

CAROL SHINE: Vote, please.

20

COUNCIL MEMBER BARRON: On what?

21

Is anything in [off mic] district?

22

FEMALE VOICE: Yeah.

23

COUNCIL MEMBER BARRON: And

24

anything in the Speaker's district?

25

1

FEMALE VOICE: Absolutely.

2

COUNCIL MEMBER DICKENS: There's

3

something in my district.

4

FEMALE VOICE: And there's no

5

affordable housing--

6

[Off mic]

7

COUNCIL MEMBER BARRON: Down [off

8

mic] luxury housing, I'm down with her.

9

[Off mic]

10

COUNCIL MEMBER BARRON: Aye on all.

11

CAROL SHINE: Council Member

12

Halloran.

13

COUNCIL MEMBER HALLORAN: Aye on

14

all.

15

CAROL SHINE: Vote stands at 19 in

16

the affirmative, none in the negative, and no

17

abstentions.

18

[Off mic]

19

FEMALE VOICE 1: Talking about [off

20

mic], it's not even a picture that you would, like

21

enjoy, it's like--

22

[Off mic]

23

FEMALE VOICE 1: And then admitted,

24

he admitted, the inspector called me and actually

25

1

2 admitted that--

3

[Off mic]

4

FEMALE VOICE 1: Matter of fact, I

5

think I have his last e-mail to--

6

[Off mic]

7

FEMALE VOICE 1: So scary. I have

8

his last e-mail. His last e-mail that he sent.

9

Shows me, this is him--

10

[Off mic]

11

FEMALE VOICE 1: I believe, I

12

believe that he has ideations of suicide and

13

homicide. I told the--

14

[Off mic]

15

FEMALE VOICE 1: Yeah, yeah.

16

[Off mic]

17

FEMALE VOICE 1: At first, when I

18

met him, I met him when I realized I met him was

19

[off mic] and he shook my hand--

20

[Off mic]

21

FEMALE VOICE 1: This is not the

22

first, they have so much--

23

[Off mic]

24

CAROL SHINE: Council Member

25

Lander.

1

2

COUNCIL MEMBER LANDER: Aye on all.

3

4

CAROL SHINE: Vote stands at 21 in the affirmative, none in the negative, and no abstentions.

5

6

[Off mic]

7

FEMALE VOICE 2: My husband gave me

8

this.

9

[Off mic]

10

FEMALE VOICE 2: This is the worst

11

part about having computers.

12

[Off mic]

13

FEMALE VOICE 3: --like you monitor

14

it, right.

15

FEMALE VOICE 2: No, it's locked--

16

FEMALE VOICE 3: Oh, right, right.

17

FEMALE VOICE 2: --and it shuts off

18

at a certain time.

19

[Off mic]

20

MALE VOICE: --a draft of the memo.

21

[Off mic]

22

FEMALE VOICE 3: Yeah, I think [off

23

mic] doing a good job, she's working on my [off

24

mic] development thing. Let me tell you--

25

[Off mic]

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14

FEMALE VOICE 3: Okay. I've got to  
remind myself.

[Off mic]

FEMALE VOICE 3: That's like the  
real joint.

[Off mic]

CAROL SHINE: Council Member  
Mendez.

COUNCIL MEMBER MENDEZ: I vote aye.

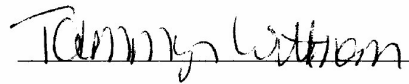
CAROL SHINE: Vote stands at 22 in  
the affirmative, none in the negative, and no  
abstentions.

[Off mic]

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

A handwritten signature in black ink that reads "Tammy Wittman". The signature is written in a cursive style and is positioned above a horizontal line.Date April 9, 2010