

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON LAND USE

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February 10, 2011

Start: 10:00am

Recess: N/A

HELD AT: Committee Room  
250 Broadway - 16<sup>th</sup> Fl.

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

COUNCIL MEMBERS:  
Maria del Carmen Arroyo  
Charles Barron  
Inez E. Dickens  
Daniel R. Garodnick  
Sara M. Gonzalez  
Robert Jackson  
Jessica S. Lappin  
Rosie Mendez  
Annabel Palma  
Diana Reyna  
Joel Rivera  
James Sanders, Jr.  
Larry B. Seabrook

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

## COUNCIL MEMBERS:

James Vacca  
Albert Vann  
Brad S. Lander  
Stephen T. Levin  
Mark S. Weprin  
Jumaane D. Williams  
Vincent M. Ignizio  
Peter A. Koo

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CHAIRPERSON COMRIE: Good morning.  
This is the Land Use Committee meeting for  
Thursday, January--Thursday February 10<sup>th</sup>. Jeez.  
I'm still in January. That's not good. I need  
more coffee. Thursday, February 10<sup>th</sup>, 2011. We  
are joined by Councilman Robert Jackson from  
Manhattan, Al Vann from Brooklyn, Mark Weprin from  
Queens, Peter Koo from Queens, Dan Garodnick from  
Manhattan, Larry Seabrook from the Bronx, Jumaane  
Williams and Steve Levin from Brooklyn, Maria del  
Carmen Arroyo from the Bronx, Annabel Palma from  
the Bronx, Sara Gonzalez from the Bronx--

COUNCIL MEMBER GONZALEZ:

[Interposing] The Bronx?

CHAIRPERSON COMRIE: --from  
Brooklyn.

[laughter]

[background conversation]

CHAIRPERSON COMRIE: Yeah, that's  
true. Yeah, that was quick. I was just checking.  
I was just checking who was awake this morning,  
and since I'm not... And Inez Dickens from  
Manhattan. Oh man. Alright. We have just a few  
items this morning to deal with, four sidewalk

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2 cafés. The first one is Land Use Item No. 288 in  
3 Manhattan Community Board 2 in the Speaker's  
4 District, Item No. 20115241 TCM. It's La  
5 Bonbonniere, which is an unenclosed sidewalk café  
6 located at 28 Eighth Avenue.

7 Then we have Land Use Item No. 289,  
8 which is also in the Speaker's district in  
9 Manhattan Community Board 24, Item No. 20105632  
10 TCM, known as Pepe Giallo; to establish an  
11 unenclosed sidewalk at 253 Tenth Avenue.

12 We have a Land Use Item No. 290 in  
13 Council Member Vallone's district, Queens  
14 Community Board 1, Item No. 20115286 TCQ, known as  
15 Canz Bar, to establish an unenclosed sidewalk café  
16 located at 40-11 30<sup>th</sup> Avenue.

17 The last sidewalk café is Land Use  
18 Item No. 303 in Council Member Dickens' district,  
19 Manhattan Community Board 10, Item No. 20115323  
20 TCM. It's an--Applebee's is having a sidewalk  
21 café, hmm, located at 1 West 125<sup>th</sup> Street.

22 And then we have 1 UDEP, Item No.  
23 238, Item No. 20115223 HAK, 824 Monroe Street.  
24 It's an Asset Control property in Council Member  
25 Mealy's District and she approves the project.

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And that is it for today's agenda.

The next Subcommittee meetings will be held on Monday, February 28<sup>th</sup>. Does anyone have any questions, concerns or statements on any item on today's calendar? Did I hear something from Robert Jackson? That he to re-read the whole agenda himself?

[laughter]

CHAIRPERSON COMRIE: With that, I recommend a yes vote on all the items on today's calendar. And we have--Billy is here, and he will call the roll.

WILLIAM MARTIN: William Martin, Committee Clerk, roll call vote in the Committee on Land Use. Council Member Comrie?

CHAIRPERSON COMRIE: Aye on all.

WILLIAM MARTIN: Jackson?

COUNCIL MEMBER JACKSON: Aye on all.

WILLIAM MARTIN: Seabrook?

COUNCIL MEMBER SEABROOK: Aye.

WILLIAM MARTIN: Vann?

COUNCIL MEMBER VANN: May I explain my vote?

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CHAIRPERSON COMRIE: Sure.

COUNCIL MEMBER VANN: I listened very carefully and only Robert Jackson received a prefix of Councilman before you called roll. I don't know what that means, but--

CHAIRPERSON COMRIE: [Interposing]  
Alright.

COUNCIL MEMBER VANN: --it must mean something in your subconscious or whatever. Nonetheless, I vote aye on all.

CHAIRPERSON COMRIE: [Interposing]  
Alright.

[laughter]

[background conversation]

CHAIRPERSON COMRIE: I see. Okay.

WILLIAM MARTIN: Gonzalez?

COUNCIL MEMBER GONZALEZ: Aye.

WILLIAM MARTIN: Palma?

COUNCIL MEMBER PALMA: Aye.

WILLIAM MARTIN: Arroyo?

COUNCIL MEMBER ARROYO: Yes.

WILLIAM MARTIN: Dickens?

COUNCIL MEMBER DICKENS: Aye.

WILLIAM MARTIN: Garodnick?

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COUNCIL MEMBER GARODNICK: Aye.

WILLIAM MARTIN: Lappin?

COUNCIL MEMBER LAPPIN: Aye.

WILLIAM MARTIN: Levin.

COUNCIL MEMBER LEVIN: Aye.

WILLIAM MARTIN: Weprin?

COUNCIL MEMBER WEPRIN: Aye.

WILLIAM MARTIN: Williams.

COUNCIL MEMBER WILLIAMS:

Councilman Williams, Aye.

WILLIAM MARTIN: Koo?

COUNCIL MEMBER KOO: Aye.

WILLIAM MARTIN: By vote of 14 in the affirmative, zero in the negative and no abstentions, all items have been adopted. Members please sign the Committee reports. Thank you.

CHAIRPERSON COMRIE: Again, we are getting a lot of sidewalk café applications. Please check your mailboxes from the e-mails from the Council regarding the sidewalk café applications. With that, I would declare the meeting closed. I haven't received any texts from anybody saying they are on their way, but we'll hold the meeting open for ten minutes. Thank you.

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2 Thank you all.

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[gavel]

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CHAIRPERSON COMRIE: Council Member

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Rivera?

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COUNCIL MEMBER RIVERA: Please.

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CHAIRPERSON COMRIE: And Council

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Member Reyna?

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COUNCIL MEMBER REYNA: Thank you so

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much.

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CHAIRPERSON COMRIE: You're welcome

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so much. And Council Member Ignizio?

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COUNCIL MEMBER REYNA: I vote aye.

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WILLIAM MARTIN: Rivera?

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COUNCIL MEMBER RIVERA: I vote aye.

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WILLIAM MARTIN: Reyna?

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COUNCIL MEMBER REYNA: I vote aye.

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WILLIAM MARTIN: Ignizio?

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COUNCIL MEMBER IGNIZIO: Yes.

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WILLIAM MARTIN: The vote now

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stands at 17 in the affirmative. Council Member

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Vacca?

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COUNCIL MEMBER VACCA: I vote yes.

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Aye on all.

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WILLIAM MARTIN: The vote is now



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18. Council Member Mendez?

COUNCIL MEMBER MENDEZ: I vote aye  
on all.

WILLIAM MARTIN: The vote is now  
19. Council Member Lander?

COUNCIL MEMBER LANDER: Aye on all.

WILLIAM MARTIN: Council Member  
Sanders?

COUNCIL MEMBER SANDERS: I vote  
aye.

[long pause]

WILLIAM MARTIN: Council Member  
Barron?

COUNCIL MEMBER BARRON: I vote no  
on Item 238 and aye on all the rest.

WILLIAM MARTIN: By vote of 22 in  
the affirmative, zero in the negative and no  
abstentions, all items are adopted, with the  
exception of Land Use Item--LU 238, which is  
adopted by 20 in the affirmative, 1 in the  
negative and no abstentions.

CHAIRPERSON COMRIE: This meeting  
is now adjourned.

WILLIAM MARTIN: Revised vote on

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the Committee on Land Use, all items on today's agenda have been adopted by vote of 22 in the affirmative, zero in the negative and no abstentions, with the exception of Land Use Item 238, which is adopted by a vote of 21 in the affirmative, one in the negative and zero abstentions. Thank you.

C E R T I F I C A T E

I, Kimberley Uhlig 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

Kimberley Uhlig

Date

February 28, 2011