

BROOKLYN COMMUNITY BOARD 6
PUBLIC SAFETY/ENV PROT/PERMITS/LICENSES COMMITTEE
OCTOBER 24, 2011

PRESENT:

T. ALEXANDER
H. LINK
G. REILLY
M. SILVERMAN

N. DUTTA
T. MISKEL
M. SCOTT
L. SONES

H. FEDER
J. PORCELLI
M. SHAMES
B. STOLTZ

EXCUSED:

M. KENTON
J. WOLFE

S. MILLER

T. VAZQUEZ

ABSENT:

P. BLAKE

GUESTS:

G. KELLY

J. MAMARY

*****MINUTES*****

The meeting was called to order at 6:40pm. Members in attendance at the start of the meeting were 9 but increased to 12. A quorum was present.

Briefing by the Commanding Officer of the 78th Precinct on the pattern of sexual assaults taking place in the South Park Slope and Sunset Park areas since March 2011.

Deputy Inspector John Argenziano spoke about the pattern of sexual abuse taking place in the 72nd and 78th precincts.

- Some arrests but not connecting them to a pattern of assault – difficult process
- They have 4 sketches
- More police presence on the streets
- Investigation is ongoing

Brooklyn Downtown Star reporter: More sex assaults? A. There's a slight increase in local precincts.

- 2-3 am is worst time period
- Tips – to stay aware in well lit areas with other people
- Victims are females by themselves
- Handed out fliers with sketches and offer of \$12,000 reward
- 12th Street and 7th Avenue Halloween Parade

A motion was made by Lou Sones and seconded by Gary Reilly to approve the minutes of the last meeting held on September 26, 2011.

MOTION APPROVED: UNANIMOUSLY

Presentation and review of an unenclosed sidewalk café permit application renewal submitted to the Department of Consumer Affairs on behalf of Cee Restaurant LLC dba Savoia 277 Smith Street (between Sackett/Degraw Streets), to permit 8 tables and 16 seats.

There was no one present to represent the applicant.

Presentation and review of an unenclosed sidewalk café permit application renewal submitted to the Department of Consumer Affairs on behalf of Mangia Inc. at 119 5th Avenue (southeast corner Sterling Place/5th Avenue), to permit 12 tables and 24 seats.

The applicant plans to have 4 tables on 5th Avenue and 8 tables on Sterling Place.

- There are no complaints on file for the business.
- The hours of operation be 11am to 11pm each day.

A motion was made by Joe Porcelli to approve the request.

MOTION PASSED: UNANIMOUSLY

Presentation and review of an on-premises liquor license application submitted to the State Liquor Authority on behalf of 158 Baltic Corp. at 158 Baltic Street (between Hicks/Henry Streets).

This is a restaurant with a small bar on Baltic Street. The restaurant is at 404 Henry Street. The application is just for liquor at Baltic Street.

- Owner has two other establishments in Queens and Manhattan.
- Mixed buildings surround it – commercial residents.
- Space is vacant. It was commercial.
- It is a landmarked building – grandfathered.
- Glenn Kelly said that this is not a viable space for this use per the Department of Buildings.
- Side entrance to a school is more than 200 feet.. Front entrance on Henry Street is within 200 feet.
- No outdoor space or seating.
- Presenter said there was a posting at the premises and knows he need to do more.
- Properties are not contiguous.
- Glenn Kelly : no commercial zoning per DOB website. Cobble Hill Association opposes this application as does a Baltic Street group because the area is residential for the most part.
- Joe Porcelli said they must have a certificate of occupancy or DOB's approval, so we should not deny this based on zoning law, that's not our role.
- Owner said he did 15 or 16 fliers in a two block radius – put under doors or in mailboxes.

Joe Porcelli moved to table and Bette Stoltz seconded the motion. All voted to table due to notice and posting concerns, so applicant can review policy.

MOTION PASSED: UNANIMOUSLY

Presentation and review of an on-premises liquor license application submitted to the State Liquor Authority on behalf of Family Brand, LLC dba Backyard at 388 5th Avenue (between 6th/7th Streets).

Elizabeth Warren wants to open a restaurant between 6th/7th Streets. It is now a Sake bar but she wants to expand the business.

- They canvassed neighborhood and passed out 400 fliers in surrounding blocks – at least 5000 feet.
- There is a small backyard with 5 tables – 20 seats total.
- Will open in spring, maybe with picnic tables.
- Hours, hopefully, about 12 noon to midnight, Tuesday to Sunday – maybe close earlier on Sunday.

Lou Sones asked would they stop serving Sunday thru Thursday at 10 and Friday thru Saturday at 11pm – they do not plan to serve outside that late.

The current tenant has a letter of no objection regarding use of the backyard but her lawyer will work on SLA issues.

Lou Sones made a motion to approve and Matt Silverman seconded. Application is subject to our hourly restriction on outdoor space.

MOTION APPROVED: UNANIMOUSLY

Presentation and review of an on-premises liquor license application submitted to the State Liquor Authority on behalf of Athena on Smith, Inc. at 213 Smith Street (between Baltic /Butler Streets).

The owner changed the name of the restaurant to Athena and will be taking over the business next month. He has a Greek restaurant on 14th Street and 6th Avenue. The license is in prior owner's name. It was a Mexican restaurant.

- Joe Porcelli said they should have a temporary permit in their name if they have been in the business serving.
- Community resident across the street who is a landlord said there are parties until 3-4am daily and his tenants want to leave. He has called the Police numerous times. The doors are left open.
- The presenter said that a D. J. comes at 11pm on weekends only.
- Another neighbor says it is very loud at least 3 days a week and she can't sleep.

The owner said they put in insulation to reduce noise and the doors are now closed all the time. I want to keep the neighbors happy. He said he doesn't want the place to be loud but needs to book parties to survive. People are not allowed to stand outside. He said that he will be present for all future parties to monitor the situation.

- Another resident wants the owner to instruct staff to control patrons by the doorway. The owner said there is a sign by the door telling patrons to keep the noise down.

Joe Porcelli moved to table the request and all committee members agreed to table.

Terry Alexander arrived at this point. Now there were 10 members present.

Presentation and review of an on-premises liquor license application submitted to the State Liquor Authority on behalf of NY Koeln Corp. at 84 St. Mark's Place (between 4th/5th Avenues).

- This is a German restaurant with a full menu.
- Recently had a zoning change.
- Posted at local buildings and businesses on 4th and 5th Avenues and spoke to residents.
- Indoor space holds up to 200 (legal capacity).
- Will not use outdoor space - no plans for that now.
- It's a beer hall.
- Driveway on one side with residential building 20 feet away with a warehouse on another side.
- Glenn Kelly opposed to commercial activity on residential side streets.
- French doors will be closed, so no opening for music to get out.
- They will have typical German food with digestives, hence a full liquor license.
- They do not possess the 4th Avenue property – they do not know who will move in there. The entrance is about 106 feet from 4th Avenue.
- Community tables to sit with strangers and meet.
- Will be using styrofoam sound barriers on the ceiling.
- The owner's engineer worked with DOB inspector to address concerns and DOB approved.

Gary Reilly said that property is zoned properly for its use.

Glenn Kelly concerned about the noise when windows open.

Owner said it is double glass and thick on the French doors and they will do their best with the noise.

Lou Sones said it is a tough call because it is a residential block though it is a commercial overlay.

Mark Shames is concerned with capacity and sound-proofing effectiveness.

Owner would stipulate to close French doors at a certain time. He said there are only 4 skylights not as many as in drawing.

Harry Feder asked what is the committee's practice or policy. Gary Reilly said there is no formal policy.

Mark Shames said fact specific – CB6 recently disagreed with a smaller place that the committee had approved.

Terry Alexander moved to approve and the motion was seconded by Matt Silverman with a friendly amendment to have the French doors closed by 10pm. Owner did not object.

Lou Sones supported the application because it is a commercial space and there is no outdoor space involved. Joe Porcelli also supported the motion.

Neena Dutta advised the committee that the applicant's attorney was her attorney once and she wanted to disclose this to the committee.

MOTION PASSED: UNANIMOUSLY

Presentation and review of an on-premises liquor license application submitted to the State Liquor Authority on behalf of 307 Smith Street Corporation at 307 Smith Street (between Union/President Streets).

Restaurant will serve Italian food-lunch and dinner and sandwiches during the day. It will be small and intimate with a lot of pasta and will be low cost. The backyard is not part of the current application.

Joe Porcelli moved to approve and Lou Sones seconded the motion.

MOTION APPROVED: UNANIMOUSLY

Presentation and review of an on-premises liquor license application submitted to the State Liquor Authority on behalf of Louis Turco at 297 9th Street (between 4th/5th Avenues).

No representative was present.

Presentation and review of an on-premises liquor license application submitted to the State Liquor Authority on behalf of Los Robles Corp. dba Colombia in Park Slope at 376 5th Avenue (between 5th/6th Streets).

The restaurant has been open for 7 months and customers want to have drinks. They are applying for a liquor license. He didn't hand out fliers – only did word of mouth. He said he would do it next time.

The backyard seats 30 and inside seats 34. The yard is wider than the building.

A motion to table the request was made by Gary Reilly and approved by all.

Mark Shames moved to ask the State Liquor Authority not to take action on any applications on tonight's agenda for which no applicant appeared.

MOTION APPROVED: UNANIMOUSLY

There being no further business to come before the committee, a motion to adjourn was passed at 8:30pm.

The minutes were submitted by Matt Silverman

