



**Ruben Diaz, Jr.**  
Borough President

## **BRONX COMMUNITY BOARD No. 10**

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**Peter J. Sullivan**  
Chairperson

**Matthew Cruz**  
District Manager

### **PUBLIC HEARING BSA Calendar #2017-11-BZ**

#### **Economic Development Meeting**

**July 25, 2017, Tuesday**

**7:00 p.m.**

**Greek American Institute**

**3573 Bruckner Boulevard South**

**Bronx, New York 10461**

**PRESENT:** T. Accomando, R. Baez, R. Barbarelli, R. Bieder, J. Boiko, T. Chambers, Col. W. Chin, A. Chirico, G. Curbelo, M. Davila, T. Franklin, I. Guanill-Elukowich, D. Krynicki, R. Lifrieri, D. Lock, C. Lotta, K. Lynch, J. Marano, B. Martinez, J. McQuade, M.J. Musano, D. Noble, J. Ortiz, L. Popovic, A. Ponder, J. Robert, N. Rosario, N. Sala, T. Salimbene, N. Semaj-Williams, P. Sullivan, M. Velazquez, S. Woods (total # present = 33)

*The following Board Members left early: N. Semaj-Williams, M. Davila, and M. Velazquez. This did not adversely affect the quorum.*

**ABSENT:** H. Acampora, P. Cantillo, L. Council, V.M. Gallagher, D. Hunt, M. Johnson, J. Misiurski, J. Onwu, C. Papastefanou, M. Prince, R. Rodriguez, J. Russo, R. Sawyer (total # absent = 13)

**Community Liaisons:** Jose Rodriguez - Office of State Senator Jeffrey Klein  
Mariel de la Cruz – Office of NYC Comptroller

**Board #10 Staff:** Matt Cruz, District Manager  
Susan Duffy, Community Assistant

Meeting started at 7:00 p.m. with the Pledge of Allegiance.

Mr. Cruz addressed the meeting with a change to the agenda order, and began a discussion on 3250 Westchester Avenue. He explained that at this point plans for this building have not yet been approved by the NYC Department of Buildings. He explained that the building is seeking a zoning determination from the NYC Department of Buildings and that the Board is awaiting that decision.

## **Public Participation**

The following speakers spoke against the development at 3250 Westchester Avenue as well as the construction on Wilkinson Avenue. Chairperson Sullivan advised that the Board has reached out to the owner of 3250 Westchester Avenue, who is not ready to speak to the community as of yet. In addition he added that the Board can request that the developer plan for additional parking over the proposed 128 spaces.

1. P. Papaelis, PB resident: Mr. Papaelis is concerned that the current zoning may not be correct for the location at 3250 Westchester Avenue and is concerned that it may be turned into something that the community does not want.
2. P. Justiniano, Bruckner Blvd resident: Ms. Justiniano is concerned about Pelham Bay at large, infrastructure – streets, sewers, trash pickup, DSNY, triangle responsibility at Pelham Bay station, parking, zoning.
3. J. Cerini, PB resident: Mr. Cerini raised a concern over the size of the public hearing notice in the Bronx Time Reporter and feels that public hearing notices should be larger sized ads. He also raised concern about the number of proposed parking spaces and added that 128 spaces would be insufficient for a ten story building. Mr. Cerini also noted that in the Bronx, there are no privately owned public spaces (POPS) and would like to see if this can be accomplished.
4. P. Stranzl, PB resident: Mr. Stranzl wants Pelham Bay downzoned and blames the community board for this not being done. He also wants board members removed if the building goes up.

Chairperson Sullivan said that the Board has had discussions with the NYC Department of City Planning concerning R6 and R7 on many occasions and that it is up to that agency to downzone neighborhoods. The Board is advisory and can only go so far. A committee will be formed to address the over-development issues in the community.

5. E. Sementilli, PB resident and President of Pelham Bay Community Improvement and Safety Organization, Inc.: Mr. Sementilli is not happy with the new development; he hopes that in 2018 the newly elected council member will work with the community on the downzoning of Pelham Bay. Mr. Sementilli noted he is pleased with the new chairman and can see some light.
6. M. Torrioni, President of Pelham Bay Taxpayers Association: Ms. Torrioni does not want a ten story building or a medical facility at 3250 Westchester Avenue; she would like to see more effort in cleaning up Pelham Bay. Ms. Torrioni added that her mother lives across from the Wilkinson Avenue building and no one complained until the building went up, which by then was too late. She would like all the communities/civic associations to work with the PB community towards a better quality of life.

A motion was made by Mr. Sullivan and seconded by Mr. Bieder to form an ad-hoc committee on overdevelopment. The committee will consist of four board members and three non-board members.  
**The vote was unanimous.**

“**Resolved**...at the recommendation of the Chair of CB #10 that the formation of an ad-hoc Over-development Committee be forwarded to the full Board for approval.”

Mr. Sullivan recommended Ms. Guanill-Elukowich as Chair and she was unanimously approved by all Board members in attendance. The Board members of the Over-development Committee are: Irene Guanill-Elukowich who will serve as Chair, Terrence Franklin, Andrew Chirico, and John Marano. The non-board members are: Michele Torrioni, Grace Cerini and Patty Justiniano.

## **PUBLIC HEARING**

The next item on the agenda was the Public Hearing for 3261 Westchester Avenue, 10461, Special Permit (Section 73-36) to operate a physical culture establishment (ILOVEKICKBOXING) within a portion of the ground floor of an existing one-story commercial building; C2-4/R7A zoning district.

At the April 2017 Housing and Zoning Committee meeting, a presentation was made to the committee who had no objection to the project. At that meeting Mr. Sementilli raised an objection because the entrance to the facility is on Colonial Avenue, not Westchester Avenue. He now feels that this establishment will not have a negative impact in the community.

**“Resolved**...at the request of Bronx Community Board #10 that the matter before the New York City Board of Standards and Appeals, Calendar # 2017-11-BZ, to operate a physical culture establishment (ILOVEKICKBOXING) within a portion of the ground floor of an existing one-story commercial building at 3261 Westchester Avenue, 10461, Special Permit (Section 73-36), C2-4/R7A zoning district, be forwarded to the full Board for approval.”

A motion to accept the Resolution was made by Mr. Bieder, seconded by Mr. Chirico and unanimously approved by all. **The Resolution passed.**

## **MUNICIPAL SERVICES**

An application for a street activity permit was presented to the Board for a vote. The entry in the SAPO for this event must be revised by the applicant to reflect a breakdown/end time of 9:00 p.m., not 10:00 p.m. as noted in the original application. The applicant submitted petitions.

**“Resolved**...at the request of Bronx Community Board #10 that Street Activity Permit ID 365227, Saturday, September 16, 2017 Reed Place Block Party, setup/start time 12:00 noon, breakdown/end 9:00 p.m., contact V. Leone, be forwarded to the full Board for approval. “

A motion to accept the Resolution was made by Mr. Bieder, seconded by Mr. Chirico and unanimously approved by all. **The Resolution passed.**

## **ECONOMIC DEVELOPMENT**

### **For Renewals:**

**“Resolved**...at the recommendation of the Economic Development Committee of Bronx Community Board #10, that the following establishments have agreed to comply with the best management practice standards contained within the Stipulations, by signing them, and to further agree to attend ATAP training, and that their compliance be sent to the State Liquor Authority, along with the Resolution and the vote, and copies placed in the Board’s file.”

\*Outback Steakhouse, 370 Baychester Ave, 10475, between Bartow Ave & Hutchinson River Pkwy, License # 8466454, which expires on 08/31/17.

\*Shangerila Restaurant, 2893-95 Buhre Ave, 10461, between Edison & Puritan Aves, License #1234404, which expires on 09/30/17.

\*Remy 10608, 53 Westchester Sq., 10461, between Ponton and Roberts Aves, License #1286071, which expires on 07/31/17.

\*Oishi, 3799 E Tremont Ave, 10465, between Randall & Schley Aves, License #1269320, which expires on 08/31/17.

\*M & R Deli & Coffee Shop, 1480 Williamsbridge Rd, 10461, between Eastchester Rd & Chesbrough Ave, License #1254512, which expires on 08/31/17.

\*Coconut Palm Bar & Grill, 2407 Westchester Ave, 10461, between Zerega Ave & Rowland St, License #1166169, which expires on 08/31/17.

A motion to accept the Resolution was made by Mr. Bieder, seconded by Mr. Lotto and unanimously approved by all. **The Resolution passed.**

### **For Renewal:**

“**Resolved**...at the recommendation of the Economic Development Committee of Bronx Community Board #10, that the following establishment has agreed to comply with the best management practice standards contained within the Stipulations, by signing them, and to further agree to attend ATAP training, and that their compliance be sent to the State Liquor Authority, along with the Resolution and the vote, and copies placed in the Board’s file:”

\*Illusions Hookah & Mixology Lounge, 3221-3229 Westchester Ave, 10461, between Continental & St Paul Aves, License #1285921, which expires on 07/31/17.

**(Per 45<sup>th</sup>--Many 311 Complaints, But When They Go Check-There Is Nothing Going On)  
(40 - 311 Noise Complaints from 07/25/16 to 07/24/17)**

Residents in the community objected to the renewal application and cited drugs, noise, public urination, trash complaints, loud music, disruptive patrons leaving the establishment, drunk drivers, etc. The renewals in 2013 and 2015 were voted down by the Board. The proprietor addressed the community and denied the trash problem. He noted that 300 complaints to 311 were placed from one phone number; NYPD has visited the site on numerous occasions and did not find any problems.

As to the noise, Board members felt that noise decibel levels should be addressed at different stages, initially and over a period of time (e.g. 30 minutes). It was suggested that a letter be sent to the SLA, outlining the reasons for the Board’s vote, if the vote is not in favor of renewal.

A motion to accept the Resolution was made by Mr. Bieder, seconded by Mr. Lotta, with the following results: eleven (11) yes, twelve (12) no, five (5) abstentions. **The Resolution did not pass.**

**New License:**

“**Resolved**...at the recommendation of the Economic Development Committee of Bronx Community Board #10, that the following establishment has agreed to comply with the best management practice standards contained within the Stipulations, by signing them, and to further agree to attend ATAP training, and that their compliance be sent to the State Liquor Authority, along with the Resolution and the vote, and copies placed in the Board’s file:”

\*Havana Café Express, Target Mall, 815 Hutchinson River Pkwy-Unit #2, 10465, between Lafayette Ave & Wenner Pl, License #NEW

**(Hours of Operation Indoors: Sunday – Wednesday: 11 a.m. – 11 p.m.;**

**Thursday 11 a.m. – 12 a.m., Friday and Saturday 11 a.m. - 2 a.m.**

**Recorded Music indoor/outdoor; Outdoor seating: Sunday – Saturday: 11 a.m. – 11 p.m.;**

**Private property, does not need DCA approval for outdoor seating.)**

A motion to accept the Resolution was made by Mr. Lotta, seconded by Bishop Rosario and unanimously approved by all. **The Resolution passed.**

**Change in Method of Operation**

This Resolution was split into separate resolutions to vote on the two different methods of operation, Bottle Service and Music.

“**Resolved**...at the recommendation of the Economic Development Committee of Bronx Community Board #10, that the following establishment has agreed to comply with the best management practice standards contained within the Stipulations, by signing them, and to further agree to attend ATAP training, and that their compliance be sent to the State Liquor Authority, along with the Resolution and the vote, and copies placed in the Board’s file:”

\*Casa Restaurant, 3607 E Tremont Ave, 10465, between Sullivan & Scott Pls, License #1285582, which expires on 05/31/19.

**(Bottle Service)**

**Bottle Service is legal, but Licensee must make sure patrons don’t over-serve themselves.**

A motion to accept the Resolution for Bottle Service was made by Mr. Bieder, seconded by Mr. Marano and voted on as follows: (17) seventeen Yes, (4) four No, (4) Abstentions. **The Resolution for Bottle Service passed.**

“**Resolved**...at the recommendation of the Economic Development Committee of Bronx Community Board #10, that the following establishment has agreed to comply with the best management practice standards contained within the Stipulations, by signing them, and to further agree to attend ATAP training, and that their compliance be sent to the State Liquor Authority, along with the Resolution and the vote, and copies placed in the Board’s file:”

\*Casa Restaurant, 3607 E Tremont Ave, 10465, between Sullivan & Scott Pls, License #1285582, which expires on 05/31/19.

**(Live Music, Juke Box, D J, Karaoke)**  
**Live Music, D J, Karaoke Request in 2016 Did Not Pass at 9/25/16 Board Meeting**  
**They did not file with the SLA.**

A motion to accept the Resolution for Live Music, Juke Box, DJ, Karaoke was made by Mr. Bieder, seconded by Mr. Lotta and voted on as follows: (17) seventeen Yes, (4) four No, (4) Abstentions. **The Resolution for Live Music, Juke Box, DJ, Karaoke passed.**

**EXECUTIVE BOARD**

Mr. Sullivan, in discussions with the Chair of the Planning and Budget Committee, wants to create an ad-hoc Co-op City Committee, consisting of members who reside in that community. This Committee will act as liaisons to the Planning & Budget, Parks & Recreation and Municipal Services Committees to address forthcoming planning projects in Co-op City.

**“Resolved**...at the recommendation of the Chairperson of CB #10 and Chairperson of the Planning & Budget Committee that the formation of the ad-hoc Co-op City Committee, consisting of CB #10 Board members residing in Co-op City, be forwarded to the Full Board for approval. “

A motion to accept the Resolution was made by Bishop Rosario, seconded by Mr. Bieder and unanimously approved by all. **The Resolution passed.** Mr. Sullivan recommended Mr. Boiko serve as Chair and this was unanimously approved by all Board members in attendance.

**Old Business** - none

**New Business**

August 1, 2017, 6 p.m.-11 p.m. 45 Pct National Night Out, Section 1 Greenway, bring a lawn chair.

Ms. Mariel de la Cruz, Bronx Borough Director for New York City Comptroller Scott Stringer introduced herself.

Mr. Jose Rodriguez, District Office Director for State Senator Jeff Klein, informed the community of the Naxolone Training to be held on City Island on Thursday evening, July 27, 2017. Senator Klein is sponsoring the Summer Symphonies and Movies Program starting July 31, 2017. Contact his office for additional information, 718-822-2049.

A motion to close the meeting was made by Mr. Bieder, seconded by Mr. Marano was unanimously approved by all.

Respectfully submitted by Susan Duffy.