

**Community Board 12 Licensing Committee**

*Minutes, March 11, 2015*

**Committee Members Present:** Aldemar Diaz, Rolando Cespedes, Terriell Peters (left early), and Martin Restituyo, Angel Sanchez (arrived late)

**Committee Members Excused:** Isidro Medina

**Committee Members Absent:**

**CB12 Members Present:**

**CB12 Staff Members Present:** Paola Garcia

**Community Members Present:**

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**A. Welcome & Opening Remarks – Aldemar Diaz, Chair**

**B. State Liquor Authority *Renewal* Licenses:**

***On-Premises Liquor License***

1. International Food House Inc., doing business as International Food House, located at 217 Dyckman Street at the corner of Broadway & Dyckman Street (also known as 4762A -4762B Broadway)

<b>New or Renewal? License Type</b>	Renewal On-Premises Liquor
<b>Owner/Representative</b>	Alberto and Maribel Nunez
<b>Type of Establishment</b>	Spanish/American Restaurant
<b>Hours of Operation</b>	24 hours; alcohol served from noon to 4 AM
<b>Tables/Chairs</b>	25 tables & 80 chairs
<b>Music</b>	iPod with sound limiter; live music Monday night from 11 PM to 3 AM; DJ 5 nights a week including weekends.
<b>Security Cameras</b>	32
<b>Security Personnel</b>	4 (Increased from 2 in 2013)
<b>ADA Compliant?</b>	Yes
<b>Employees</b>	50
<b>Capacity</b>	110
<b>Emergency Exits</b>	4
<b>Restaurant Letter Grade</b>	A, as of November 2014

<b>33<sup>rd</sup>/34<sup>th</sup> Precinct</b>	34 <sup>th</sup> Precinct: Violence is at a minimum. They would like the owners to visit the Precinct for a review of their security plan and to mitigate potential sound concerns. (In the past there were more complaints regarding noise.) They hope to address potential sound problems before the summer arrives.
<b>Community Comments</b>	Local resident has called 311 on a number of occasions because of sound complaints. She is concerned with noise inside the restaurant and customers screaming outside. 7 days a week after midnight, the noise is unbearable even though she lives on the 6 <sup>th</sup> floor on the opposite side of the building. This resident claims that her neighbors have given up on calling 311. She also stated that the owners moved the bar to a different part of the business and that the alterations made should have been submitted for approval. The owner admits to having made some alterations which merely increased seating capacity at the bar, which she believed was insignificant. The owner was informed by the Committee that she needed to apply for an alteration of the license because seating capacity changed. Angel Medina, representing Mount Calgary Assembly of God, recommends that security look to the situation outside more often.
<b>Stipulations</b>	<ol style="list-style-type: none"> <li>1) Meet with the 34<sup>th</sup> Precinct</li> <li>2) By March 20, provide the Board with proof that an alteration application has been submitted to the SLA for the modification to the bar</li> <li>3) Meet with Councilmember Rodriguez, per his request</li> <li>4) By March 20, have a licensed sound engineer check the sound equipment, verify that the sound limiter is installed and working properly and provide proof of this to the Board</li> <li>5) By March 20, post a good neighbor sign on all (3) entrances</li> </ol>
<b>Notes</b>	<ol style="list-style-type: none"> <li>1) In 2013, the Board objected to the renewal of this license due to numerous noise complaints.</li> <li>2) The owners agreed to conduct sound tests at their last appearance, but never did.</li> <li>3) The owners feel they are being penalized for the behavior of customers who arrive drunk from other businesses after 4 AM. They claim that they have had a liquor license for the past 18 years and have never had a problem except in 2013 and presently.</li> </ol>
<b>Committee Vote</b>	Yes (names): Diaz, Cespedes, Restituyo No (names): Peters Abstain (names): 0 Not Voting (names): 0

2. Sushi Vida Inc., doing business as Mama Sushi, located at 237 Dyckman Street at the corner of Seaman Avenue

<b>New or Renewal? License Type</b>	Renewal On-Premises Liquor
<b>Owner/Representative</b>	Victor Santos
<b>Type of Establishment</b>	Japanese/Latin fusion restaurant
<b>Hours of Operation</b>	Mon, Wed & Thu, Noon-1am, Tue, Noon-2:30am, Fri & Sat, Noon-3am, Sun, Noon-2am
<b>Tables/Chairs</b>	42 tables, 84 chairs, 3 tall tables with 18 chairs, 8 bar stools (Sidewalk café currently has 6 tables and 13 chairs)
<b>Music</b>	iPad; DJ Tuesday, 10 PM - 2 AM and Saturday, 10 PM - 3 AM.
<b>Security Cameras</b>	20 (3 outside, 17 inside)
<b>Security Personnel</b>	Regularly 1 on Friday and Saturday night from 10 PM to closing time; 2 if there is a special event or a large number of reservations.
<b>ADA Compliant?</b>	Yes
<b>Employees</b>	25 full time
<b>Capacity</b>	129
<b>Emergency Exits</b>	2
<b>Restaurant Letter Grade</b>	A, as of November 2014
<b>33<sup>rd</sup>/34<sup>th</sup> Precinct</b>	No objection
<b>Community Comments</b>	Members of the public commented that this business has been getting quieter, apparently as a result of the soundproofing they installed.
<b>Stipulations</b>	None for this application (See agenda item 10 below)
<b>Notes</b>	
<b>Committee Vote</b>	Yes (names): Cespedes, Diaz, Peters, Restituyo, Sanchez No (names): 0 Abstain (names): 0 Not Voting (names): 0

3. 209 Pinehurst Restaurant Group LLC., doing business as Rusty Mackerel, located at 209 Pinehurst Avenue at the corner of West 187<sup>th</sup> Street

<b>New or Renewal? License Type</b>	Renewal On-Premises Liquor
<b>Owner/Representative</b>	Owners: William Rodriguez and Francis McHugh
<b>Type of Establishment</b>	Restaurant
<b>Hours of Operation</b>	7 days a week – 11 AM - midnight
<b>Tables/Chairs</b>	14 tables, 30 chairs
<b>Music</b>	iPod
<b>Security Cameras</b>	0

<b>Security Personnel</b>	No
<b>ADA Compliant?</b>	Yes, bathroom and Entrance
<b>Employees</b>	9
<b>Capacity</b>	34
<b>Emergency Exits</b>	1
<b>Restaurant Letter Grade</b>	A, as of September 2014
<b>33<sup>rd</sup>/34<sup>th</sup> Precinct</b>	No objection
<b>Community Comments</b>	Councilman Rodriguez would like to meet with the owners. This business has been closed for the past 3 months. The owners plan to reopen on April 1, 2015. The license has been placed in safekeeping with SLA since the business closed temporarily.
<b>Stipulations</b>	None
<b>Notes</b>	
<b>Committee Vote</b>	Yes (names): Cespedes, Diaz, Peters, Restituyo, Sanchez No (names): 0 Abstain (names): 0 Not Voting (names): 0

4. 1218 M&M Bar & Grill Inc., located at 1218 St. Nicholas Avenue at the corner of West 171<sup>st</sup> Street

<b>New or Renewal? License Type</b>	Renewal On-Premises Liquor
<b>Owner/Representative</b>	Santa Duran, Manager
<b>Type of Establishment</b>	Bar (Serves liquor, no food)
<b>Hours of Operation</b>	7 days a week, Noon – 3:30 AM
<b>Tables/Chairs</b>	4 tables, 12 chairs, 16 bar stools
<b>Music</b>	Juke box with sound limiter
<b>Security Cameras</b>	6
<b>Security Personnel</b>	1
<b>ADA Compliant?</b>	Yes entrance and bathroom
<b>Employees</b>	3
<b>Capacity</b>	40
<b>Emergency Exits</b>	2
<b>Restaurant Letter Grade</b>	A, as of April 2014
<b>33<sup>rd</sup>/34<sup>th</sup> Precinct</b>	33 <sup>rd</sup> Precinct: No objection, but the Precinct would like to visit
<b>Community Comments</b>	Councilman Rodriguez wants to meet. Representative from Pentecostal Church Assembly of God is concerned about sales of alcohol to minors and security guard.
<b>Stipulations</b>	Meet with the 33 <sup>rd</sup> Precinct
<b>Notes</b>	

<b>Committee Vote</b>	Yes (names): Cespedes, Diaz, Peters, Restituyo, Sanchez No (names): 0 Abstain (names):0 Not Voting (names): 0
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5. Locksmith Wine Bar Inc., doing business as The Locksmith Wine Bar, located at 4463 Broadway between Fairview Avenue & West 192<sup>nd</sup> Street

<b>New or Renewal? License Type</b>	Renewal On-Premises Liquor
<b>Owner/Representative</b>	Oscar Napa, Owner
<b>Type of Establishment</b>	Bar and Restaurant
<b>Hours of Operation</b>	Monday-Thursday, 1 PM-2AM, Friday & Saturday, Noon-4 AM, Sunday, Noon-2 AM
<b>Tables/Chairs</b>	8 tables/ 30 chairs
<b>Music</b>	iPod, DJ for special events. Special events every 2 weeks. Music plays until 2 AM
<b>Security Cameras</b>	7 (2 outside, 5 inside)
<b>Security Personnel</b>	2
<b>ADA Compliant?</b>	Bathroom is, entrance will have a ramp
<b>Employees</b>	12
<b>Capacity</b>	30
<b>Emergency Exits</b>	1
<b>Restaurant Letter Grade</b>	A
<b>33<sup>rd</sup>/34<sup>th</sup> Precinct</b>	No objection
<b>Community Comments</b>	
<b>Stipulations</b>	
<b>Notes</b>	No objections last time.
<b>Committee Vote</b>	Yes (names): Cespedes, Diaz, Peters, Restituyo, Sanchez No (names): 0 Abstain (names): 0 Not Voting (names):

6. Metropolitan Museum of Art, located at 99 Margaret Corbin Drive at Ft. Tryon Park.)

<b>New or Renewal? License Type</b>	Renewal Seasonal On-Premises Liquor
<b>Owner/Representative</b>	Jennifer Klein, Representative
<b>Type of Establishment</b>	Full service restaurant
<b>Hours of Operation</b>	Daily 10 AM – 5 PM
<b>Tables/Chairs</b>	20 tables, 60 chairs
<b>Music</b>	None

<b>Security Cameras &amp; Personnel</b>	Extensive security system and staff protecting entire museum complex
<b>ADA Compliant?</b>	Yes
<b>Employees</b>	3 full time, 1 part time
<b>Capacity</b>	60
<b>Emergency Exits</b>	3
<b>Restaurant Letter Grade</b>	A, as of November 2014
<b>33<sup>rd</sup>/34<sup>th</sup> Precinct</b>	No objection
<b>Community Comments</b>	
<b>Stipulations</b>	None
<b>Notes</b>	
<b>Committee Vote</b>	Yes (names): Cespedes, Diaz, Peters, Restituyo, Sanchez No (names): 0 Abstain (names): 0 Not Voting (names):

***Restaurant Wine License***

7. Jade Chen 88 Inc., doing business as Jade Garden, located at 4028-4030 Broadway between West 169<sup>th</sup> and West 170<sup>th</sup> Streets

<b>New or Renewal? License Type</b>	Renewal Restaurant Wine
<b>Owner/Representative</b>	No one appeared to represent this business
<b>Type of Establishment</b>	
<b>Hours of Operation</b>	
<b>Tables/Chairs</b>	
<b>Music</b>	
<b>Security Cameras</b>	
<b>Security Personnel</b>	
<b>ADA Compliant?</b>	
<b>Employees</b>	
<b>Capacity</b>	
<b>Emergency Exits</b>	
<b>Restaurant Letter Grade</b>	Grade Pending
<b>33<sup>rd</sup>/34<sup>th</sup> Precinct</b>	33 <sup>rd</sup> : No objections
<b>Community Comments</b>	
<b>Stipulations</b>	
<b>Notes</b>	

<b>Committee Vote</b>	Yes (names): Cespedes, Diaz, Peters, Restituyo, Sanchez No (names): 0 Abstain (names): 0 Not Voting (names):
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***Alteration Application to move from 4842 Broadway to 4799 Broadway***

8. Beans & Vines Corp., doing business as Beans & Vines, located at 4842 Broadway at the corner of Academy Street

<b>New or Renewal? License Type</b>	Removal of license from one place to another
<b>Owner/Representative</b>	Veronica Guerrero, Representative
<b>Type of Establishment</b>	The Board approved this application in January. The SLA has required that our resolution use the word "Removal" rather than "Alteration". The language of said resolution has been amended thus <i>only</i> .
<b>Hours of Operation</b>	
<b>Tables/Chairs</b>	
<b>Music</b>	
<b>Security Cameras</b>	
<b>Security Personnel</b>	
<b>ADA Compliant?</b>	
<b>Employees</b>	
<b>Capacity</b>	
<b>Emergency Exits</b>	
<b>Restaurant Letter Grade</b>	
<b>33<sup>rd</sup>/34<sup>th</sup> Precinct</b>	
<b>Community Comments</b>	
<b>Stipulations</b>	
<b>Notes</b>	
<b>Committee Vote</b>	Yes (names): Cespedes, Diaz, Peters, Restituyo, Sanchez No (names): 0 Abstain (names): 0 Not Voting (names):

***Alteration Application to Add Kitchen on Licensed Establishment***

9. The Monkey Room Inc., doing business as Monkey Room, located at 589 Ft. Washington Avenue at the corner of West 187<sup>th</sup> Street

<b>New or Renewal? License Type</b>	Alteration to add a kitchen
<b>Owner/Representative</b>	Jesus Sosa, Owner
<b>Type of Establishment</b>	Bar becoming a restaurant (serving a light menu)
<b>Hours of Operation</b>	11 AM – 4 AM – 7 days a week
<b>Tables/Chairs</b>	32 chairs indoor

<b>Music</b>	DJ 5 days a week including the weekend
<b>Security Cameras</b>	
<b>Security Personnel</b>	2 every night except Tuesday and Wednesday
<b>ADA Compliant?</b>	Yes
<b>Employees</b>	8 employees
<b>Capacity</b>	32 indoor / 30 outdoor (backyard)
<b>Emergency Exits</b>	Front door
<b>Restaurant Letter Grade</b>	A
<b>33<sup>rd</sup>/34<sup>th</sup> Precinct</b>	No objection
<b>Community Comments</b>	
<b>Stipulations</b>	None
<b>Notes</b>	Same capacity as before. DJ booth coming out and kitchen taking its place. Will not affect seating capacity. Two emails have been sent to the Board in June 2013 and 2014 regarding noise and fights outdoors. The fights happened outside the bar and it is unclear if patrons from the bar were involved.
<b>Committee Vote</b>	Yes (names): Cespedes, Diaz, Peters, Restituyo, Sanchez No (names): 0 Abstain (names): 0 Not Voting (names): 0

***NYC Department of Consumer Affairs Renewal of Unenclosed Sidewalk Café Licenses:***

10. Sushi Vida Inc., doing business as Mama Sushi, located at 237 Dyckman Street at the corner of Seaman Avenue

<b>New or Renewal? License Type</b>	Renewal of Unenclosed Sidewalk Café
<b>Owner/Representative</b>	Victor Santos
<b>Type of Establishment</b>	Restaurant
<b>Hours of Operation</b>	(Outdoor café) Monday – Sunday, 1 PM – midnight
<b>Tables/Chairs</b>	42 tables/ 92 chairs inside, 7 tables/ 14 chairs
<b>Music</b>	Inside only; DJ Tuesday, 10 PM - 2 AM and Saturday, 10 PM - 3 AM.
<b>Security Cameras</b>	20 (3 outside, 17 inside)
<b>Security Personnel</b>	Regularly 1 on Friday and Saturday night from 10 PM to closing time; 2 if there is a special event or a large number of reservations.
<b>ADA Compliant?</b>	Yes
<b>Employees</b>	25 full time
<b>Capacity</b>	129
<b>Emergency Exits</b>	2
<b>Restaurant Letter Grade</b>	A, as of November 2014

<b>33<sup>rd</sup>/34<sup>th</sup> Precinct</b>	The 34 <sup>th</sup> Precinct is concerned about creating the impression that sidewalk café hours have been “extended” by the applicant past 10 PM and about any noise created by the café after that time.
<b>Community Comments</b>	Members of the public commented that this business has been getting quieter, apparently as a result of the soundproofing they installed. Photographs were presented showing tables covering the sidewalk grating
<b>Stipulations</b>	<ol style="list-style-type: none"> <li>1) The sidewalk café should not cover the subway grate outside the restaurant (Local resident supplied photograph; 3 foot distance is required by the DCA)</li> <li>2) Keep the hours required by the Jackson accord until meeting with Councilman</li> </ol>
<b>Notes</b>	The owner reminded the Committee that the Jackson accord called for the reevaluation of operating hours every two years, and this has not happened. The Committee was informed by the Office of Councilman Rodriguez that the Councilman will address the future of this agreement with all Dyckman sidewalk café operators in the near future.
<b>Committee Vote</b>	Yes (names): Cespedes, Diaz, Peters, Restituyo, Sanchez No (names): 0 Abstain (names): 0 Not Voting (names): 0

***NYC Department of City Planning New Enclosed Sidewalk Café:***

11. El Conde Nuevo Bar & Restaurant Corp., doing business as El Conde Restaurant, located at 4139 Broadway at the corner of West 175<sup>th</sup> Street

<b>New or Renewal?</b>	Existing License at this Establishment; Applying for <u>New</u> License
<b>License Type</b>	Under New Corporate Name
<b>Owner/Representative</b>	Arelia Tavares, Expediter
<b>Type of Establishment</b>	Restaurant/Bar
<b>Hours of Operation</b>	7 AM – 4AM
<b>Tables/Chairs</b>	25 tables, ~96 chairs inside; 12 tables outside
<b>Music</b>	Juke box
<b>Security Cameras</b>	8
<b>Security Personnel</b>	0
<b>ADA Compliant?</b>	Yes
<b>Employees</b>	16
<b>Capacity</b>	100
<b>Emergency Exits</b>	4
<b>Restaurant Letter Grade</b>	A, as of January 2015

<b>33<sup>rd</sup>/34<sup>th</sup> Precinct</b>	No objection
<b>Community Comments</b>	
<b>Stipulations</b>	None
<b>Notes</b>	
<b>Committee Vote</b>	Yes (names): Cespedes, Diaz, Peters, Sanchez No (names): 0 Abstain (names): 0 Not Voting (names): Restituyo (Represents the owner and business in litigation)

**C. State Liquor Authority New Licenses:**

***On-Premises Liquor License***

12. Vapor Lounge & Bar, Corp., located at 4160 Broadway at the corner of West 176<sup>th</sup> Street

<b>New or Renewal? License Type</b>	New On-Premises Liquor
<b>Owner/Representative</b>	Arelija Taveras, Representative; Raul Acosta, Owner
<b>Type of Establishment</b>	Bar/Restaurant
<b>Hours of Operation</b>	Noon – 4 AM
<b>Tables/Chairs</b>	20 tables, 74 chairs
<b>Music</b>	DJ Wednesday – Saturday, 9 PM – 4 AM
<b>Security Cameras</b>	16
<b>Security Personnel</b>	4 security guards
<b>ADA Compliant?</b>	Yes
<b>Employees</b>	15
<b>Capacity</b>	100
<b>Emergency Exits</b>	3
<b>Restaurant Letter Grade</b>	N/A
<b>33<sup>rd</sup>/34<sup>th</sup> Precinct</b>	The 33 <sup>rd</sup> Precinct advised the owner to limit the amount of noise due to its proximity to United Palace, which houses a church
<b>Community Comments</b>	
<b>Stipulations</b>	None
<b>Notes</b>	
<b>Committee Vote</b>	Yes (names): Cespedes, Diaz, Peters, Restituyo, Sanchez No (names): 0 Abstain (names): 0 Not Voting (names): 0

13. Rush Tapas Bar, Inc., located at 586 West 207<sup>th</sup> Street at the corner of Vermilyea Avenue

<b>New or Renewal? License Type</b>	New On-Premises Liquor
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<b>Owner/Representative</b>	Arriel Ferreira, Representative & Rafael Holguin, Owner
<b>Type of Establishment</b>	Tapas Bar
<b>Hours of Operation</b>	11 AM – 2 AM Daily
<b>Tables/Chairs</b>	Seating 35
<b>Music</b>	iPod with sound governor
<b>Security Cameras</b>	10 (2 outside, 8 inside)
<b>Security Personnel</b>	1 outside (with ID scanner) and 1 inside
<b>ADA Compliant?</b>	Yes
<b>Employees</b>	10
<b>Capacity</b>	74
<b>Emergency Exits</b>	2 (front door & at the back)
<b>Restaurant Letter Grade</b>	N/A
<b>33<sup>rd</sup>/34<sup>th</sup> Precinct</b>	No objection – wants walk through recommends 2 AM
<b>Community Comments</b>	Meeting with councilman Rodriguez
<b>Stipulations</b>	<ol style="list-style-type: none"> <li>1) Will close at 2 AM every night of the week</li> <li>2) Will arrange for a walk-through by the 34<sup>th</sup> Precinct</li> <li>3) Will post good neighbor sign</li> </ol>
<b>Notes</b>	
<b>Committee Vote</b>	Yes (names): Cespedes, Diaz, Peters, Restituyo, Sanchez No (names): 0 Abstain (names): 0 Not Voting (names):

***Restaurant Wine License***

14. Pick & Eat 2, Inc., located at 4930 Broadway at the corner of West 207<sup>th</sup> Street

<b>New or Renewal?</b>	New Restaurant Wine
<b>License Type</b>	
<b>Owner/Representative</b>	Ariel Ferreira, Representative
<b>Type of Establishment</b>	Restaurant serving healthy food with a Caribbean twist
<b>Hours of Operation</b>	7 AM to 12 AM every day
<b>Tables/Chairs</b>	4 tables, 12 chairs, 6 stools
<b>Music</b>	iPod
<b>Security Cameras</b>	7
<b>Security Personnel</b>	Yes
<b>ADA Compliant?</b>	Yes
<b>Employees</b>	10
<b>Capacity</b>	25 – 30
<b>Emergency Exits</b>	2
<b>Restaurant Letter Grade</b>	N/A
<b>33<sup>rd</sup>/34<sup>th</sup> Precinct</b>	No Objection

<b>Community Comments</b>	Broad support for & interest in this second location for Pick & Eat
<b>Stipulations</b>	None
<b>Notes</b>	
<b>Committee Vote</b>	Yes (names): Céspedes, Díaz, Restituyo, Sánchez No (names): 0 Abstain (names): 0 Not Voting (names): 0

**D. New Business/Adjournment**