

**Community Board 12 Licensing Committee**

*Minutes, Wednesday, May 11, 2016*

**Committee Members Present:** Aldemar Diaz, Isidro Medina, Jennifer Chung, Robin Cruz, Gerard Dengel

**Committee Members Excused:**

**Committee Members Absent:** Domingo Estevez, Priscilla Mota-Willis

**CB12 Members Present:** Richard Lewis, Richard Allman

**CB12 Staff Members Present:** Paola Garcia

**Community Members Present:** Troy Brathwaite, Christopher Moronta, Jose Moronta, Kabulo Genao, Ancelismel Portalalin, Lorraine Sanchez, Elvin Marte, Damian Rodriguez, Todara Martinez, Eddie Santos, Valerio Jimenez, Cheryl Miller, Uraud Nuessia, Fabiliero Pecuzion, Ariel Ferreira, Orel Walker, Katherine O’Sullivan, Marek Schwedt, Arelia Tavares, Kelvis Fernandez, Sara Fisher, Carmen Osorio, Victoria Sadoff, Tracy Kay, Laurie Tobias Cohen

**33<sup>rd</sup> Precinct Representative:**

**34<sup>th</sup> Precinct Representative:** Police Officer Matthew Pena

**Minutes:** Robin Cruz

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

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

***On-Premises Liquor License***

1. 112 Dyckman Restaurant Inc. dba Restaurant 809 Grill Lounge – 112 Dyckman Street, (bet. Post & Nagle Avenues.)

<b>Owner/Representative</b>	Jose Moronta, Manager
<b>Type of Establishment</b>	Restaurant
<b>Hours of Operation</b>	Restaurant: Su-Th; 11 am to 12 am; F: 11 am to 2 am; Sat 4pm to 2am. Lounge: F & Sa: 11am-4am.
<b>Tables/Chairs</b>	Indoor only 9-4 tops 9-2 tops
<b>Music</b>	iPod music Friday night live music in the restaurant lounge and weekends live DJ
<b>Security Cameras</b>	25 security Cameras. 2 located outside entrance 3 back alley. 10 downstairs – 10 upstairs/large

<b>Security Personnel</b>	Weekends 4 to 5 Friday security guards; Saturday 7-8 security guards are licensed
<b>ADA Compliant?</b>	Yes with accessible bathroom
<b>Employees</b>	35 employees and 10 full time
<b>Capacity</b>	54 total seats downstairs; 243 in the upstairs lounge
<b>Emergency Exits</b>	Including main entrance 8 total emergency exit
<b>34<sup>th</sup> Precinct</b>	No objections
<b>Community Comments</b>	
<b>Stipulations</b>	Establish an agreement with a local garage to reserve parking spaces for their patrons and provide evidence to that effect to the Board before May 24, 2016; forbid their employees or agents from blocking any on street parking spaces for valet parking purposes at any time, using sandwich boards or any other method.
<b>Notes</b>	
<b>Committee Vote</b>	Yes: 5 (Diaz, Chung, Cruz, Dengel, Medina) No: Abstain: Not Voting:

2. Restaurant 101 Inc. dba Dyckman Express – 101 Dyckman Street, (at the corner of Nagle Avenue.)

<b>Owner/Representative</b>	Jose Moranta Manager
<b>Type of Establishment</b>	Restaurant
<b>Hours of Operation</b>	Monday to Thursday
<b>Tables/Chairs</b>	50 chairs, 20 tables
<b>Music</b>	Juke box with sound limiter
<b>Security Cameras</b>	7
<b>Security Personnel</b>	None
<b>ADA Compliant?</b>	Yes
<b>Employees</b>	12 full-time, 25 part-time
<b>Capacity</b>	72
<b>Emergency Exits</b>	3
<b>34<sup>th</sup> Precinct</b>	No concerns
<b>Community Comments</b>	
<b>Stipulations</b>	None
<b>Notes</b>	
<b>Committee Vote</b>	Yes: 5 (Diaz, Chung, Cruz, Dengel, Medina) No: Abstain: Not Voting:

3. Morelia Mexican Restaurant Inc. dba Made in Mexico – 3950 10th Avenue, (bet. W. 211th & W. 212th Streets.)

<b>Owner/Representative</b>	Kelvis Fernandez, Representative; Ismael Garcia, Owner
<b>Type of Establishment</b>	Mexican Restaurant
<b>Hours of Operation</b>	5 pm – 2am Saturday and Friday
<b>Tables/Chairs</b>	30 chairs and
<b>Music</b>	iPod
<b>Security Cameras</b>	32 security cameras, all over the Premise inside and outside
<b>Security Personnel</b>	2 outside security weekdays and 12 security on the weekends
<b>ADA Compliant?</b>	Yes
<b>Employees</b>	20 Employees
<b>Capacity</b>	167 person
<b>Emergency Exits</b>	1 on the front and 1 in the back
<b>34<sup>th</sup> Precinct</b>	The precinct has concerns with the double parking from the customers attending this location as well as the unlicensed sidewalk café which was open for several weeks but has since closed. Prior summons history: 1/1/15- after hours consumption, 3/7/15: Unreasonable noise, 9/4/15: unlicensed sidewalk café. No summons enforcement for 2016.
<b>Community Comments</b>	
<b>Stipulations</b>	Install sound limiter; meet with Councilman Rodriguez; meet with the 34 <sup>th</sup> Precinct.
<b>Notes</b>	In response to concerns regarding the parking situation, the management has entered into an agreement with a parking garage on 10 <sup>th</sup> Avenue to reserve up to 40 spots for their patrons.
<b>Committee Vote</b>	Yes: 5 (Diaz, Chung, Cruz, Dengel, Medina) No: Abstain: Not Voting:

4. 366 Audubon Corp. dba 67 Restaurant – 366 Audubon Avenue, (bet. W. 183rd & W. 184th Streets.)

<b>Owner/Representative</b>	Rabelo Genao Owner
<b>Type of Establishment</b>	Restaurant
<b>Hours of Operation</b>	Mon to Fri 8 am to 10 pm sat to Sun 8 am to 11 pm
<b>Tables/Chairs</b>	6 tables 20 chairs
<b>Music</b>	Jupas Villonera sound governor
<b>Security Cameras</b>	8 security cameras
<b>Security Personnel</b>	One security guards 6 pm into close
<b>ADA Compliant?</b>	Yes

<b>Employees</b>	5 employees
<b>Capacity</b>	40 to 48 per train
<b>Emergency Exits</b>	2 exits
<b>34<sup>th</sup> Precinct</b>	No concerns
<b>Community Comments</b>	
<b>Stipulations</b>	Meet with Councilman Rodriguez
<b>Notes</b>	
<b>Committee Vote</b>	Yes: 5 (Diaz, Chung, Cruz, Dengel, Medina) No: Abstain: Not Voting:

### ***Catering Establishment License***

#### 5. The Metropolitan Museum of Art – 99 Margaret Corbin Drive, Ft. Tryon Park

<b>Owner/Representative</b>	This operators did not attend the Committee meeting and asked to withdraw this application due to their unavailability to address any concerns that might arise. However, since there were no concerns from the Committee, the general public, the 34 <sup>th</sup> Precinct or Councilman Rodriguez, however, and attendance is not compulsory for renewal applicants, the Committee proceeded to vote on the application.
<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>34<sup>th</sup> Precinct</b>	
<b>Community Comments</b>	
<b>Stipulations</b>	
<b>Notes</b>	
<b>Committee Vote</b>	Yes: 4 (Diaz, Chung, Cruz, Medina) No: Abstain: Not Voting Due to Conflict: Dengel

### ***Corporate Change***

6. Rush Tapas Bar, Inc. dba SOJU Restaurant & Lounge – 586 W. 207th Street, (at the corner Vermilyea Avenue.)

<b>Owner/Representative</b>	Arelia Tavera, Ancelisel Portalian
<b>Type of Establishment</b>	Restaurant & Lounge
<b>Hours of Operation</b>	4 pm 4 am Tuesday to Sunday Monday Close
<b>Tables/Chairs</b>	2 large couches, 20 tables, 220 chairs
<b>Music</b>	DJ everyday 10 pm every night of the week
<b>Security Cameras</b>	13 security cameras
<b>Security Personnel</b>	One person every night from 10:30 to close
<b>ADA Compliant?</b>	Yes
<b>Employees</b>	4 Employees
<b>Capacity</b>	74 person
<b>Emergency Exits</b>	2 emergency exits
<b>34<sup>th</sup> Precinct</b>	No objections, but the Precinct noted that they are beginning to receive noise complaints from this general area (it is difficult to determine if this applicant is the source of the noise)
<b>Community Comments</b>	
<b>Stipulations</b>	
<b>Notes</b>	The change to be approved is the removal of one member of the corporation and the addition of another.
<b>Committee Vote</b>	Yes: 5 (Diaz, Chung, Cruz, Dengel, Medina) No: Abstain: Not Voting:

**C. NYC Department of Consumer Affairs Renewal of Unenclosed Sidewalk Café License:**

***Modification to Existing Sidewalk Café***

7. Sushi Vida Inc. dba Mamasushi – 237 Dyckman Street, (at the corner of Seaman Avenue.)

<b>Owner/Representative</b>	Susana/Carmen Osorio, Owner; Victor Santos, Representative
<b>Type of Establishment</b>	Sushi Vida Inc.
<b>Hours of Operation</b>	Monday, Wednesday and Thursday 12 pm 1 am Fri and Saturday 12 pm to 4 am
<b>Tables/Chairs</b>	7 tables, 13 chairs; the proposed change is to increase outdoor capacity to 48 chairs and 24 tables
<b>Music</b>	iPod/ DJ Tuesday Thursdays Friday Saturday and Sunday
<b>Security Cameras</b>	4 outside and 20 inside
<b>Security Personnel</b>	2 licensed security guards
<b>ADA Compliant?</b>	Yes
<b>Employees</b>	70 Employees

<b>Capacity</b>	189
<b>Emergency Exits</b>	2 exits door
<b>34<sup>th</sup> Precinct</b>	This applicant has met with the Precinct, which has no concerns
<b>Community Comments</b>	
<b>Stipulations</b>	None
<b>Notes</b>	
<b>Committee Vote</b>	Yes: 5 (Diaz, Chung, Cruz, Dengel, Medina) No: Abstain: Not Voting:

**D. NYC Department of Taxi & Limousine Commission Renewal of Livery Car Base License:**

8. First Class Car & Limousine, Inc. – 4980 Broadway, (at the corner of Seaman Avenue.)

<b>Owner/Representative</b>	Damian Rodriguez, President of the Corporation
<b>Type of Establishment</b>	Livery Car Base
<b>Hours of Operation</b>	7 Days/24 hours
<b>Number of Drivers</b>	350
<b>Parking arrangements</b>	~175 spots at Post Avenue and 211 <sup>th</sup> Street
<b>Discipline Committee?</b>	Yes
<b>Number of ADA-compliant vehicles</b>	5 available through agreement with third-party provider
<b>34<sup>th</sup> Precinct</b>	Were previously concerned about excessive honking around night clubs late at night, but this has significantly reduced since their meeting with the precinct 2 months ago.
<b>Community Comments</b>	
<b>Stipulations</b>	
<b>Notes</b>	
<b>Committee Vote</b>	Yes: 5 (Diaz, Chung, Cruz, Dengel, Medina) No: Abstain: Not Voting:

9. Riverside Radio Dispatcher – 1642 St. Nicholas Avenue, (bet W. 192nd & W. 193rd Streets.)

<b>Owner/Representative</b>	Elvin Marte, President
<b>Type of Establishment</b>	Livery Car Base
<b>Hours of Operation</b>	7 Days/24 hours
<b>Number of Drivers</b>	~350
<b>Parking arrangements</b>	Arrangement with nearby garage for ~175
<b>Discipline Committee?</b>	Yes
<b>Number of ADA-compliant vehicles</b>	6 owned by the base

<b>34<sup>th</sup> Precinct</b>	
<b>Community Comments</b>	
<b>Stipulations</b>	
<b>Notes</b>	
<b>Committee Vote</b>	Yes: 5 (Diaz, Chung, Cruz, Dengel, Medina) No: Abstain: Not Voting:

**E. NYC Department of Consumer Affairs New Unenclosed Sidewalk Café License:**

10. 203 Lena, Inc. dba Cocina Taller – 416 W. 203rd Street, (bet. 10th & 9th Avenues.)

<b>Owner/Representative</b>	Dario Oleaga, Owner; Ariel Ferreira, Representative
<b>Type of Establishment</b>	Restaurant and Bar
<b>Hours of Operation</b>	Sunday Thursday 5 pm to midnight Friday to Saturday 5 pm to 2 am. Sidewalk Café Hours of Operation Sunday – Thursday
<b>Tables/Chairs</b>	17 tables outside and 60 chairs 10 chairs outside Bar
<b>Music</b>	iPod music
<b>Security Cameras</b>	14 inside and 2 outside
<b>Security Personnel</b>	1 or 2 for event
<b>ADA Compliant?</b>	Yes (entrance and both bathrooms)
<b>Employees</b>	10 Employees
<b>Capacity</b>	74
<b>Emergency Exits</b>	2
<b>34<sup>th</sup> Precinct</b>	The Precinct requests a meeting with the applicant to discuss concerns regarding the hours of operation and pedestrian traffic and congestion.
<b>Community Comments</b>	
<b>Stipulations</b>	Meet with the 34 <sup>th</sup> Precinct; meet with Councilman Rodriguez
<b>Notes</b>	The 34 <sup>th</sup> Precinct requests a meeting with the applicant.
<b>Committee Vote</b>	Yes: 4 (Diaz, Chung, Cruz, Dengel) No: Abstain: Not Voting Due to Conflict: Medina

11. La Fiesta 95, Inc. dba La Pinata Mexican Cuisine – 711 W. 181st Street, (at the corner of Bennett Avenue.)

<b>Owner/Representative</b>	Arelija Taveras, Representative; Tatiana Martinez, Owner
<b>Type of Establishment</b>	Mexican Restaurant
<b>Hours of Operation</b>	Sun-Thurs 12 pm to 12 am
<b>Tables/Chairs</b>	24 tables, 48 chairs inside; proposed café: 10 tables, 20 chairs
<b>Music</b>	iPod/Pandora

<b>Security Cameras</b>	8 security cameras: 2 outside, 3 at the bar, 1 in the basement, 2 in the dining area; they will at 12 more
<b>Security Personnel</b>	None
<b>ADA Compliant?</b>	Yes
<b>Employees</b>	7 Employees 2 Employees in the front
<b>Capacity</b>	74
<b>Emergency Exits</b>	2 in front one in the Basement
<b>34<sup>th</sup> Precinct</b>	The Precinct requests a meeting with the applicant to discuss concerns regarding the hours of operation and pedestrian traffic and congestion.
<b>Community Comments</b>	
<b>Stipulations</b>	Meet with the 34 <sup>th</sup> Precinct; meet with Councilman Rodriguez
<b>Notes</b>	
<b>Committee Vote</b>	Yes: 4 (Diaz, Chung, Cruz, Dengel) No: Abstain: Not Voting Due to Conflict: Medina

#### **F. State Liquor Authority New Licenses:**

##### ***On-Premise Liquor License***

12. Park Terrace Café Corp. dba Cuevas Café – 5025-5035 Broadway, (bet. W. 214th & W. 215th Streets.)

<b>Owner/Representative</b>	Eddy Santos, Manager; Owner: Troy Braithwaite; Ariel Ferreira, Representative
<b>Type of Establishment</b>	Full Service Restaurant, Spanish Cuisine
<b>Hours of Operation</b>	
<b>Tables/Chairs</b>	1st floor: 9 tables, 18 Seats; Bar: 7 Seats, Mezzanine: 7 Tables, 14 Seats
<b>Music</b>	Recorded music
<b>Security Cameras</b>	
<b>Security Personnel</b>	
<b>ADA Compliant?</b>	
<b>Employees</b>	
<b>Capacity</b>	
<b>Emergency Exits</b>	



<b>34<sup>th</sup> Precinct</b>	<p>The Precinct noted that this location is once again in operation despite not having a license. Since March, the Precinct has received numerous complaints about noise specifically from this location.</p> <p>The Precinct is opposed to this application. When it operated most recently as Cavala Café, there was an extensive history of noise complaints, sales of alcohol to minors and unlicensed sale of alcohol. The history of enforcement is as follows:</p> <p>3/13/16: Arrest for Unlicensed bottle club  3/13/16: Arrest for sale of alcohol to a minor  1/27/16: Arrest for unlicensed bottle club  1/27/16: Summons for unlicensed bar &amp; failure to display License  7/17/15: Obstructed view into location, Unlicensed security guard summonses  2/27/15: Security guard violations for failure to maintain security guard license and failure to attend security guard training.  311 noise complaints:  2015: 189 noise complaints  2016: 18 noise complaints (most recently on 5/2/16 "Loud music from Cuevas Café".)</p>
<b>Community Comments</b>	
<b>Stipulations</b>	
<b>Notes</b>	The applicant has withdrawn the application from consideration by the Committee; the Committee has voted to ask the SLA to not consider any application from this business until and less they are afforded the opportunity to provide a resolution speaking to the same.
<b>Committee Vote</b>	Yes: No: 4 (Aldemar Diaz, Robin Cruz, Jennifer Chang, Gerard Dengel) Abstain: Not Voting: Isidro Medina

13. Blue Mountain Heights LLC. – 499 W. 158th Street, (at the corner of Amsterdam Avenue.)

<b>Owner/Representative</b>	Oral Walker, Owner
<b>Type of Establishment</b>	Restaurant and Bar
<b>Hours of Operation</b>	Monday to Friday 7 am to 3pm; Restaurant 5 pm to 11 pm daily; Bar 3 pm to 11 pm
<b>Tables/Chairs</b>	10 tables, 44 seats
<b>Music</b>	iPod with sound limiter
<b>Security Cameras</b>	4 cameras

<b>Security Personnel</b>	None
<b>ADA Compliant?</b>	Yes and the restroom as well
<b>Employees</b>	8 Employees
<b>Capacity</b>	78
<b>Emergency Exits</b>	2
<b>34<sup>th</sup> Precinct</b>	No comment
<b>Community Comments</b>	
<b>Stipulations</b>	The applicant has withdrawn the application from consideration by the Committee; the Committee has voted to ask the SLA to not consider any application from this business until and less they are afforded the opportunity to provide a resolution speaking to the same.
<b>Notes</b>	<p>This applicant has carried out construction work without a permit after said permit was denied by the Department of Buildings, does not seem to understand the permitting process despite the advice of Counsel and an architect and bickered with the Committee regarding the appropriateness of performing unlicensed electrical work, demolition and plumbing. After the Committee noted significant disapproval of the applicant's methods, the application was withdrawn from consideration.</p> <p>The Committee has voted to ask the SLA to not consider any application from this business until and less they are afforded the opportunity to provide a resolution speaking to the same.</p>
<b>Committee Vote</b>	Yes: No: 5 (Diaz, Chung, Cruz, Dengel, Medina) Abstain: Not Voting:

### ***Restaurant Wine License***

14. Cevicos Restaurant Corp. – 125 Nagle Avenue, (bet. Sickles & Arden Streets.)

<b>Owner/Representative</b>	Arelija Taveras
<b>Type of Establishment</b>	Latin restaurant
<b>Hours of Operation</b>	M-W, 8am-2am; Th-Sa, 8am-4am; Su, 8am-1am
<b>Tables/Chairs</b>	24 tables, 56 chairs
<b>Music</b>	
<b>Security Cameras</b>	15
<b>Security Personnel</b>	1 on weekends
<b>ADA Compliant?</b>	Yes
<b>Employees</b>	5
<b>Capacity</b>	74

<b>Emergency Exits</b>	2
<b>34<sup>th</sup> Precinct</b>	The Precinct requests that the ownership meet with them to discuss the method of operation and conduct a walkthrough of the location before they can give an opinion.
<b>Community Comments</b>	
<b>Stipulations</b>	
<b>Notes</b>	The applicant has withdrawn the application from consideration by the Committee; the Committee has voted to ask the SLA to not consider any application from this business until and less they are afforded the opportunity to provide a resolution speaking to the same.
<b>Committee Vote</b>	Yes: No: 5 (Diaz, Chung, Cruz, Dengel, Medina) Abstain: Not Voting:

15. 231 El Valle Seafood Corp. – 231 Sherman Avenue, (at the corner of W. 207th Street.)

<b>Owner/Representative</b>	
<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>34<sup>th</sup> Precinct</b>	The Precinct requests that the ownership meet with them to discuss the method of operation and conduct a walkthrough of the location before they can give an opinion.
<b>Community Comments</b>	
<b>Stipulations</b>	
<b>Notes</b>	The applicant has withdrawn the application from consideration by the Committee; the Committee has voted to ask the SLA to not consider any application from this business until and less they are afforded the opportunity to provide a resolution speaking to the same.
<b>Committee Vote</b>	Yes: No: 5 (Diaz, Chung, Cruz, Dengel, Medina) Abstain: Not Voting:

16. El Palacio Seafood Market Corporation – 520 W. 163rd Street AKA 1049 St. Nicholas Avenue, Store 2

<b>Owner/Representative</b>	No one appeared to represent this applicant, as is required by the Board for all new applications.
<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>34<sup>th</sup> Precinct</b>	
<b>Community Comments</b>	
<b>Stipulations</b>	
<b>Notes</b>	
<b>Committee Vote</b>	Yes: No: 5 (Diaz, Chung, Cruz, Dengel, Medina) Abstain: Not Voting:

17. Anchor Heights LLC. dba Anchor Heights Wine Bar – 575 W. 207th Street, (at the corner of Vermilyea Avenue.)

<b>Owner/Representative</b>	Owner Fabrizio Pellizzon
<b>Type of Establishment</b>	Italian Restaurant and wine bar
<b>Hours of Operation</b>	Sunday to Thursday 10 am to 1 am Friday and Saturday 10 am to 2 am
<b>Tables/Chairs</b>	11 tables / 47 chairs
<b>Music</b>	Recorded background music
<b>Security Cameras</b>	8 security cameras location entrance bar dining area kitchen basement
<b>Security Personnel</b>	None
<b>ADA Compliant?</b>	Yes
<b>Employees</b>	10
<b>Capacity</b>	70
<b>Emergency Exits</b>	2
<b>34<sup>th</sup> Precinct</b>	The Precinct requests that the ownership meet with them to discuss the method of operation and conduct a walkthrough of the location before they can give an opinion.

<b>Community Comments</b>	
<b>Stipulations</b>	Meet with the 34 precinct before May 24, 2016
<b>Notes</b>	
<b>Committee Vote</b>	Yes: 5 (Diaz, Chung, Cruz, Dengel, Medina) No: Abstain: Not Voting:

**G. New Business/Adjournment**