

Community Board 12 Licensing Committee

Minutes, Wednesday, January 20, 2016

Committee Members Present: Aldemar Diaz, Chair; Domingo Estevez; Priscilla Mota-Willis; Arlene Schulman; Luis Tapia

Committee Members Excused: Isidro Medina, Assistant Chair; Angela Sanchez

Committee Members Absent:

CB12 Members Present: Shah Ally, CB 12 Chair

CB12 Staff Members Present: Paola Garcia, Ebenezer Smith

Community Members Present: Nicole O'Brien, Nancy Preston, Stuart Wetanson, Haithem Oueslati, Angely Herrera, Jesus Perez, Shelly Price, Joe Irizarry, James Lee, Felix, Leyda, Arelia Taveras, Kiana Diaz

33rd Precinct Representative: Lieutenant Caraballo

34th Precinct: Lieutenant Warren Tom

Minutes: Arlene Schulman

A. Welcome and Opening Remarks – Aldemar Diaz, Chair. Meeting began at 7:10 pm.

B. State Liquor Authority Renewal Licenses:

On-Premise Liquor License

1. Mary K Mac Inc., doing business as Patrick's Dyckman Bar, located at 221 Dyckman Street between Seaman Avenue and Broadway

New or Renewal? License Type	Renewal On-premises Liquor License
Owner/Representative	Joe Irizzary, Owner
Type of Establishment	Tavern
Hours of Operation	Closed Monday; Tuesday through Thursday, 4 pm to 12 am; Friday and Saturday, 5 pm to 3 am; Sunday, 4 pm to 12 am
Tables/Chairs	9 tables and 25 chairs (no outdoor seating)
Music	iPod with speakers
Security Cameras	5 inside, 1 outside
Security Personnel	1, Friday and Saturday, 10 pm to 3 am
ADA Compliant?	Yes

Employees	10 employees, up to 4 per shift
Capacity	60
Emergency Exits	1
34th Precinct	No objections. This establishment has a good record, according to Lieutenant Tom. However, they were serving alcohol after scheduled closing time (midnight) on New Year's Eve. The bar received a summons and they have yet to appear before the judge. Lieutenant Tom considers this an isolated incident.
Community Comments	A community member said she was surprised because there have been no other incidents and that this could represent a change in "behavior."
Stipulations	None
Notes	The owner of the establishment stated that this was due to an error in scheduling manpower and that this was a first time offense.
Committee Vote	Yes: Ally, Estevez, Mota-Willis, Schulman, Tapia No: Abstain: Diaz Not Voting:

2. El Nuevo Jobo Restaurant & Bar Inc., located at 3915 Broadway at the corner of West 164th Street

New or Renewal? License Type	Renewal On-premises Liquor License
Owner/Representative	Juan Aria, Owner
Type of Establishment	Spanish
Hours of Operation	10 am to 3 am – 7 days a week
Tables/Chairs	16 tables, 32 chairs, 10 bar stools
Music	iPad
Security Cameras	13 cameras, inside 9, outside 4
Security Personnel	1, licensed
ADA Compliant?	Yes (Permanent ramp has been added at the entrance)
Employees	9
Capacity	74
Emergency Exits	2
33rd Precinct	No objections
Community Comments	None
Stipulations	None
Notes	No change to method of operation

Committee Vote	Yes: Diaz, Estevez, Mota-Willis, Schulman, Tapia No: Abstain: Not Voting:
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3. 565 West Side Café Corp., doing business as Cana Y Café Bar & Grill, located at 565 West 207th Street between Vermilyea and Sherman Avenues

New or Renewal? License Type	Renewal On-premises Liquor License
Owner/Representative	No one appeared to represent this applicant. (Attendance is not required for renewal applications.)
Type of Establishment	
Hours of Operation	
Tables/Chairs	
Music	
Security Cameras	
Security Personnel	
ADA Compliant?	
Employees	
Capacity	
Emergency Exits	
34th Precinct	No comments
Community Comments	None
Stipulations	None
Notes	
Committee Vote	Yes: Diaz, Mota-Willis, Schulman No: Abstain: Estevez, Tapia Not Voting:

4. Kiara Food Inc., doing business as Manolo Tapas Restaurant, located at 4165, 4167 and 4169 Broadway between West 176th and 177th Streets

New or Renewal? License Type	Renewal On-premises Liquor License
Owner/Representative	Jesus Perez, Owner
Type of Establishment	Spanish Tapas Restaurant
Hours of Operation	Monday through Thursday, 12 pm to 12 am Friday and Saturday, 12 pm to 2 am Sunday, 12 pm to 1 am
Tables/Chairs	15 tables and 62 chairs

Music	Recorded music (no DJ) Guitarist and singer, Saturday Solo jazz saxophone, Sunday
Security Cameras	22 cameras inside and outside
Security Personnel	None
ADA Compliant?	Yes
Employees	12
Capacity	72
Emergency Exits	3 (2 in basement, front entrance)
33rd Precinct	No objections
Community Comments	None
Stipulations	None
Notes	
Committee Vote	Yes: Diaz, Estevez, Mota-Willis, Schulman, Tapia No: Abstain: Not Voting:

Tavern Wine License

5. Taszo Coffee LLC., located at 5 Edward Morgan Place between West 157th and 158th Streets

New or Renewal? License Type	Renewal Tavern Wine License
Owner/Representative	Haithem Oueslati, Owner
Type of Establishment	Espresso & wine bar
Hours of Operation	7 am to 10 pm weekdays 7 am to 11 pm weekends
Tables/Chairs	35-40 chairs, 10 tables plus 1 large communal table
Music	iPod, live music (up to 3 musicians once or twice a month)
Security Cameras	7
Security Personnel	None
ADA Compliant?	Not possible given configuration (six steps leading to entrance)
Employees	8 to 10
Capacity	60
Emergency Exits	1
33rd Precinct	No objections
Community Comments	None
Stipulations	None
Notes	The applicant indicated that he would like to extend his hours of operation until midnight. He was advised to apply for a change in method of operation, since a renewal application assumes an identical method of operation.

Committee Vote	Yes: Diaz, Estevez, Mota-Willis, Schulman, Tapia No: Abstain: Not Voting:
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Corporate Change

6. Broadway & 166th LLC., doing business as Dallas BBQ, located at 3956 Broadway at the corner of West 166th Street

New or Renewal? License Type	Corporate Change (On-Premise Liquor Licensee)
Owner/Representative	Stuart Wetanson, Owner
Type of Establishment	BBQ restaurant
Hours of Operation	Sunday through Thursday, 11 am to 11 pm; Friday, 11 pm to 1 am; Saturday, 12 pm to 1 am
Tables/Chairs	Indoors, 53 tables and 166 seats Outdoors, 19 tables and 42 seats
Music	Piped
Security Cameras	16 (14 inside and 2 outside - 1 on Broadway, 1 on 166 th Street)
Security Personnel	1 off-duty NYPD officer, Friday, Saturday, and Sunday
ADA Compliant?	Yes
Employees	95
Capacity	175 inside, 42 outside
Emergency Exits	4 (3 upstairs in back of kitchen, corner of building, and in enclosed café area, and 1 downstairs in back of storage area)
33rd Precinct	No objection
Community Comments	None
Stipulations	Councilman Rodriguez has requested a meeting and the applicant has agreed in writing to arrange one as soon as possible. (The Committee did not request compliance with this prior to the general meeting, as it is only three business days away.)
Notes	Currently, all of the 10 Dallas BBQ restaurants are separate LLCs, although they are run as one family company. They are merging into one holding company and restructuring to incorporate additional members of the family and to allow for a new ESOP (Employee Stock Ownership Plan). The method of operation will remain the same.
Committee Vote	Yes: Diaz, Estevez, Mota-Willis, Schulman, Tapia No: Abstain: Not Voting:

7. Vida Café Inc., doing business as Mamajuana Café, located at 243-249 Dyckman Street between Payson and Seaman Avenues

New or Renewal? License Type	Corporate Change (On-Premise Liquor Licensee)
Owner/Representative	Victor Santos, Co-owner
Type of Establishment	Restaurant and Lounge
Hours of Operation	Monday through Thursday, 3 pm to 1 am Friday, 3 pm to 4 am Saturday and Sunday, 11 am to 4 am
Tables/Chairs	Inside: 50 tables, 100 chairs Outside: 44 tables, 88 chairs
Music	iPad and DJ
Security Cameras	24 (3 outside, 21 inside)
Security Personnel	4, Friday through Sunday
ADA Compliant?	Yes
Employees	40, full-time
Capacity	150
Emergency Exits	2 in front, 1 at the back
34th Precinct	No objection
Community Comments	Councilman Rodriguez supports this application.
Stipulations	None
Notes	Victor Santos is selling some of his shares in the corporation to Carmen (Susana) Osorio; she will own 90% of the outstanding shares, and the remaining shareholders will own 10%.
Committee Vote	Yes: Diaz, Estevez, Mota-Willis, Schulman, Tapia No: Abstain: Not Voting:

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

8. International Drink Group Inc., doing business as Buddha Beer Bar, located at 4476 Broadway between Fairview Avenue and West 193rd Street

New or Renewal? License Type	Renewal Unenclosed Sidewalk Café License
Owner/Representative	James Lee, Owner
Type of Establishment	American Craft Beer Bar
Hours of Operation	Monday through Thursday, 12 pm to 1 am Friday and Saturday, 12 pm to 2 am Sunday 12 pm to 1 am
Tables/Chairs	52 inside; outside, 5 or 6 tables and 10 or 12 chairs
Music	iPod

Security Cameras	12
Security Personnel	Friday and Saturday, 1 licensed security guard
ADA Compliant?	Yes
Employees	8 full-time, 10 part time
Capacity	65
Emergency Exits	1 fire exit at front
34th Precinct	No objections
Community Comments	None
Stipulations	Meet with Councilman Rodriguez
Notes	
Committee Vote	Yes: Diaz, Mota-Willis, Schulman, Tapia No: Abstain: Not Voting:

D. State Liquor Authority New Licenses:

On-Premise Liquor License

9. The Pandering Pig, Inc., doing business as The Pandering Pig, located at 209 Pinehurst Avenue at the corner of West 187th Street

New or Renewal? License Type	New On-Premises Liquor license
Owner/Representative	Nicole O'Brien, Owner
Type of Establishment	Bar and Restaurant
Hours of Operation	Tuesday through Sunday, 4 pm to 12 am Closed Monday
Tables/Chairs	7 tables and 1 large communal table, 24 seats, 4 bar stools
Music	iPod and CD player
Security Cameras	4 (1 outside, 3 inside)
Security Personnel	No
ADA Compliant?	Yes
Employees	8
Capacity	40
Emergency Exits	1
34th Precinct	The 34 th Precinct requested a meeting to discuss the method of operation.
Community Comments	None
Stipulations	Meet with Councilman Rodriguez and the 34 th Precinct.

Notes	<ul style="list-style-type: none"> The owner has lived in the neighborhood for 12 years, is raising children here and is active in her church and school communities. She intends to open this restaurant by February 14th (or March 1st, at the latest) with a focus on fine dining and a desire to give back to the community. Location history: Bistro 209 and Rusty Mackerel were formerly at this address.
Committee Vote	Yes: Diaz, Mota-Willis, Schulman, Tapia No: Abstain: Not Voting:

10. Bakare Restaurant & Lounge Inc., located at 524 West 207th Street between Post and Sherman Avenues

New or Renewal? License Type	New On-premise Liquor License
Owner/Representative	Francis Garcia, Manager; Arelia Taveras, Representative
Type of Establishment	Spanish Fusion Restaurant and Lounge
Hours of Operation	4 pm to 4 am, 7 days a week
Tables/Chairs	12 tables, approximately 36 chairs, 10 bar stools
Music	Recorded music, DJs Thursday through Saturday night and on Sunday (for brunch service)
Security Cameras	15
Security Personnel	3 to 4
ADA Compliant?	Yes
Employees	6 to 8
Capacity	80 (They have applied for the requisite FDNY permit accommodating the increased capacity.)
Emergency Exits	2 (front and rear)
34th Precinct	<ul style="list-style-type: none"> This location was open on New Year's Eve and operating without a license. Lieutenant Tom said he was shocked to see this establishment open, as he had not been informed about a new business being approved here, and there was no signage identifying the business. A woman at the premises, whom Mr. Garcia has identified as the manager, Denicia Mena, falsely claimed to be the owner of the establishment when the police inquired. The police ordered the applicant to cease and desist from selling alcohol due to the lack of proper licensing, and that order appeared to have been obeyed. However, when the Lieutenant visited the location again, he noticed that alcohol, which cannot be stored legally with a retail license or warehousing permit, was still being

	<p>kept at the bar. The applicant was then ordered to remove any and all liquor from the premises, which appears to have been done.</p> <ul style="list-style-type: none"> • The previous establishment at this location, Clara de Luna, had an extensive history of noise complaints and after hours consumption of alcohol.
Community Comments	<p>Community members present were concerned that this establishment was opened without a liquor license, that enforcing the relevant laws at establishments like this places additional strain on resources that could be required elsewhere in the District, and that approving this license conditionally may be a mistake, as waiting two years until the first license renewal to revisit this is too long a time.</p>
Stipulations	None
Notes	<ul style="list-style-type: none"> • This is the only establishment owned by German Hernandez, who purchased this business from Pablo Amparo and was not present at the Committee meeting. • During questioning, the manager stated that the last time this business was open was on October 31st, making no mention of the New Year's Eve incident which would later be described by the police. He stated that he had been misled into believing that the premises were indeed licensed by the applicant's attorney, who turned out to be an accountant offering legal advice without a law license. However, the license certificate presented to the police, in addition to belonging to the previous owner, was also expired. • The representative stated that the manager was an honest man who had learned from his mistakes and was just following orders, but the Committee Chairman expressed concern about a manager who is unable to distinguish between legal and unlawful orders and about a proprietor who does not seem to understand the simplest mandate under the ABC law – that any business is prohibited from serving alcohol without a proper license – and leaves little reason to believe that any of the other extensive requirements of the law will be met. Other committee members also had serious reservations regarding this transgression. • If this license is granted, the applicant expects to open at the end of February.
Committee Vote	<p>Yes: No: Diaz, Estevez, Mota-Willis, Schulman, Tapia Abstain:</p>

	Not Voting:
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11. D' Sports Bar Billiards Corp., located at 3775 10th Avenue between West 202nd and 203rd Streets

New or Renewal? License Type	New On-Premises Liquor License
Owner/Representative	Arelija Taveras, Representative
Type of Establishment	The applicant has withdrawn this application to allow for additional work on the floor plans, which were incomplete when they were presented to the Committee in November of 2015.
Hours of Operation	
Tables/Chairs	
Music	
Security Cameras	
Security Personnel	
ADA Compliant?	
Employees	
Capacity	
Emergency Exits	
34th Precinct	
Community Comments	
Stipulations	
Notes	
Committee Vote	Yes: No: Abstain: Not Voting:

Restaurant Wine License

12. Vinifera Wine Room Inc., located at 3775 10th Avenue between West 202nd and 203rd Streets

New or Renewal? License Type	New Restaurant Wine License
Owner/Representative	Johanna Lopez
Type of Establishment	Tapas Restaurant
Hours of Operation	2pm to 2 am, 5 days a week 2pm to 3 am, Friday and Saturday
Tables/Chairs	13 tables, 66 chairs
Music	iPod and up to 3 live musicians nightly
Security Cameras	8 (2 outside, 6 inside)
Security Personnel	Special events only (birthday parties, political meetings and other events)
ADA Compliant?	Yes

Employees	10
Capacity	80
Emergency Exits	1
34th Precinct	<ul style="list-style-type: none"> • The 34th Precinct expressed serious concerns about the saturation in the area with so many people exiting several businesses, including Cliff and other nightclubs behind this building, at around the same time. • The Lieutenant noted that stipulations are difficult to enforce and that the NYPD can only report violations thereof to the SLA, which would investigate and take action if warranted. • It was suggested that the owner maintain regular communication with the Precinct's Neighborhood Coordinating Officers and she agreed to do so.
Community Comments	Some members of the community are concerned about saturation in this area. It was noted that at meetings with State Senator Adriano Espaillat, Dyckman Houses residents have complained of noise and parking spaces being taken up by nightclub patrons.
Stipulations	<ul style="list-style-type: none"> • Meet with Councilman Rodriguez • Not hire a DJ at any time • Establish an agreement with a local parking garage to provide spaces for Vinifera patrons • Operate no later than 3 am Friday and Saturday • Hire at least one security guard until closing time on Friday and Saturday
Notes	<ul style="list-style-type: none"> • This establishment will be located on the site of the former El Mundo Department Store. The space has been divided into three slots for establishments; another will also be a restaurant, and the third is a proposed billiard hall. • The representative indicated that this establishment could be a source of employment for neighborhood residents. • One committee member noted that there's great potential for the drain of police resources in this area, which could present a safety issue for the greater community.
Committee Vote	Yes: Diaz, Estevez, Mota-Willis, Tapia No: Schulman Abstain: Not Voting:

13. 4455 Restaurant Group Inc., located at 4455 Broadway between Fairview Avenue and West 193rd Street

New or Renewal? License Type	New Restaurant Wine License
Owner/Representative	Angely Herrera
Type of Establishment	Brick oven pizza restaurant
Hours of Operation	Monday through Friday – 12 pm to 12 am Saturday and Sundays – 11 am to 12 am
Tables/Chairs	18 tables, 44 chairs
Music	iPad, DJ for occasional family events
Security Cameras	8 (3 outside, 5 inside)
Security Personnel	If required
ADA Compliant?	Yes (A ramp and handicapped restroom will be included)
Employees	15 to 20
Capacity	74
Emergency Exits	2 (front door and in basement)
34th Precinct	The precinct has concerns about this location, which was previously operated as Apt. 78. The previous owner was arrested on New Year's Eve after keeping the business open past closing hours without a New Year's permit and inciting a riot. Lieutenant Tom stated that the Precinct should have no objection to this application as long as the new management has no ties to the old.
Community Comments	None
Stipulations	Meet with Councilman Rodriguez
Notes	The applicant stated that she does not intend to seek an on-premises liquor license and that this establishment will replace Apt. 78 with "a family friendly vibe.". She is the sole proprietor, has no relationship with the previous operator, and intends to open in mid-March.
Committee Vote	Yes: Diaz, Estevez, Mota-Willis, Schulman, Tapia No: Abstain: Not Voting:

Eating Place Beer License

14. Seaflower Fish Market Inc., located at 4127 Broadway between West 174th and 175th Streets

New or Renewal? License Type	New Eating Place Beer License
Owner/Representative	This applicant failed to appear before the Committee, as is required for all new license applications.
Type of Establishment	
Hours of Operation	
Tables/Chairs	

Music	
Security Cameras	
Security Personnel	
ADA Compliant?	
Employees	
Capacity	
Emergency Exits	
33rd Precinct	
Community Comments	
Stipulations	
Notes	
Committee Vote	Yes: No: Diaz, Mota-Willis, Schulman, Tapia Abstain: Estevez Not Voting:

E. New Business/Adjournment

The Committee briefly discussed revising the applicant questionnaire. Aldemar will distribute a draft and solicit suggestions from the Committee members.

Meeting adjourned at 10:10 pm.