

BROOKLYN COMMUNITY BOARD 6
ENVIRONMENTAL PROTECTION/ PERMITS/LICENSES COMMITTEE
SEPTEMBER 24, 2012

PRESENT:

E. ANDERSON
N. DUTTA
S. LONIAL
R. MYERS
M. SILVERMAN
D. YESKEL

P. BLAKE
H. FEDER
S. MILLER
T. REEVES
L. SONES

D. BRAVO
G. KELLY
T. MISKEL
G. REILLY
B. STOLTZ

EXCUSED:

H. FEDER

S. GROSS

M. SHAMES

ABSENT:

H. LINK

L. PINN

GUESTS:

P. BELLENBAUM
L. HAMDAN
C. STONE
R. FELLAH
J. WRIGHT
J. BELT
K. BARRERA
N. HUMPHREY
B. WALLACE
I. RIVERA
J. SCHNAPP

A. SCHER
C.E. THOMAS-DICKS
D. BELT
B. FELLAH
D. CROWELL
R. VORIG
B. MARTINEZ
P. RAYMOND
R. VEKSLER
E. RADKE

S. WEISS
E. DICKS
C. GRUNING
B. SULLIVAN
T. TRAVELSTEAD
C. MILLER
J. BALTZ
D. REYNOLDS
G. DILORETO
J. QUINN

*****MINUTES*****

The meeting was called to order at 6:45pm. There were 13 members present for a quorum at the beginning of the meeting. Additional members arrived after the start of the meeting.

Presentation and review of an unenclosed sidewalk café permit application renewal submitted to the Department of Consumer Affairs on behalf of TSM Restaurant LLC at 524 Court Street (between Nelson/Huntington Streets) to permit 8 tables and 16 seats.

Lou Sones asked how many seats inside?

A: 60-65 seats.

Applicant will agree to CB6 outdoor hours.

Bette Stoltz asked if there were any complaints?

A: None on file.

A motion was made by Regina Myers, seconded by Glen Kelly, to approve the renewal.

MOTION APPROVED: UNANIMOUSLY

Presentation and review of an unenclosed sidewalk café permit application renewal submitted to the Department of Consumer Affairs on behalf of Stone Park Corner LLC at 324 5th Avenue (between 2nd /3rd Streets) to permit 11 tables and 22 seats.

10 tables and 25 seats

Indoor capacity 70-75 people

Renewal – no layout changes in 8 years – all seats are on 3rd Street

The Chair, Gary Reilly said there were no complaints on file.

Application is for 11 tables and 22 seats

Glenn Kelly said 75 seats would exceed their maximum occupancy. A motion was made by Lou Sones, seconded by Bette Stoltz, to approve the application.

MOTION APPROVED: UNANIMOUSLY

Presentation and review of a new on-premises liquor license application submitted to the State Liquor Authority and a new Cabaret license application submitted to the Department of Consumer Affairs, on behalf of Forty-Forty No More enterprises, Inc. dba Con Amor Cabaret at 18 Commerce Street between (Columbia/Richards Street).

Cynthia Thomas, the applicant, and her attorney Stacey Weiss were present. They are requesting a liquor and cabaret license for live entertainment, comedy, burlesque, improve, jazz and R&B. The Attorney gave a packet to the committee – they have over 500 signatures in support.

Community member says numerous people here today from the “immediate vicinity” are opposed. The location has been problematic in the past – fights, urination, etc. The landlord has rented property to several bad tenants. The attorney for the applicant was also counsel for Paris Burlesque which failed. He does not trust the landlord. An applicant told community members he had run a topless club. Concerned about his property value and loss of sleep.

Resident at 376 Columbia Street said the sound from the last occupant was problematic – needs double door because of the bass noise – it goes through the brick. Prior occupant promised double doors but never did it. He also stayed open later than permitted by CB6.

Regina Myers asked if they notified their neighbors.

A: Applicant said they posted in newspaper and distributed 500 flyers.

Glenn Kelly said now is third attempt to open a club in this location.

Attorney said Paris was mismanaged and it “failed miserably.”

Lou Sones said some residents did not get a flyer for tonight. What has owner managed prior to this?

A: Did dance parties for over 30 years. Wife and he owned a club on Flatbush Avenue for 5 years with only one Police incident in which he was stabbed by a patron. It was a bar/club with live entertainment and comedy. He has also managed strip clubs. Should not have to defend prior owner and failure. Has a retired detective hired to run their security.

Bette Stoltz asked what Community Board was his old establishment in?

A: Applicant would welcome us to check his record with Police and CB2.

Regina Myers asked if the servers are topless?

A: Applicant said see pictures in packet.

Community member around the corner: there is no parking – will increase traffic. Certain type of people will go to club and there will be problems – fights, urination outside.

Community member – landlord is the problem. Children and infants live on the street and windows face the club.

Applicant: She is retired educator from DOE. Concerned about children and wants to respect and build relationships with neighbors.

Community member: Red Hook resident and burlesque dancer, but prior and current applicant is using burlesque to do stripping. Who have they worked with in the burlesque community? The last applicant said the same thing about what business would be. She worked a few times in Paris and it was shady.

Community member: expects fights, drugs and noise. Born and raised in neighborhood and doesn't want drugs in the community.

Pauline Blake asked where the 500 signatures were gathered and when? Not all are local.

A: Applicant said sheets are dated and gathered on local streets and park around Columbia, Van Brunt, near public housing and supermarket, etc.

Pauline Blake asked what are the proposed operating hours?

A: Applicant – 4pm to 4am – 7 days a week.

Steven Miller asked why burlesque? Seems like a place for people to go after Atlantic Yards to do something risqué. Is burlesque central?

A: Applicant – want option to do burlesque regularly. It is part of business – also comedy and fashion shows – but people only talk about burlesque.

Sayar Lonial said the 200 foot rule is checked “No” but a parish is 0.2 miles away.

A: Applicant said 0.2 miles is more than 200 feet. (0.2 miles = 1,056 feet)

Regina Myers asked how did applicant get into this field after being an educator?

A: He was part owner of an establishment before and now retired with more time.

Glenn Kelly asked about the status of Studio 243?

A: It is out of business – bought by a developer and a large building there.

Lou Sones: This has been tried before – the mix of entertainment and it failed. Why will they succeed?

A: He has experience with nightclubs for 34 years. Has booked jazz acts “some years ago” at Studio 243. He has event planners who are agents for live acts and they will book entertainment. As far as burlesque, he is not in that community but knows people who have performed.

Applicant’s security manager was commander for NYC Vice and shut down bad clubs. Understands how venues work. He is an authorized monitor for NYPD legal division. He has not had problems with the applicant in his history. His firm does security for clubs and understands sound concerns. Applicant’s crowd is not a loud music crowd – more talking with jazz, orderly – civil service employees. This has been the applicant’s past clientele.

Glenn Kelly: Would they come back to us with more information, more specifics on performers? Need more to feel confident. Would they meet with the community?

Community member: Did club security and doesn’t see need for them to be open 4pm to 4am – 7 days a week.

Glenn Kelly: If we table meeting on application, we would get more info on prior violations at this location but this is a new applicant.

Pauline Blake: Would urge applicant to withdraw and come back with details and better hours.

Lou Sones: for 4pm to 4am to work, the business must be pretty full – business may not work with shorter hours. Would their business plan permit success with shorter hours?

A: They will withdraw to meet with community. Attorney will be in contact with CB6 before they resubmit.

APPLICATION WITHDRAWN

Presentation and review of a new on-premises liquor license application submitted to the State Liquor Authority on behalf of Inches Wide LLC at 521 Hicks Street between (Kane/Degraw Streets).

Applicant – Robert Veksler: opening a restaurant – beer, wine and liquor. He has been a tenant there for 3 years with a store there, lived in the community since 1995 and grew up working in his parent’s restaurant.

- 500 square foot space
- Gastro-pub, burgers – inexpensive.
- Chill neighborhood place to hang out – no outdoor space or roof or sidewalk
- Does not have full kitchen, working on a grill or electrical kitchen.
- Friend is a chef and helping with menu

Glenn Kelly said this is not a commercial space – it is grandfathered. Only sees 16 seats – wants to be sure it is not just a bar.

Applicant – should hold at least 30 people. Corner of Degraw Street on Cobble Hill side of Hicks Street.

Chair, Gary Reilly: a member of CB6 vouched for this applicant and his character – letter in the package.

Lou Sones: Did he flier neighborhood?

Applicant: yes

Steven Miller: This looks like a bar, why isn’t it?

Applicant: The neighborhood is about food and just a bar will not succeed. He will have food, for sure.

Lou Sones: SLA makes it very difficult to get a license if you do not have food.

Regina Myers made a motion to approve seconded by Bette Stoltz.

Harry Feder: Are there other commercial establishments in the area?

A: There is a bodega, not much else, not of this nature.

Chair Gary Reilly: Supports this – can make block feel less desolate and improve area.

Dominique Bravo: What does he do in the space?

Applicant: Was doing hydroponic gardening.

VOTE: 13.....YEAS 1.....NAY
MOTION PASSED

Presentation and review of a new on-premises liquor license application submitted to the State Liquor Authority on behalf of Duke of Montrose at 47 5th Avenue between (St. Marks Avenue/Bergen Street).

- Scottish whiskey bar and food
- Have a place in Manhattan called Patagonia
- Scottish food will be served
- Wants to transform spot which was a furniture store
- Next to restaurant Melt
- Residences half a block away

Lou Sones: Hours?

Applicant: Until 4am but will likely close early – 1 or 2am some days.

Lou: Would he close early on Sunday and Monday?

Applicant: No. Because of holidays – could be any day.

Pauline Blake: Area is heavily populated with liquor licenses – isn't it over-saturated?

Applicant: There are several up and down adjacent blocks and on Flatbush Avenue. Does not expect problems from SLA getting approved.

Pauline: How far from church?

Applicant: Thinks 4-5 blocks. Hasn't filed SLA application yet.

Neena Dutta: How many floors?

Applicant: There is a temporary mezzanine floor they will take out.

Steven Miller moved to approve with a 2am closing time, seconded by Tom Miskel.

Sayar Lonial: Limitation of hours to 2am sets them for failure and opposes motion.

Pauline Blake: In favor of motion. After 2am – too rowdy – will lose sleep and we need hours that are shorter.

Harry Feder: Inclined to support.

Steven Miller: we have asked several bars in the area to close at 2am.

David Yeskel: Need to be consistent with hours.

Glenn Kelly: Supports motion. Barclays changed rules. We have to do what is best for the community – not what seems “fair.”

Chair: Concerned about unofficial precedent of a 2am limit. Playing field should be fair. Our decision could be challenged as arbitrary.

Matt Silverman: Makes sense to have longer hours closest to arena, if shorter, people will leave and spill out into areas further from arena.

Lou Sones: Need to handle applications case-by-case. This is a small place, not a nightclub. Opposes motion.

Dominique Bravo: Also against motion. There are few houses around.

VOTE: 4.....YEAS 10.....NAYS

New motion to approve as presented:

VOTE: 12.....YEAS 2.....NAYS

Continued review of a new on-premises liquor license application submitted to the State Liquor Authority on behalf of The Royal Palms Shuffleboard club at 514 Union Street (between Nevins Street/3rd Avenue).

Resubmitted application for liquor license – was withdrawn last month.

Applicant’s attorney: Have outlined more concessions to community and obtained more signatures and letters of support

New hours/offer: Last Call: 11:45pm – 12 close on weekdays
Last Call: 1:45am – 2am close on weekends

Capacity: 300

General Manager and Floor Manager present and spoke about their experience with multi-use and large establishments.

Security – licensed and bonded company and Proserve, run by a former NYPD vet who will consult on security, crowd control, transportation.

Soundproofing – they are committed to doing it properly with an acoustical engineer.

Roof – all plans scrapped indefinitely. If any plans in future they would come to us. Not “in the cards” now.

Smoking: will have an internal courtyard that would keep people inside the property, but outdoors.

General Manager, Jared Lewis: restaurant and bar business professionally 18 years, owns 2 restaurants in Brooklyn CB2. He will do all operations planning. He has a restaurant on a brownstone block, so knows how to work with and be respectful of neighbors.

Ashley Lewis, Floor Manager: 10 years experience with multi-use venues and hotels in NYC. Managed restaurant, bar, lounge and terrace.

Applicant: space is 17,000 Sq. Ft. – when consider space that courts, courtyard, restrooms take up, it is not as large as it seems.

Glenn Kelly: Food truck vs. restaurant?

Applicant: Food truck is concept, they will drive in.

Q: Vestibule for queuing looks small?

A: Space will hold the line.

Regina Myers: concerned about comparisons to Brooklyn Bowl in that setting space for lanes is not for standing. Shuffleboard space can be free-for-all. Why would they not allow people to stand and rink on courts?

Applicant: Courts have small glass beads, people are not supposed to stand around on them. It is like a bowling alley in that way.

Harry Feder: Can we hear from audience about what disputes remain? What is status of opposition?

Pauline Blake: The concerns raised last time including the applicant's lack of experience and their manager have not run this type of facility.

Applicant: This is only venue of this type so it's unique. Their manager knows large venues, people and restaurants.

Community representative, Peter Raymond, group called "Union Organizers".

- Concerns are not about shuffleboard
- Several meetings with applicants have taken place
- Community felt that applicants are naïve
- What is connection of liquor to shuffleboard in business model? – We're told liquor is necessary for business to succeed, so they see it as a bar.
- Need a buffer between last call and closing to avoid rush onto street.
- Roof issue resolved for now.

Harry Feder: Confused as to whether negotiations successful? What has not been agreed to?

Peter Raymond: The "buffer zone" is major remaining issue.

Community member: Her business does recycling and she supports this application, thinks this is good for the Gowanus community. Good for local economy and job creation. They will be good neighbors.

CM: David Belt – on Carroll St. and Nevins – a block from site – lives with children. Brother also in area with kids. Was concerned and spoke with applicants and is convinced this would be dynamic and special place for community. He is on board of soup kitchen in Brooklyn and cares for community. Applicants have addressed all concerns.

CM: Resident with store on Smith Street. As a small business owner, she supports this plan. It is not just a big bar it's a venue with something to do.

Community Group: It is a bar with shuffleboard and would really like to see a buffer-zone. They could also have a cover charge redeemable for shuffleboard only to get people there who want to play.

Trudy Reeves: Do they have to come back for roof use?

Chair: Yes, it would require a new application.

Bette Stoltz: Glad applicants have worked out many issues. Would they limit events to not rent out to private parties after 6pm.

Steven Miller: This committee works hard to assess applications on their merits. Has lingering concerns about bar vs. shuffleboard venue. Since only 40 people can play at once, revenue source is liquor. Can they expand buffer time?

Applicant: Can't close bar at 10pm - no other bars in area close at that hour.

Matt Silverman: Support with a longer buffer of 30-45 minutes.

Eric Anderson: Fact that they need liquor revenue doesn't negate the legitimate purpose of shuffleboard.

Chair: Commends applicant on their work with community. 15 minutes is a short buffer. 30 minutes last call may work and has worked other places. He noted this is an interesting use that is new to the neighborhood.

Sayar Lonial: Great work between applicant and community. A great establishment is not activity vs. a bar it's the experience going there. It's drinks and shuffleboard – it's not one or another.

Paige Bellenbaum: Member of CB6 – knows applicants well, helped raise her kids. She trusts them 100%. She wants to be able to go to an establishment like this. It's a creative and great idea.

Glenn Kelly: This presentation is better but 15 minute buffer is too short. He would like it to be at least a half an hour.

Lou Sones: a half hour buffer is plenty of time and necessary. Small bar can do 10 or 5 minutes. Half hour is most we should ask or we hurt the business model.

Harry Feder: Will applicants agree to closing hours as negotiated with last call 30 minutes before close? 11:30pm weekdays – 1:30am weekends

Regina Myers: Concerned about the size and noise inside, rock concerts?

Applicant: Would not be that type of loud music – more background or to raise energy inside.

Applicant stipulates to all changes in the email with community.

Motion by Gary Reilly, seconded by Eric Anderson: Sunday – Wednesday – close at 12:15am. Thursday – Saturday – close at 2:15am with 30 minute buffer for last call.

Given concerns made, the 30 minute buffer with 15 minute – later closing time is reasonable.

Lou Sones' community does not want time added to closing. The 15 minute extra of buffer won't hurt the business. Keep original closing time.

VOTE: 9.....YEAR 6.....NAYS 1.....ABSTENTION

Minutes of the last meeting – Motion was made to approve. Matt Silverman noted his name was misspelled and incorrectly listed as Matt Ruiz on pages 3 and 5 of the minutes.

MOTION PASSED: UNANIMOUSLY

The meeting was adjourned at 9:35pm. The minutes were submitted by Matt Silverman.