

**Community Board 1**  
**December 17, 2013**

Mr. Vinicio Donato, Chairperson of Community Board 1, commenced at 7:00 p.m. by introducing public hearing item from Department of Consumer Affairs (DCA), Mr. Joseph Risi, Chair of the Consumer Affairs Committee, read the item #1511-2013 ASWC—Premises 34-19 30<sup>th</sup> Ave. (Shady Lady). An application to establish an Unenclosed Sidewalk Café with 14 tables and 36 seats. Mr. Solas Pappas, owner came up on behalf of the application. Mr. Risi asked How long have they been in operation. Mr. Pappas stated that they have been in business since the middle of February 2013. Mr. Risi asked what their hours of operation are and what type of establishment they have. Mr. Pappas stated that they are currently doing dinner and they are open on Thursday from 5pm to 12 midnight and Friday and Saturday from 5pm to 2am. Mr. Risi asked if they have a liquor license. Mr. Pappas replied “Yes”. Mr. Risi stated that the committee was concerned about the number of tables and chairs on 30<sup>th</sup> Avenue. There seems to be 11 tables and 22 chairs on 30<sup>th</sup> Avenue. The Board would request that you delete the outside row of tables and chair which consist of 5 tables and 10 chairs on 30<sup>th</sup> Avenue leaving 13 tables and 26 chairs on their application. He asked if Mr. Pappas would agree to amend their application. Mr. Pappas stated that when they applied for their liquor license they amended their application as per the Boards request to 36 chairs. Mr. Pappas replied “Yes.” Mr. Donato asked if there was anyone on the Board who has a question for the applicant. There was no one. Mr. Donato asked if there was anyone in the audience who wanted to speak for or against the application. Seeing no one. Item closed.

The next item an application to operate a Cabaret at 33-12 36<sup>th</sup> Avenue. (S & B Lifestyles). Mr. Kerry Katsorhis stated that his client is applying for a cabaret license to operate an eating and drinking establishment with entertainment and dancing. His chief of security is also present to address any concerns that anyone has. They have obtained their liquor license. Mr. Risi asked if S & B Lifestyle Inc. the same entity that executed a stipulation with CB1 on August 27, 2012. Mr. Katsorhis replied “Yes”. Mr. Risi stated assuming that the terms of that agreement in the time to meet certain conditions connected with their liquor license. Some of the condition were not to allow use of the premises to outside promoters, to provide adequate security personnel to be present at the premises at all time that the premises is open, to prohibit the use of the sidewalk or rear yard for any purpose, to play live or recorded music at a moderate volume, use reasonable efforts to maintain the sidewalk incurred in front of the premises in broom clean condition, to use reasonable efforts to ensure that people respect the residential character of the neighborhood, to use reasonable efforts to disburse congregation of groups or patrons on the sidewalk , and at no time whatsoever to permit the premises to be used for topless or adult entertainment is that true. Mr. Katsorhis replied “Yes”. Mr. Risi asked him to give the Board an idea why his client needs a cabaret license. Mr. Katsorhis stated that it is necessary if you want some dancing and maybe some entertainment that people would enjoy a license is required. In addition, they would like to make some money and drum up some business since times are kind of slow along with the restriction they have on them, which they will abide by, but they are looking to draw more patrons. Mr. Risi stated that the Board is trying to get a better understanding what type of dancing would be at your establishment. Mr. Katsorhis stated that it is not going to be woman but live shows, comedy shows, Greek night, Spanish night where people get up and want to dance, He stated that he believe there is a stipulation that they cannot charge an admission fee. The monetary value to the establishment is great. They did have an event and did not charge admission and there was no dancing and people do like to dance. Mr. Risi stated that he wanted them to understand that the stipulation that they signed with CB1 in August of 2012, stated that they agreed that they would not at any time charge any admission or cover in connection with any use or activity at the premises. Mr. Katsorhis replied “Yes”. Mr. Risi stated that any approval that is given for a cabaret would be in conjunction with the stipulation that was signed and executed with the Board for the issuance of your on premise liquor license. Mr. Katsorhis stated that they may have to come back to the Board to reconsider. He thinks that type of stipulation that was entered into, the objective was not to have a bikini bar. Mr. Risi stated that one of the reasons was not to have adult entertainment but the other objective was not for your client to lease the place out to promoters in order to have events that would affect the community. That is the reason for the stipulation. Mr. Katsorhis stated that they are not hiring promoters or independent person coming in to rent the place for a show. The people that operate S & B lifestyle operate it solely there is no third party contact. Mr. Risi stated that the concern is that the terms and stipulations for your on premise liquor license would carry over to any cabaret activities. Mr. Donato asked if there was anyone on the Board who had any questions for the applicant. /Ms. Evie Hantzopoulos asked who promotes or advertise and where do they advertise. Mr. Katsorhis stated that they do not use promoters and they are not doing very much advertising since they just opened up. They had a Greek night but he was not aware of how people were notified, since they did not advertise it. A gentleman came in from Greece and sang for two nights only. They would like to do that again. For that event they had reserved tables. There was no promoter, no door fee and was free to the community. The premise is only open Saturday nights. They have someone come in and play music to an older crowd. Ms.

Hantzopoulos asked if they are looking to be open on other nights. Mr. Katsorhis stated that ideally as a business you would like to be open Friday, Saturday, and Sunday. It is not going to be a 7 day operation. Mr. John Katsanos asked if they could describe their relationship and communication is with the 114<sup>th</sup> Pct. in terms of community affairs. Whether addressing security, noise abatement or anything else that you may have worked with them in the past since you have been established. Mr. (name illegible), Chief of Security, stated that he is a retired police officer after 21 years on the service and is working with another gentleman who is a retired Lieutenant who works with the guards. They have changed security twice because they were not satisfied with what they were getting out. They don't want trouble and he feels that he has a little expertise in doing this and that is one of the reasons they brought him in. Ms. Hantzopoulos asked how many security staff they have during an event. He replied they have a doorman with a scanner (swipes ID's on entry) and staff depends on how many people they have. On a daily basis they have 5 security personnel and 1 at the front door. There are cameras in place and are operational. Most of the time he is in the premises. Mr. Stamatiades asked what is on the left and right side of the facility. He stated that there is a church, a restaurant, they are at the corner and there is nobody after that. Across the street there is a hair cutting place, an apartment building on top of a row of stores. Mr. Gus Prentzas asked how they are going to deal with the parking issue with another place opening up around the corner. He stated that they are renting two lots down the street. He stated that they have two valets working. Mr. Donato asked if there was anyone in the audience who wanted to speak for or against this application. Mr. Charles Scavares, property owner, stated that he had a few questions. Before they have had riots in the streets a couple of years ago. He stated that there is a new state law that states that a business must reveal what they do, such as what type of business they truly are running. He has heard rumors that this is going to be a strip club. He hopes that this is not the case and they are not trying to pull the wool over our eyes. What entrance are they going to be on, will they be on 36<sup>th</sup> Avenue or 34<sup>th</sup> Street? He asked how they only have 2 security people for 150 people. 2 security persons are not enough for 150 people. If they use 36<sup>th</sup> Avenue there will be crowds of people on the streets. As far as residential, on 33<sup>rd</sup> Street, between 36<sup>th</sup> Avenue and 35<sup>th</sup> Avenue there is a lot of 2-family and 1-family as well as a lot of senior citizens afraid to come out of their house because of this type of mess that they will create. He would truly like to know if this only going to get a cabaret of something else. As far as the parking, he cannot see how they had room for 150 cars on 34<sup>th</sup> Street. There is no parking lot that big to hold 150 cars, that is a bunch of bull. He thinks that it will become a hip-hop club and have the same stuff tormenting the neighborhood, and breaking the windows. The police are going to be there, he remembers two years ago they had to have a police booth on 33<sup>rd</sup> Street and 36<sup>th</sup> Avenue. All the senior citizens had to lock themselves up in their homes. We do not want that again. If the Board ok's this, he wants to make that it is in black and white. He stated that he brought his neighbors with him tonight. One just bought a house on the street and he has two kids and he does not want to go through this. Melrose just opened up their place and spent a lot of money and they have to deal with the same stuff. If he goes there Sunday morning after they are open on a Saturday night there is going to be garbage all over the street. Will the security guards go outside after the facility closes and clean the streets. He would like them to address that. There was no further discussion. Item closed.

Detective Eddie Negron of the 114<sup>th</sup> Pct. Community Affairs Officer introduced their new Commanding Officer Deputy Inspector Kevin Maloney. Deputy Inspector Maloney stated that he has been there for a little over a month. He came from Far Rockaway, 101<sup>st</sup> Pct., where he spent his last year and a half. Before that he was up in the Bronx. He is happy to be with the 114<sup>th</sup> Pct. and the community is very welcoming. He sees a lot of familiar faces out there and looks forward to working with each and everyone. He wished everyone a Happy and Safe Holiday Season and a Happy Healthy New Year. He stated that Cirabisi expressed his goodbyes and was with the 114<sup>th</sup> Pct for 3 years. There are a lot changes coming to the City and the Police Commissioner. Commissioner Bratton announced last week. As the changes take place we will keep the Board informed.

Mr. Donato introduced New York City Comptroller John Liu. The Comptroller greeted everyone and stated that he has had the privilege of serving as New York City Comptroller and wanted to come by CB1 before his term of office ends in a couple of weeks simple to say thank you. First and for most, he wanted to give a quick report as Comptroller and happy to say over the past 4 years they have saved a total of 5 Billion dollars through their audits and contract reviews. They have made sure that the money has gone where it is absolutely necessary and not wasted. Also, proud of the thousands of jobs that they created by accelerating their capital construction plans and taking advantage of low interest rates. For those of you that might be interested in their pension funds, their investment portfolio has been up over the past four fiscal years 58%. Growing up right here in Queens, as an immigrant, he'd never thought that he or someone like him would run for office, or serve as the NYC Comptroller and have a chance to run for Mayor of NY. This is an assume City. It is a city that he and his family owe a tremendous debt of gratitude towards for giving them the opportunity to pursue and achieve the American Dream. And, though he may not be in office next year, he is certainly not going away. He will very much be involved and active in

the affairs of this great city and helping our great Assembly member Aravela Simotas and continue to work alongside this Board and the Chairperson Mr. Donato. He thanked all the Board members who do great work. You have to take vote here and there, sometimes your damn if you do or if you don't. It's not always as appreciated, the Board does not get much appreciation as they should. On that note, as one of his last acts as NYC Comptroller he would like to, unable to do that for Ms. Hartmann, but for all the Board members and Chairperson of CB1 he hereby doubles their salary. You all deserve it. He thanked everyone for the privilege for serving and for the Board members' service for the CB. Have a wonderful holiday and Happy New Year.

Mr. Donato introduced Assemblywoman Aravela Simotas. She stated that John Liu is one of the hardest working elected official in NYC and he has truly done a wonderful work here. She thanked Mr. Liu for everything that he has done and for his friendship. She wished everyone a Happy Holidays and a Blessed New Year. She has not been to the meetings for awhile; she had a baby 16 months ago and has been quite busy in the evenings. She knows how hard the Board members work and how much of a commitment it is away from your home and your lives to sit here and listen to community issues and to really be the voice of the community. Thank you for every minute that you put into this Board. It is incredibly important and she is a big believe in Community Boards and she is here to support anything that the Board may need. She is proud to say that next year they start the legislative session it seems that they may have a little bit of a surplus in the budget. Since the time she has been in office she has never seen that happen. They have always run deficits in the Billions. Now it seems that they may have a surplus of about 2 Billion. Starting in January they will be debating on how to spend that surplus. There have been various discussions but, her concern would be for this community and NYC and particularly the middle class in Astoria and communities like this get their fair share of that cut if that happens.

Mr. Donato introduced newly elected Councilmember Costa Constantinides. He stated that he stopped by to say hello and that the Board has had great representation for a long time. He definitely wanted to thank the Liu family; we definitely owe them a debt of gratitude for their service. He is looking forward to doing great things come January. We have amazing elected state officials. He looks forward to working with each and everyone on the Board. He thanked the Board members for all the work that they do on the behalf of the community. There will be lots of great things to talk about and get done in 2014. From his family to yours, he wished everyone a Happy Holidays, Merry Christmas, Happy Hanukkah and great holiday season. Happy New Year and see you in January.

#### **VOTING:**

Mr. Risi re-iterated the public hearing item from DCA item #1511-2013 ASWC—Premises 34-19 30<sup>th</sup> Ave. (Shady Lady). An application to establish an Unenclosed Sidewalk Café with 14 tables and 36 seats. The committee met and recommends approval of the application subject to the amendment of application with the removal of the outside row of 5 tables and 10 seats from 30<sup>th</sup> Avenue and the leaving 13 tables and 26 seats, seconded by Mr. Thomas Ryan. Mr. Donato asked if anyone had any questions. Mr. Richard Khuzami stated that the outside row on 30<sup>th</sup> Avenue there is a double table. Going back to what Ms. McDonald stated about the consistence about the tables. Is that considered 1 or 2 tables. Mr. Risi stated that all the tables on the outside row on 30<sup>th</sup> Avenue are to be removed 5 tables. No further discussion. Mr. Donato called for a vote. Motion called and carried

The next item an application to operate a Cabaret at 33-12 36<sup>th</sup> Avenue (S & B Lifestyles). The committee met and recommends approval of the application subject to all the terms and conditions of the stipulation on August 27, 2012 agreement and shall be incorporated in the applicant's application for a cabaret license thereon, seconded by Mr. Katsonas. Mr. Donato asked if anyone had any questions. Ms. McDonald stated that when the gentleman was speaking earlier he stated that they could have 200 people. According to the paper she has states that they can only have a capacity of 175. Mr. Risi stated that the Public Assembly if only for 175. Ms. McDonald asked if they are required to have the sign on the wall. Mr. Donato stated that the notice should be posted on the wall. No further discussion. Mr. Donato called for a vote. Motion called and carried with 4 against and 1 Abstention for Cause.

#### **GENERAL DISCUSSION:**

Mr. Norm Suteria , resident, he thanked the Board for their services and that there many people unaware of what happens here affects life in our neighborhood in the summer when they are sitting outside enjoying sidewalk café to everything. He wanted to give a brief update on the 32<sup>nd</sup> Street homes. As you know the Board this time last year voted to accept and endorse the BSA proposal as far as those stipulations which said that the parapet should not be covering any mechanical and the neighbors' homes that were damaged should be whole. That has not been the case. He read an email from one of his neighbors who is still struggling. The damage is just as our engineer laid out and the cost is going to be substantial. We will also have to figure out the cost for some of the work. For the others and for us Pali Realty insurance has never made a single offer to fix any

damage. Mr. Suteria stated that he wanted the Board to know Pali Realty never had any intention of making an offer and that is why they pushed hard for their own insurance to jump in. It has been a year and his neighbors are primarily affected by Pali and the action of the owner. In addition, the building on its rear setback has a vent and ductwork that is actually rising above the parapet. This is in violation of the BSA 315-12-BZ. He has seen the plan and wanted to let the Board know the status of the situation. He then wished all Happy Holidays and Happy New Year. Ms. McDonald stated that in regards to the 32<sup>nd</sup> Street houses, the damages most of you know that story. A year ago when her life changed considerably when she became a zealot for our neighbors. She wanted to say that she personally contacted FBI and the NY State Attorney General that this is the end result of bullying. Not the kind that goes on in the school yard but the financial bullying that goes on when people throw money around at all places from campaign contributions on down the line. She just wanted to keep everyone up to date because she is still hanging in there. Mr. George Stamatiades stated that he wanted to echo what Ms. McDonald had to say, in the Dutch Kills community they have had about 10 or 12 homes with exactly the same situations. This has got to be something that has to be changed at the legislative level, City and/or State. If a developer damages the property next door, they must not proceed until they fix the property next door. These contractors tell homeowners to sue them. One example is an 80 year woman was told this and she would not live to see the filing of the lawsuit. This is just brute force that should be brought to a complete halt. At the City Council, state level or wherever this falls. This is traumatizing. One woman had a mudslide into her basement when they cracked the foundation during the rainy season last summer. This is not fair. Mr. Stamatiades gave further examples of damage and outcomes. Ms. McDonald added that all developers should have insurance and how to initiate a claim against the developer.

Mr. Ronnie Minor stated that he wanted to thank Ms. Hartmann who took time out to come down to Astoria Housing and to Captain Maloney who took the opportunity to come out to Reality House on 8<sup>th</sup> Street and Astoria Blvd. He thanked him for coming out and speaking to the folks and letting them know that there is more to the NYPD and than what we see on TV. A special thanks to Gus Prentzas who donated trees for Reality Houses and for being a great leader as well. He then thanked everyone for all their help and time. He stated that there was a liquor store on Main Street that was approved by CB1 which needs some work done inside from someone from the community. He went on to say that the J51 program has been a great program that has helped the best interest of the citizen and the community. He wanted to thank Carolyn Maloney who has been so inspirational not only with the President of the United States of America but when she did the new buildings. She implemented \$480 regardless to the housing development to get new elevators and new rules. Now Astoria Houses where he is from has a new roof and 22 new elevators.

Mr. Tex Crushiak stated that he wanted to update the Board on what is going on at Shore Blvd. He welcomed Deputy Inspector Maloney and maybe he could help the issuing of tickets to the people who are parking on Shore Blvd. There was deal with the City that the signs would go down 500' by the Department of Transportation (DOT). But DOT placed the signs at 300' and people who should be allowed to parking in the remaining 200' are receiving tickets. This is not their fault it is DOT's for putting the signs in the wrong place. He asked if they could do a moratorium on the issuance of the ticket because it is not right because of the City's and DOT's fault of the placement of the signs. He also asked if Deputy Inspector Maloney if it is possible to ask their officer not to issue the tickets to the people until the problem is corrected. There was a big car wreck down there and wrapped itself around a tree and knocked down one of the no standing signs. He asked that CB1 do something and at the last meeting Ms. Hartmann stated that the DOT was suppose to take care of this a couple months ago and now the earliest is possible by March 2014. Ms. Hartmann stated that the Board has been in contact with DOT and they are going to look into changing the signs. As long as the signs are there you have to go by what the signs say.

#### **BUSINESS SESSION:**

Ms. Lucille Hartmann, District Manager, reported that there is good news, the Municipal parking lot on Astoria Boulevard/29<sup>th</sup> Street (HANAC Senior Housing) is open and in operation. In your folder is a listing of the daily rates. Monthly parking applications' are available at Community Board 1 office. Also, in everyone's folder there is a Parking Suspension Calendar for 2014. She wished everyone Happy Holidays and a very Happy Healthy New Year to everyone and their loved ones. Ms. McDonald asked how it worked out about the parking spaces that were going to be available for the community. Ms. Hartmann clarified if Ms. McDonald was speaking about the number of parking spaces. Ms. McDonald replied yes, the number that proposed initially that there be so many parking spaces and so many reserved (her words) for the public use. She stated that the shop owners were making an issue of it. Ms. Hartmann stated that if she was talking about the Municipal Parking lot it actually is not a Municipal Parking lot anymore. It is being run by a private company, so there is a fee. If you are talking about the actual number, she does not know the actual number. Ms. McDonald stated that she will go back through the minutes and find the issue. Mr. Prentzas stated that when HANAC had come before the Board to discuss the project they had agreed that they were going to give x amount of parking space back to the community

without paying for the parking spaces. Ms. Hartmann stated that she is 99% sure that this is being run by a company and there isn't any free parking.

Ms. Rosemarie Poveromo, Chair of Airport Access Committee, wished everyone a Blessed Merry Christmas and very Happy Healthy New Years.

Mr. Joseph Risi, Chair of Consumer Affairs Committee, reported that the Consumer Affairs committee held a meeting on December 11, 2013 at the Board office to review several applications which provided the CB1 with 30 Day Advanced Notice for applications which will be filed with the State Liquor Authority (SLA) for either a new or renewal application for On-Premises Alcoholic Beverage License. A copy of committee report is on file with the Board. The committee's recommendations are 1) TC Queens Entertainment corp. d/b/a Scandals the committee recommended approval of the application for renewal subject to the applicant entering into a stipulation with CB1 wherein the applicant is willing to make certain changes to its method and manner of operation if the renewal of this license is granted in order to address the reservations and concerns of the committee. Incorporated into the stipulation amongst many provisions and at the request of the 114<sup>th</sup> Pct. is a provision for the applicant to maintain adequate licensed security which shall be responsible to maintain crowd control and supervision of all patrons both inside and outside of the licensed premises and to closely monitor the entrance during all hours of operation to insure the safety of patrons and the community, 2) Olympian Summit Inc. d/b/a Steinway Billiards the committee has request that the application execute a stipulation with CB1 which among several stipulations requires the applicant to maintain adequate licensed security personnel at all times the premises are open for business. This provision was at the request of the 114<sup>th</sup> Pct. to address security concerns and to further require the applicant to maintain control and supervision of all patrons both inside and outside the premises to insure the safety of patrons and the community, 3) Mist NY LLC d/b/a Mist NY the committee recommended no objection to the issuance of an on-premise liquor license subject to the applicant's execution of a stipulation with CB1 which among other provisions, requires licensed security personnel and the assurance that the applicant maintain a safe environment for both patrons and the community, the applicant will affirmatively agree that at no time whatsoever permit the premises to be used for topless or adult entertainment, and 4) BK Venture Group Ltd d/b/a Starletts the committee after due consideration and deliberation is recommending that the SLA be advised that CB1 not only has reservations but has objection to the renewal of the on-premise liquor license as this premise has severely diluted and has adversely affected our community as made evident by the 114<sup>th</sup> Pct premises report from January 1, 2012 to December 8, 2013. The committee relies on the recommendation of the 114<sup>th</sup> Pct which has in this instance advised that this re-issuance of this license would not be in the best interest of our community. Ms. McDonald stated that the next item is not on the list. Mr. Risi stated that they met with the applicant. Ms. McDonald stated that the applicant was not on her list. Mr. Risi stated that the applicant was on last month's list. Mr. Risi went on to number 5) 8G Inc. d/b/a Rax at the committee had 2 objections to the issuance of an on-premise liquor license a) apparently the Certificate of Occupancy submitted does not permit intended use: i.e. adult entertainment and 2) the applicant acknowledged that although this application is submitted on behalf of 8G inc., this corporation is in fact composed of the same principals which application for an on-premise liquor license was denied by the full board on September 2013. The committee recommends that the SLA be advised that CB1 has objection to the granting of an on-premise liquor license at this time. Mr. Donato asked there was anyone who had any comments. There was no one. Mr. Donato thanked him and his committee. They are doing a great job with meeting with the police department. This is a key factor in dealing with these applications. Mr. Risi commented that Detective Negron has been wonderful, and informative.

Ms. Jean Marie D'Alleva, Chair of Health & Social Services/Senior Committee, wished everyone Happy Holidays and a Blessed Holiday Season for one and all.

Ms. Mary O'Hara, Chair of Housing Committee, reported that December 31, 2013 is the last day for the registration for the STAR Program. Blessing and good wishes to all this holiday season, see everyone next year.

Mr. Edward Babor, Chair of Industrial/Commercial Committee, wished everyone a Merry Christmas and a Happy Healthy Prosperous New Year.

Mr. Richard Khuzami, Chair of Parks & Recreation/Cultural Affairs/OTB Committee, reported that there was a scoping meeting at Raimondo Park. The meeting was to talk about the second phase, the refurbishing of the handball courts, drainage and item like that. Later there was a press conference with Councilman Vallone Jr. and Assemblywoman Simotas along with Commissioner Lewandowski that they announced the first phase with the removal of the hibachi court and replaced with athletic equipment for adults and also the shower for the children the ground will be in the shape of a piano in honor of the Steinway factory. At the second press conference regarding Triborough A next to the tennis courts two thirds of it will be refurbished. There will be ping pong and exercise equipment. Now Parks has come up with additional funds and will be able to

recondition the entire area. There will also be a small soccer area. These were all items on the CB1 capital request and he thanked them for coming up with the money.

Ms. Ann Bruno, Chair of Street Festivals, reported that all street fairs went well all summer.

**NEW/OLD BUSINESS:**

Mr. George Stamatiades reported that Central Astoria Local Development Coalition was sponsoring the 1st Annual Community Tree Light on Wednesday, December 18, 2013 at 6:30pm in Astoria Park, all were invited. There will Christmas Caroling and will a lot of fun.

There was no further business before the Board Mr. Khuzami motioned to adjourn, seconded by Mr. Mullarkey. Motion called and carried unanimously