

BROOKLYN COMMUNITY BOARD 6
PUBLIC SAFETY/ENV PROT/PERMITS/LICENSES COMMITTEE
MAY 30, 2012

PRESENT:

T. ALEXANDER
H. FEDER
T. MISKEL
M. SCOTT
B. STOLTZ

P. BLAKE
G. KELLY
J. PORCELLI
M. SHAMES
T. VAZQUEZ

N. DUTTA
S. MILLER
G. REILLY
M. SILVERMAN

EXCUSED:

S. LONIAL

L. SONES

J. WOLFE

ABSENT:

H. LINK

GUESTS:

D. EARDLEY
T. MAGANZINI
P. ENDRISS
P. SIMEONIDIS
J. BRAUNSCHWEIGER

D. SCHOLZ
K. HERNANDEZ
H. MODINE
W. SIMEONIDIS
W. YAKOWICZ

J. VENDLEY
C. PIZZULLI
J. DESPIRITO
S. TRUSLOV
A. JOHNSON

*****MINUTES*****

Meeting called to order by Public Safety/Environmental Protection/Permits & Licenses Chair, Gary Reilly.

Presentation and review of an new unenclosed sidewalk café permit application submitted to the Department of Consumer Affairs on behalf of Credence LLC, dba Bareburger at 170 7th Avenue (between 1st Street/Garfield Place) to permit 16 tables and 32 seats.

The request is for a sidewalk café permit with 16 tables and 32 seats. There are 56 seats inside. Application reduces the tables to 26 and will cease service at 10:00pm.

- A friendly amendment was made by Joe Porcelli for 8 seats in front of 7th Avenue. Glenn Kelly accepts the amendment so that there will be only 3 tables with total seats of 24.
- Terry Alexander concerned that we be clear why we are reducing the tables.
- Harry Feder said that reduction was because of congestion – more seats on 1st Street helps traffic on 7th Avenue.
- Gary Reilly said they are a first time applicant and 24 seats has been our policy.
- Joe Porcelli supports this as it is not a bar so is less concerned with rowdiness.

- Pauline Blake – supports the motion – merchants should consider impact on the community especially mothers walking with children.
- Community Member – business needs to keep in mind disabled in wheelchairs, etc.

Tom Miskel called the question

MOTION PASSED UNANIMOUSLY WITH STANDARD HOUR LIMITS.

Presentation and review of a new application for an unenclosed sidewalk café permit submitted to the Department of Consumer Affairs on behalf of Kiki Asian Bistro Corp. at 2 Lincoln Place (between 5th/6th Avenues) to permit 11 tables and 26 seats.

Application is for a sidewalk café on a corner with 11 tables and 25 chairs on 5th Avenue and Lincoln Place. The community had no comments.

Motion was made by Glenn Kelly and seconded by Tom Miskel to pass with standard hour limits.

Applicant has a beer and wine license. Gary said the applicant will need to get modification of license to reflect outdoor space.

**VOTE: 11.....YEAS 1.....NAYS 1.....ABSTENTION NOT FOR CAUSE
MOTION APPROVED.**

Presentation and review of an unenclosed sidewalk café permit application renewal submitted to the Department of Consumer Affairs on behalf of Park Slope MP Company, LLC at 160 7th Avenue (between 1st Street/Garfield Place) to permit 7 tables and 14 seats.

The applicant failed to appear.

Presentation and review of an on-premises liquor license application submitted to the State Liquor Authority on behalf of Bigger Boat Inc. at 284 3rd Avenue (between Carroll/President Streets).

The owner and his attorney were present. There are 13 tables and 25 seats plus 2 outdoor tables with 8 seats in back. There is 700 square feet. inside. The neighbors have been notified. The menu is in process – it is fine dining not a bar per se.

Glenn Kelly is concerned with outside space. Owner would stipulate to limit outdoor tables, hours and for dining. Hours close at midnight.

Bette Stoltz asked how close they were to Littleneck? Owner said only 2 doors away. How was the community notified? Documents with application.

Community speaker supports because Littleneck is great.

Glenn Kelly said we would have to add hours indoor and outdoor to motion, especially for limiting outdoor use.

Terry Alexander asked what the policy was on outdoor space?

A: Gary said yes for outdoor hours. Our typical is to stop serving at 10pm and close at 11pm from Sunday to Thursday and stop service at 11pm and close at 12pm on Friday and Saturday.

Steve Miller said that commercial overlays get problematic when it extends into backyards

Bette Stoltz moved to approve with indoor midnight hours, table service for outdoor space and our standard outdoor hours – 10am/11pm Sunday thru Thursday, 11am/12pm Friday and Saturday. The motion was seconded by Tom Miskel.

A friendly amendment was made by Glenn Kelly that outdoor space be limited to 10 seats and subject to appropriate certificate of occupancy. A second friendly amendment was made by Joe Porcelli that we need to state in motion that “hours are as stipulated by applicant”.

Applicant agreed with the motion.

VOTE: 12.....YEAS 1.....NAY
MOTION APPROVED

Presentation and review of an on-premises liquor license application submitted to the State Liquor Authority on behalf of Bierkraft Inc. at 191 5th Avenue (between Berkeley Place/Union Street).

Bierkraft is asking for a license to brew their own beer. They will use an electric system – not distributing kegs, etc. They will make 30 gallons, 2 times a week – will not cause odor. All else will remain the same in the business.

Glenn Kelly asked do they have a place of assembly which is required for over 75 people?

A: Owner said they were not aware that they needed this.

Gary Reilly said that the file has a letter of no objection in it.

Joe Porcelli said they already have a license and he is not aware of any violation so we should approve and not question the Department of Buildings decisions.

The community had not comment. Motion to approve was made by Joe Porcelli and seconded by Neena Dutta.

Terry Alexander asked what are standards for brewing license?

A: Gary Reilly said we make recommendations as with other SLA applications.

**VOTE: 9.....YEAS 3.....NAYS 1.....ABSTENTION NOT FOR CAUSE
MOTION APPROVED**

Presentation and review of an on-premises liquor license application submitted to the State Liquor Authority on behalf of Nick Cora Bella at 274 4th Avenue (between Carroll Street/Garfield Place).

The owner owns a title company at the spot. She wants to open a brunch theme spot and will host parties. She has 10 letters of support. She will start with brunch then wants to move into dinner. The hours will be Sunday 10-12am and Friday and Saturday until 4:00am.

Community:

- Disability advocate with M. S. thinks an inclusive brunch spot here would be welcome.
- Resident down the block of Garfield Place spoke with neighbors who were surprised to hear about this application. Said they sold liquor at the site for years. He has been there 18 months.
- Owner – wine and beer permits for parties and have had temporary liquor permits that were pulled by SLA.
- The same resident said there have been patrons fighting, urinating in his doorway. Neighbors wear earplugs because of guest noise, traffic, double parking late at night. People sit in cars and want to go in and he sees them drink and use drugs in cars and go into Garfields. CB6 should seek police reports from the summer of 2008 when they had a liquor license.
- Friend of the owner “Kitty” who rented space at Garfields for his daughter said she provides an affordable space and she supports local non-profits through her title business – donates money and office space. Bar Mitzvah’s, sweet 16’s and a cancer fundraiser were recent events there.
- Community member living a block away for 6 months – concerned it is not set up as a brunch venue and hours are too late. There is a lot of car traffic.
- Director of a non-profit domestic violence organization said Kitty donates and provides space for events free of charge.
- Community member for 45 years said Garfields is inclusive area but people there are from community. He went to an area event and he was impressed.
- Community member – 2008 was a long time ago – brunch now is different. She had an event at Garfields and supports them.
- Community member had her 60th birthday with wine and beer and she thinks owner is wonderful.

Joe Porcelli made a motion to table – wants to see detailed explanation of history of use, licenses, details of Certificate of Occupancy going back to 2008.

Mark Shames felt the same and is concerned with brunch vs. dinner.
Matt Silverman said applicant should meet with concerned neighbors. Motion to table.
Expectations were explained to the owner.

MOTION APPROVED; UNANIMOUSLY

Presentation and review of an on-premises liquor license application submitted to the State Liquor Authority on behalf of I'll Have Coffee LLC at 285 3rd Avenue (between President/Carroll Streets).

2-3 years experience. Making all food on premises. Two levels with bread kitchen and seating.

- Community member supports application. Structure built in back with skylight. Owner is committed.
- Owner said there is no outdoor patio. Hours are 11pm and midnight.

Tom Miskel made a motion to approve with hours in application. Joe Porcelli seconded.

Objection by Terry Alexander. Gary Reilly called the question. The motion to call the question passed.

VOTE: 11.....YEAS 2.....NAYS
MOTION PASSED

Presentation and review of an on-premises liquor license application submitted to the State Liquor Authority on behalf of Dassara LLC at 271 Smith Street (between Degraw/Sackett Streets).

The space is 900 sq. ft. and seats 40 inside and will not have more than 1/3 inside.

Glenn Kelly disagrees – has 48 seats inside, 18 at the bar and 14 outside – more than 75 seats total and requires a place of assembly license.

Owner said we can modify to make it less – drawing is a maximum. Have been operating 10 years. Hours are 5-12, Monday to Thursday, 5-2am Friday and Saturday and Sunday until 11pm. SLA has approved the outdoor space.

Bette Stoltz has been there twice recently and owners seem serious and a good business.

Gary Reilly said there are no complaints in the file.

Community member said he was a chef for 8 years at Chestnut; here to support them, they can integrate in the community seamlessly.

Community member supports but please be sensitive to outdoor noise concerns.

Harry Feder made a motion to approve with standard hour limits in license. The motion was seconded by Mark Shames.

Steve Miller – concerned about outdoor noise.

Owner – this is sit-down dining. Wants to create a nice outdoor setting.

VOTE: 11.....YEAS 2.....NAYS
MOTION APPROVED

Presentation and review of an on-premises liquor license corporation change application submitted to the State Liquor Authority on behalf of ILGT LLC at 270 Smith Street (between Degraw/Sackett Streets).

270 Smith Street

- No backyard or outdoor seating
- Space is an existing restaurant
- They are new owners. Offering southern comfort food. Full liquor license.

Bette Stoltz made a motion to approve and it was seconded by Steve Miller.

MOTION APPROVED: UNANIMOUSLY

Presentation and review of an on-premises liquor license application submitted to the State Liquor Authority on behalf of 5th Avenue Salumi Inc. at 195A 5th Avenue (between Berkeley Place/Union Street).

195A 5th Avenue

- Owner also owns Zito's on 7th Avenue
- There is a liquor license for the spot and prior owner Press 185 has it.
- Salumi is not open yet. Owner wants only beer and wine license.

Motion to approve by Joe Porcelli. Friendly amendment by Glenn Kelly – stipulate hours till 11pm and license is for beer and wine only. Mark Shames supports the application. Steve Miller supports since it is for beer and wine.

VOTE: 12.....YEAS 1.....NAY
MOTION APPROVED

Presentation and review of an on-premises liquor license application submitted to the State Liquor Authority on behalf of Calexico 278 LLC at 278B 5th Avenue (between 1st Street/Garfield Place).

278B 5th Avenue

- Started as street cart, then opened 2 restaurants that were top rated Mexican food by Zagat.

- No outdoor seating or windows open to the street.
- Space was a sushi restaurant
- Canvassed neighborhood and got signatures of support and also posted letters.
- Family friendly with kids menu
- It is a restaurant first.

Steve Miller moved to approve and Gary Reilly seconded it. Mark Shames supports.

MOTION APPROVED: UNANIMOUSLY

A motion to adjourn carried.

Minutes from the last meeting approved but some comments by Mike Kelly (expeditor) were incorrectly attributed to Glenn Kelly.

Minutes were submitted by Matt Silverman.