

**Community Board Ten Board Meeting Attendance  
Shore Hill Community Room  
Monday, September 19, 2016 – 7:15 pm**

Board Members Present: 35

Elizabeth Amato  
Jaynemie Capetanakis  
Kevin Peter Carroll  
Christopher Castaldi-Moller  
Shirley Chin  
Judith Collins  
Doris Cruz  
Ida D'Amelio  
Donna Mae DePola  
Khader El-Yateem  
Ann Falutico  
Carmen Feliciano  
Michael Festa  
Judith Grimaldi  
Stephen Harrison  
June Johnson  
Habib Joudeh  
Ramsey Joudeh  
Katherine Khatari  
Brian Kieran  
Stella Kokolis  
Nikolaos Leonardos  
Ryan Mahoney  
Ruth Greenfield Masyr  
Rhea McCone  
Iris Mulé  
Nick Nikolopoulos  
Susan Pulaski  
Husam Rimawi  
Joanne Seminara  
Joseph Sokoloski  
Lawrence Stelter  
Sandy Vallas  
Brian Walsh  
Lori Willis

Board Members Excused: 9

Greg Ahl  
Jumana Bishara  
Allen Bortnick  
Paul Cassone  
Barbara Germack  
Victoria Hervas-Castaneda  
Brian Kaszuba  
Dean Rasinya  
Mary Ann Walsh

Board Members Absent: 5

Ron Gross  
Bob Hudock  
Adil Oualim  
Hani Sarji  
Jonathan Yedin

Ex-Officio:

Councilman Vincent Gentile

## COMMUNITY BOARD TEN GUESTS

Date: September 19, 2016 - 7:15 PM

Subject: CB10 Board Meeting – Shore Hill Community Room

PLEASE PROVIDE AS MUCH INFORMATION AS POSSIBLE. THANK YOU.

Name/Address	Phone #	Fax #	E-Mail Address	Organization/Affiliation
Dilija Sobach	917 965 2481			
FRANK LITFREDDO	917-6478759		FRANKLITFREDDO@GMAIL.COM	
ROSA CASELLA				N/A
LIZZIE COFRANCESCO				Brooklyn Council
DOUGLAS LUM	917-428-0191			
J&K King Inc	917-678-7789			
CARLOS SANTAMARIA	347-359-8877			
Peter Lovett	(718) 439-4296			
ERICA SHERMAN	(718) 802-3932		ESHERMAN@BROOKLYNBP.NYC.GOV	BBPO

## COMMUNITY BOARD TEN GUESTS

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Name/Address	Phone #	Fax #	E-Mail Address	Organization/Affiliation
Dionne & Susan Frances				GHP Horticulture Group
Daisy de Jesus	1-917-533-6174	—	ddejesus37@msn.com	NONE
Andrew Hoyles	212-437-4441		ahoyles@dsny.nyc.gov	DSNY
John Avella	917 459 5179		j.a.avella10@gmail.com	Bay Ridge SAW
Penney Santo			Santopem@aol.com	
Frank Villamare				Cong. Donald M. Payne
Nicholas Chambers				Chair of Assembly member Nicole Matthews
Nando Sale	718 492-6448		BK10super@esny.gov	Dept of Sanitation
Paul Amick	917/838-4604		cvs402@aol.com	hall
KOSTAS E. HALKAS	347-788-534		HALKASKOSTAS@gmail.com	

**COMMUNITY BOARD TEN BOARD MEETING  
SEPTEMBER 19, 2016 – SHORE HILL COMMUNITY ROOM  
MINUTES**

Chair Cruz called the meeting to order at 7:25 PM and invited Denise Fogarty, Executive Director of the Bay Ridge 5<sup>th</sup> Avenue BID, to lead the Honor of the Pledge.

Council Member Vincent Gentile administered the Oath of Office to Community Board Ten's Elected Officers for Fiscal Year 2017: Treasurer Sandy Vallas, Secretary Jaynemie Capetanakis, Vice Chair Lori Willis, and Chair Doris Cruz.

DM Beckmann invited former Community Board Ten Chairs Joseph Bova, Steve Harrison, Craig Eaton, Joanne Seminara and Brian Kieran to conduct the traditional "Passing of the Gavel" to Chair Cruz. Chair Cruz thanked everyone, saying it has been an honor and a pleasure to serve with everyone on Board Ten. We are a hard working board and deal with a lot of issues. We have had a very congenial board for quite a number of years and she hopes to continue that. As you all know, you get here with the help of family and friends, and she thanked her husband, son and grandchildren who were at the meeting offering their support. She thanked her friends who were committed to making their community a better place. Their friendship and support helped her be where she is now and will continue to help as she goes through her term as Chair. She looks at our Board, which is a very diverse community, come together to work together. She looks at that and sees the face of our community, the face of our City, and the face of our Nation. It makes her proud and she cherishes it.

Chair Cruz asked for a motion from the floor to adopt the agenda. Motion by BM D'Amelio, seconded by BM Sokoloski.

Chair Cruz asked for a motion from the floor to adopt the Minutes from the June 20, 2016 Board Meeting. Motion by BM Harrison, seconded by BM Collins.

Assembly Member Abbate welcomed everyone back from the summer and congratulated Chair Cruz and the Officers of Community Board Ten. They do not go back in session officially until January, but his committee is busy so he will be going back in October. He noted that his office is on Fort Hamilton Parkway and 66<sup>th</sup> Street. Finally, he again congratulated the Community Board Ten officers saying he is here to work with them.

Council Member Gentile welcomed everyone back from the summer. This past Saturday was the street naming ceremony for "Ragamuffin Way" on 3<sup>rd</sup> Avenue and 74<sup>th</sup> Street in honor of the 50<sup>th</sup> Anniversary of Ragamuffin. The Board voted to name a street for Sal D'Amato, who was the longtime owner of Harbor View Car Service and a very generous man to all of us in the community. The street naming for "Sal D'Amato Place" will take place Saturday, September 24<sup>th</sup> at 11:00 AM between 94<sup>th</sup> and 95<sup>th</sup> Street at 5<sup>th</sup> Avenue. The Board also voted to name a street corner for former State Senator the late Christopher J. Mega. That street naming for "Senator Christopher Mega Way" will take place on Saturday, October 15<sup>th</sup> at 11:00 AM on 80<sup>th</sup> Street and 10<sup>th</sup> Avenue, which is the block he lived on.

The Councilman announced that his office and the NIA will be running a back to school movie – "The Good Dinosaur - this Saturday night at Owl's Head Park. The fun starts at 6:00 PM with face painting and rides, and the movie will start around 7:30 PM.

The Councilman said if you drive by the ballfield on Fort Hamilton Parkway and 79<sup>th</sup> Street by PS 127, you will see that the construction of the new field has finally begun. They broke ground last week and there will be a ground breaking ceremony probably in October. Hopefully within a year we will have a new field there, which will become the official field of the St. Anselm's Little League. He noted that another park has been completed and they are looking forward to having the official grand opening of the Patrick O'Rourke Park at 81<sup>st</sup> Street

between 11<sup>th</sup> and 12<sup>th</sup> Avenues, right behind IS 201 Dyker Intermediate School. It is a really beautiful park, and there will be a ribbon cutting there on October 13<sup>th</sup>, time to be determined.

Councilman Gentile said they are working with the Parks Department and Breaking Ground, which is a group that helps homeless who are in communities. Both the Parks Department and Breaking Ground will visit Leif Ericson Park tomorrow to clean up the encampments that are there and try to help those homeless by working with them to try to get them some assistance. He encouraged people to call his office if they see that situation in the community, and Breaking Ground will go out and try to help.

The Councilman said the 97<sup>th</sup> Street ramp that goes to Shore Road Park has been off bounds because it collapsed several months ago. The repair should start sometime this fall. The Parks Department told him it takes 12 months to repair a ramp, but he is pushing them to expedite this repair. They have also tackled the problem of graffiti in the neighborhood. He has put in some discretionary money to have a contract with the group Wildcat. We give them locations to go to in the 43<sup>rd</sup> Council District and they will do the cleanup. They have tackled several different locations on 4<sup>th</sup> Avenue, particularly the fence on 77<sup>th</sup> Street and 4<sup>th</sup> Avenue. If you see graffiti around, call his office because they now have this funding for Wildcat.

With regard to the Special Permit which DM Beckmann will be speaking about, Councilman Gentile noted there is a vote this week by the City Planning Commission on the repeal of this Permit for CB10. There was a public hearing on it and they will vote on September 21<sup>st</sup>. Once they vote, it will come to the Land Use Committee of City Council. He is going to make some modifications. Once that is done it will go back to the City Planning Commission so they can look at the modifications, send it back to City Council and hopefully by the end of October they can have a vote of the Land Use Committee in City Council and have a full vote by City Council. If that happens, the CB10 Special Permit will be officially rescinded so we will not have to deal with that issue again. They are also close to a vote, maybe in the next month, on his hookah regulation bill that they have been trying to get passed for years. CM Gentile noted that he is also close to getting a hearing date on his illegal conversion legislation.

Finally, the Councilman told Joe Lhota that NYU Langone gave him his two new knees and got him up and walking again. That hospital did a great job and knowing that they are coming to our neighborhood at Lutheran, he is excited to hear what their plans are tonight. He thanked Joe Lhota for all he does for hospitals in general, and for our community in particular.

## **PRESENTATION**

A presentation was made by Joseph Lhota, Senior Vice President, Vice Dean, and Chief of Staff, and Bret Rudy, Senior Vice President and Chief of Staff, of NYU Langone Medical Center.

## **PUBLIC SESSION**

Nicholas Chamberas spoke on behalf of Assemblywoman Nicole Malliotakis. He attested to how hard working and effective Community Board 10 is and offered his thoughts and prayers to the families and victims of this past weekend's terrorist attacks congratulating the efforts of local, state and federal law enforcement.

He added that the Assemblywoman had a press conference with Councilman Gentile and Transportation Alternatives to try to expand the Bike Share Program where riders from Bay Ridge would be able to put their bikes on the S79.

Nick announced that during the 3<sup>rd</sup> Avenue Festival on October 2<sup>nd</sup> they will be teaming up with Pluto Animal Rescue for a free pet adoption event. Lastly, they will be doing a free CPR training event at Holy Cross Greek Orthodox Church on Saturday, October 15<sup>th</sup> at 9:00 AM.

On behalf of Senator Golden, Victoria DiSalvo acknowledged and thanked the NYPD, FDNY, FBI and New Jersey law enforcement agencies for their swift response in the capture of the Chelsea bombing suspect. She announced a bill Gov. Cuomo signed into law for rescue and recovery workers who were diagnosed with illnesses between 2012 and 2015 to file for assistance. The extended date to file a Workers Compensation Claim is now September 11, 2017. She announced October 1<sup>st</sup> is the 10<sup>th</sup> Annual Senior Idol Competition at Xaverian High School at 7:00 PM and all proceeds are going to support the Xaverian Music Department. On Saturday, October 22<sup>nd</sup>, Senator Golden is hosting recycling and ecology day at Our Lady of Angels, 4<sup>th</sup> Avenue between 73<sup>rd</sup> and 74<sup>th</sup> Streets. The entrance will be on 73<sup>rd</sup> Street. A shredding truck will be available through AARP. Good Will Industries in cooperation with the Department of Sanitation will collect clean used clothing and dress accessories and the Lower East Side Ecology Center will be collecting unwanted electronics. Finally, on Tuesday, October 25<sup>th</sup> free flu shots will be available at the Bay Ridge Manor. Please call Senator Golden's office to make an appointment.

Fran Vella-Marrone, representing Congressman Donovan, congratulated Chair Cruz and all the officers of Community Board 10. She said law enforcement did a wonderful job in capturing the suspect of the Chelsea bombings. She noted that Congressman Donovan serves as Chair of the House Sub-Committee on Emergency Preparedness Response and Communications. In that capacity he has a large role in promoting legislation that will safeguard us from such attacks. He recently introduced the Transit Security Grant Program Flexibility Act which improves the ability of transit agencies to prevent and respond to terror attacks by making the Transit Security Grant Program more flexible. The legislation will allow grant funds to cover additional security training costs and will also extend the deadline for using the security grants from two to three years. It provides eligible transit agencies with funding for capital and operational projects including tunnel protection systems, evacuation improvement, canine patrols, security training and exercises, and public awareness campaigns.

Alexandra Larkin extended Assembly Member Pam Harris' apology for missing tonight's meeting as she was meeting with the Governor regarding upcoming legislation. She announced that their first bill was signed into law on August 19<sup>th</sup>. It is a NORC bill which lowers the minimum for organizations that serve NORC (Naturally Occurring Retirement Communities). They only have to raise 25% of the amount of funding they are requesting from the State, so it is supposed to lower the barrier to organizations serving our seniors. The bill will be effective January 2018, the goal being to give one year for organizations to come into compliance. They have another bill they are waiting for the Governor to sign into law, which would create a licensure for pathology assistants. It passed the Assembly and Senate in June and they are hoping the Governor will sign it into law by the end of the year. Another bill they hope will be passed next session is an addendum to the Paid Family Leave Act. They are hoping to include construction workers who have intermittent work and do not qualify under the current Paid Family Leave Act.

Daniel Abramson, Brooklyn Borough Director for the Mayor's Community Affairs Unit, congratulated Chair Cruz on what he feels will be a wonderful tenure as Chair. The administration released the Mayor's Management Report for Fiscal Year 2016 and he announced some highlights: construction inspections increased; murder and non-negligent manslaughter decreased 2%; FDNY and combined response time to life threatening emergencies decreased by one second; DOT citywide traffic fatalities decreased 5.2%; DOE four year graduation rates for school year 2015 rose to 70.5%; 311 wait time for calls decreased by seven seconds; the total number of IDNYC cards issued increased by 62.5%. On behalf of the Mayor's office, he thanked the NYPD, FDNY, FBI and all our uniformed services for their amazing and swift response in keeping us safe both this weekend and always.

Jay Filan from the Fort Hamilton Library branch said their summer reading club program was very productive. On July 25<sup>th</sup> they began their partnership with the Guild for Exceptional Children and had an interactive musical performance with 18 challenged adults from the Guild. He thanked former Board Member Eleanor Schiano for the connection. In the coming year they would like to make the Fort Hamilton branch a veteran's branch. They just met with the VA and want to work with the Army Base with family programs. He announced that starting this past Saturday, each library branch will have story time every Saturday for the little ones.

Dave Ryan, the new president of the 68<sup>th</sup> Precinct Council, introduced himself and noted that past president Ilene Sacco cultivated some amazing initiatives, especially the National Night Out Against Crime, and the Domestic Violence Initiative. He announced that one major change they are making is that starting this month their meetings will be held on the third Wednesday of each month, instead of the third Tuesday. He congratulated the new officers of Community Board 10.

Frank Loffredo, a resident of 79<sup>th</sup> Street between 13<sup>th</sup> and 14<sup>th</sup> Avenues, spoke about the serious issue of illegal conversions which is going on all over Dyker Heights. They have had a dumpster on his block for one year and it is not being maintained properly. It is not covered and cars come down the block and dump in the middle of the night, which could be hazardous material. They have been working with Community Board 10 which has been doing a great job. It is very frustrating that in the middle of the night cars pull up and dump their unknown materials in the dumpster. We need to do something to change the law. In a community like Dyker Heights, a commercial grade dumpster should not be on a residential block. The contaminants, the odor, the flies, zika, everything about this - it should not be sitting in a residential block for a year. There has got to be something done to change the law.

Andrew Hoyles, Program Manager for the New York City Department of Sanitation's Organics Program, explained that the program is expanding into Dyker Heights starting today. They have started delivering the brown bins and will continue for approximately two weeks. Curbside collection will begin the week of October 3<sup>rd</sup>. The materials are turned into actual finished usable compost which is used in the neighborhoods. They have used it for street trees and given it to the Parks Department, and they work with schools and community groups. It benefits the environment and keeps it out of the land fill. BM Nikolopolous said he knows Bay Ridge was the survey area and asked what the results were and what the plan is for the serious raccoon issue that we have. Mr. Hoyles said the program is expanding throughout most of New York. They have taken a lot of feedback from the pilot areas like Bay Ridge. They found two things: (1) in neighborhoods that have the organics program they see an increase in the diversion rate so they have started recycling more and have less trash out on the street; (2) they are now allowing material to be put out in clear plastic bags program wide. They did not allow that before, but got a lot of residential feedback. Regarding raccoons, rodents and other pests, he noted that the bins that are delivered are designed to prevent rodents. They have raccoon ridges and latches that can be closed. The question was asked about where the material is going since there are facilities closing down, and Mr. Hoyles noted there are a lot of regional facilities that process organics. The facility in Delaware did close down, but they still have lots of capacity in the region. They take their material to upstate New York, Connecticut and Staten Island.

Lizzie Cofrancesco, Deputy Director for Member Services for the Brooklyn Chamber of Commerce, announced that they are having their 2016 Annual Membership Meeting and Trade Show on October 5<sup>th</sup>. Mayor DeBlasio will be the key note speaker. Tickets are going fast so please reach out to the Chamber if you would like to join them.

Dilia Schack, former Board Member and District Leader, congratulated all the officers of Community Board 10. She thanked everyone for all the phone calls, cards, and love and support that was shown to her and her family during her husband's passing, and for the wonderful time she had serving this Community Board. She thanked BM Harrison for making her Chair of Education and Libraries. Even though she is no longer on the Board, she said we can call on her any time.

## **PUBLIC HEARING**

With regard to the renewal application for an enclosed sidewalk café at Starbucks at 7419 3<sup>rd</sup> Avenue, Zoning and Land Use Committee Chair Falutico rendered the Committee report. See attached. The store Manager, Elizabeth Torres, introduced herself and thanked the Board for its consideration. Motion to support the Committee's recommendation was seconded by BM D'Amelio.

**Motion: CB 10 to approve the renewal application for an enclosed sidewalk café for 2 tables and 6 seats at Starbucks Corporation, d/b/a Starbucks Coffee Company, 7419 3<sup>rd</sup> Avenue, ULURP #N 160362ECK; DCA #1237141. All in favor. Motion carried.**

In the matter of an application seeking to allow the enlargement of a two family home at 66 79<sup>th</sup> Street pursuant to ZR 73-622; BSA Calendar No. 2016-4218-BZ, ZALUC, Committee Chair Falutico rendered the Committee report and recommendation. See Attached. The applicant was not present. Motion to support the Committee's recommendation was made by BM Seminara.

Two residents who reside immediately adjacent to 66 79<sup>th</sup> Street signed up to speak against the application, Mrs. Helen Chalbis and Mr. Harry Chalbis who live at 64 79<sup>th</sup> Street. Their presentation included comments about the enlargement being out of character with the other two identical houses in the row that were built in 1925, that the air and light to their home would be blocked, that they have lived comfortably in their identical home that measures 20 feet by 60 feet, raising six children there for 45 years. In addition, Mr. and Mrs. Chalbis commented that the increases to height would allow the house at 66 79<sup>th</sup> Street to tower over their home and would be unlike any other home on the block and have a negative impact to their property. They feel that granting this application would set a precedent for other buildings on their block that would cause the block to have a "mixed up" look.

**Motion: CB 10 to disapprove the application seeking to allow the enlargement of a two family home at 66 79<sup>th</sup> Street pursuant to ZR73-622; BSA Cal. No. 2016-4218-BZ. 34 in favor. 1 recusal – BM Stelter. Motion carried.**

Erica Sherman from the Brooklyn Borough President's office announced their One Brooklyn Resource Fair on September 29<sup>th</sup>, and the 700 Credit Score Club where people can learn about their credit. Information was available at the meeting.

## **CHAIR'S REPORT**

Chair Cruz said she is honored to be Chair of Community Board Ten and in her term she would like to continue the level of cooperation and congeniality and hard work that exists on the Board. She would like to work to develop the next generation of leadership and improve attendance and timeliness. It is important that our Committees have quorums so that the issues are fully discussed and vetted before they come to the Board. We will be having an Executive Board meeting later this month and we will be discussing some specific issues that the Committees will be working on for the rest of the year.

**DISTRICT MANAGER'S REPORT – See Attached**

**TREASURER'S REPORT – See Attached**

## **COMMITTEE REPORTS**

## POLICE AND PUBLIC SAFETY COMMITTEE

Police and Public Safety Committee Chair Willis rendered the Committee report. See attached.

**Motion: CB 10 to deny the SLA Liquor, Wine, Beer, Cider License Application at The Brooklyn Firefly, Inc., 7003 3<sup>rd</sup> Avenue, unless the following stipulation agreement, which was already agreed to and signed by the applicant, was disapproved by the Board.**

- **The hours of operation of the premises shall be Monday through Thursday, 12:00 PM – 1:00 AM; Friday and Saturday, 12:00 PM – 2:00 AM; and Sunday, 12:00 PM – 1:00 AM.**
- **The use of the side yard shall be limited to the following hours: Monday through Thursday, 12:00 PM – 11:00 PM; Friday and Saturday, 12:00 PM – 12:00 AM; and Sunday 12:00 PM – 11:00 PM.**
- **The licensed premises shall keep the recorded music sound system, DJ, and live music so as to comply with the New York City noise code.**
- **There shall be no music in the outdoor area.**
- **There shall be no smoking in the side yard.**
- **The doors leading to the outdoor area (when air conditioner is not in use) may be open until 10pm, and be outfitted with self-closing mechanisms.**
- **The licensed premises shall not place any speakers for amplified sound or music on the outside of the establishment at any time.**
- **The licensed premises shall not install televisions on the outside of the establishment.**
- **The licensed premises shall have adequate soundproofing installed. Thick curtains will be hung in the back to isolate noise.**
- **The licensed premises will not utilize the service of a “promoter” (i.e. a person or entity who maintains an independent guest list and/or shares in the licensee’s revenues on a percentage basis). They will also not permit a “promoter” to rent out or use the establishment.**
- **The applicant will appear before the Committee and the Board for a three month review following the issuance of license.**
- **If there is any change in the applicant’s method of operation, the applicant shall notify the District Office at least three months before such change.**

**All in favor. Motion carried.**

**Motion: CB 10 to approve the Wine, Beer, Cider License Application at A&N Coffee Shop Inc., d/b/a Pegasus, 8610 3<sup>rd</sup> Avenue. All in favor. Motion carried.**

With regard to the wine, beer, cider license for Molaio Restaurant Corp., BM Harrison asked about the applicant’s former restaurant and was told he has operated a restaurant on 7<sup>th</sup> Avenue and 28<sup>th</sup> Street in Manhattan for over 30 years.

**Motion: CB 10 to approve the Wine, Beer, Cider License Application at Molaio Restaurant Corp., d/b/a Blue Door Souvlakia, 8413 3<sup>rd</sup> Avenue. All in favor. Motion carried.**

With regard to the SLA license review for Car & Hug Inc., d/b/a Casa Pepe, Committee Chair Willis noted that the Committee voted unanimously that should the licensee not provide the District Office on or before October 31, 2016 with required report of an acoustical engineer in compliance with that stipulation, and report on what work has been performed in accordance therewith, and if any such work remained to be completed, a timeline therefore, and then again appear before the Committee at the next Committee meeting, the Committee would

recommend to the Board that Community Board Ten notify the SLA of the licensee's violations of its stipulation agreement. Committee Chair Willis noted that motion is now on the floor. Discussion followed.

BM Harrison said it seems to him that there were a number of stipulations that were violated. Committee Chair Willis replied that the applicant says there were not violations of the stipulations, and the residents say there were. The question was the time the premises closed. The residents say it may have gone on beyond the stipulated hours, which are to 11:00 PM Monday through Thursday, and to midnight Friday and Saturday, and noon to 10:00 PM Sunday. Residents said on Fridays and Saturdays sometimes parties would go on until 1:00 AM, and one person said maybe to 2:00 AM. The owner basically said they shut down the party at midnight and they stay to clean up. There were six calls to 311 for noise complaints. The residents did appear at the meeting and said it is not every weekend but sometimes. They also complained that there was use of the rear yard which would be a violation of the stipulations. BM Harrison feels that at the Committee meeting we could not be more explicit and they could not have been more forthcoming; they were going to do all these things and they did not. He is very disappointed and thinks we should be stronger and send a letter to the SLA reporting these violations now. BM El-Yateem asked if we know the times of the 311 calls. DM Beckmann said she pulled the information but does not have it with her tonight. She thinks a lot of residents said they called the restaurant directly and did not report to 311.

BM Grimaldi asked for clarification of the motion. Committee Chair Willis replied that we have given the applicant the deadline of October 31<sup>st</sup> to give us the report and tell us what they have done and to appear at the Committee meeting. BM Grimaldi asked BM Harrison if he was making a motion. BM Harrison said he is not amending it right now, he is just stating his feeling, but he may do it after the conversation. BM Amato said the time of the complaint is irrelevant; it is the noise that is the violation.

BM Nikolopoulos said it is important to understand that the owner came to the Committee with a plan which was a financial burden for him. We discussed various options and basically going back to the drawing board to try to figure out an alternative to glass soundproofing the doors at \$6,000. There was some kind of miscommunication with the landlord. He did in fact do some due diligence. He is trying to give the benefit of the doubt to the owner. We sympathized with him and gave him this deadline for that reason. BM Harrison agrees with sympathizing with him, but he also sympathizes with the neighbors. We are the Community Board and this is about the community. When he came last year he was very explicit that he would do all these things and he did not. If he didn't have the resources at that time he could have said so.

The applicant's representative, Kostas Halkias, explained that when the applicant bought the business from the former owner he thought everything was legitimate. When he found out about the issues with the back enclosure he asked the landlord to fix the issues as soon as possible as he had to go back to the Community Board.

Committee Chair Willis commented that she remembers from the initial application that he was purchasing the business from the former owner and she does believe that he was unaware of the illegality of the back room. She is a little disappointed about the amount of time that it took just to get an estimate, and she thinks more estimates should be obtained. That was the reason to give him more time to get an acoustical engineer and the right report. The fact of the matter is that this has been going on a long time. We saw him a long time ago and the neighbors have lived through the summer with these noise issues. As BM Harrison said we have to pay attention to that. One woman said she has very young children and it is hard to put them to sleep at night because of the noise. No one should have to live that way. She voted for this because she thought it was a nice compromise and a way to try to see both sides.

Committee Chair Willis asked if BM Harrison wanted to propose an amendment. He replied that he understands the applicant's problem and he does not want to shut him down, but he wants the neighbors to be taken care of. He has no problem supporting this motion, but perhaps we should add a little more beef to it, for

instance if he agreed not to use that room until this was done. Committee Chair Willis replied that he should not be using that room anyway because it is in the stipulations. BM Harrison said to have no parties until this was done because the parties are what is causing the problem. Committee Chair Willis said she understands that there is a party room inside the premises that has a wall of glass, which is part of the premises. There is a separate area that is in the back yard, part of the rear yard where an enclosure was built. That is not supposed to be used nor is the open part of the back yard. So there are two separate areas. It is legal for him to use the party room with the windows and it was part of the stipulations that he can use that. The neighbors are complaining that the noise is coming from inside the premises because the noise comes through the glass and behind him is a community drive so everything bounces off the concrete. That was the reason to get an acoustical engineer to come in and evaluate the whole premises, not the rear which he is not supposed to be using unless and until it is legalized, which it is not. Part of the original stipulations was that he was not supposed to use any portion of the rear yard whether enclosed or unenclosed, and get an acoustical engineer to come in and evaluate how to give soundproofing to this party room.

BM Harrison asked when the next Committee meeting is and was told it is October 5<sup>th</sup>. We gave him to October 31<sup>st</sup> to get an engineer's report and get the work done. BM Harrison asked if this motion can say if they do not have it by that date we will automatically send it in, or do we have to vote again. Committee Chair Willis said they did not specify; we said we would notify that he is in violation of the stipulations. We could ask not only for the engineer's report but a report on what work has been done pursuant to that report, hoping they are going to get some work done, and if any work pursuant to that report remains, we want a time frame. If that whole package is not received by October 31<sup>st</sup> then we would send a letter out.

BM Festa said just from last week's meeting there is progress already. They are speaking to an acoustical engineer and it is a work in progress, and it will all be settled by the end of the month. That is what should happen.

Committee Chair Willis reiterated the motion, should the licensee not provide the District Office on or before October 31, 2016 with required report of an acoustical engineer in compliance with that stipulation, and report on what work has been performed in accordance therewith, and if any such work remained to be completed, a timeline therefore, and then again appear before the Committee at the next Committee meeting, the Committee would recommend to the Board that Community Board Ten notify the SLA of the licensee's violations of its stipulation agreement.

**Motion: Regarding Car & Hug Inc., d/b/a Casa Pepe, 112-116 Bay Ridge Avenue, should the licensee not provide the District Office on or before October 31, 2016 with required report of an acoustical engineer in compliance with that stipulation, and report on what work had been performed in accordance therewith, and if any such work remained to be completed, a timeline therefore, and then again appear before the Committee at the next Committee meeting, Community Board Ten would notify the SLA of the licensee's violations of its stipulation agreement. All in favor. Motion carried.**

BM Harrison asked that the neighbors who made complaints be notified of what we just did. Committee Chair Willis noted that a lot of residents were at the meeting so they heard all this. He thinks they should be notified and asked that the neighbors be notified of the Board's resolution regarding Car & Hug Inc., d/b/a Casa Pepe, 112-116 Bay Ridge Avenue. Motion seconded by BM Willis.

**Motion: That the neighbors be notified of the Board's resolution regarding Car & Hug Inc., d/b/a Casa Pepe, 112-116 Bay Ridge Avenue. All in favor. Motion carried.**

**Motion: CB 10 to approve the Wine, Beer, Cider License Application at J&K King Inc., 6732 13<sup>th</sup> Avenue. All in favor. Motion carried.**

With regard to the liquor, wine, beer, cider application at Mythai Kitchen Inc. BM Harrison asked if this is the first time they are applying, and was told this is for a full liquor license.

**Motion: CB 10 to approve the Liquor, Wine, Beer, Cider Application for Mythai Kitchen Inc., 7803 3<sup>rd</sup> Avenue. All in favor. Motion carried.**

With regard to the On Premise Liquor Application for Ming Hao, Inc., 848 64<sup>th</sup> Street, Committee Chair Willis stated that the applicant wrote in to say they are withdrawing their application.

Chair Cruz thanked BM Collins for attending the Fort Hamilton Army Garrison Commemorative 9/11 Memorial Ceremony. She is our Military Liaison and is a great asset.

### ZONING AND LAND USE COMMITTEE

Zoning and Land Use Committee Chair Falutico rendered the Committee report regarding the special permit at 429 89<sup>th</sup> Street, Bay Ridge Prep High School. See attached. Discussion followed.

BM Grimaldi asked what is there now and was told it is Kia automotive. BM Amato asked if Bay Ridge Prep would own this building and was told that 429 89 LLC will own the building. BM Amato asked if they will rent or lease it and is there a time period, and was told that we are really looking at the zoning issues but will include those questions in future discussions. BM Amato asked what is proposed for the top floor and was told it is a professional grade theater which extends three floors. Bay Ridge Prep indicated that the community at large, theater groups, etc., will potentially have use of such a space, so it could serve the community as well. She asked if there will be any type of food or a restaurant on the top floor and was told they would have food for the students. BM Kieran asked if the mechanicals will be on the top floor and was told they will be.

BM Johnson noted that beside the two schools mentioned that are across the street, there is also PS 264 across 4<sup>th</sup> Avenue. That is an elementary school so there will be school buses all day long as well as parents bringing children and picking them up. Committee Chair Falutico said they promised to come back with traffic studies. BM Mulé said she works near there and there is a lot of traffic now at dismissal. She noted that there is parking beneath the Hamilton Financial Building. Here you have over 50 faculty plus students who will be driving. It is a very congested area and she asked if this came up at the meeting. Committee Chair Falutico replied that parking is not required for the school.

BM El-Yateem asked how does IS 30 compare to the height of this building and was told this building is considerably higher. BM Nikolopolous asked if it would be appropriate to ask them to come to a Traffic and Transportation Committee meeting as well to present. Chair Cruz said that we have asked them to send us their traffic studies so we will look at it and see if it is appropriate. BM Johnson said when you are talking about enrollment of the students and 40 teachers, you have to think of 40 teachers coming with their cars. Where are they parking? BM Grimaldi said that when students are in at PS 104, the garage is completely full. BM Chin said it is already taking teachers an hour to find parking. BM Capetanakis noted that 415 89<sup>th</sup> Street also houses the Brooklyn Field Support Center which has offices for enrollment, special education, superintendent's office, and it services schools from five different districts, not just District 20. It does have a lot of traffic coming in from that area, and from what she understands people are already making use of the Century's parking lot and the municipal lot on 85<sup>th</sup> Street.

Committee Chair Falutico said that the presentation the Committee received and the amount of detail and time that has gone into these plans indicates a very serious project. Chair Cruz said that they will be back to us and this is not the final discussion on this issue.

**OLD BUSINESS**

None

**NEW BUSINESS**

BM Harrison asked when the Board will get committee assignments.

Chair Cruz stated that all the new members have been given committee assignments. Everyone is continuing on their current committees. We will shortly be sending out emails asking if you want to change committees. So currently you are on the same committees. She asked anyone who did not sign in to please do so.

Motion by BM Leonardos to adjourn. With no further business, Chair Cruz adjourned the meeting at 9:40 PM.

# ZONING AND LAND USE COMMITTEE

Community Planning Board #10/Brooklyn

September 6<sup>th</sup>, 2016

## ZALUC Committee Meeting @ 6:45 on September 6<sup>th</sup>, 2016

### **TOPIC #1**

**DCA Renewal Application for the enclosed sidewalk café at 7419 3<sup>rd</sup> Ave for the Starbucks Corporation. The enclosed café is for two tables with six seats. Application DCA #1237141. ULURP #N160362ECK #224-15-BZ**

This enclosed café, at the corner of 3<sup>rd</sup> Ave and Bay Ridge Parkway, has existed for many years and no changes are proposed. There have been no complaints or adverse history.

Motion:

To approve the renewal application as submitted.

The vote was all in favor.

### **TOPIC #2**

**BSA Special Permit application, BSA Cal. No. 2016-4218 BZ, pursuant to Section 73-622, for the property located at 66 79<sup>th</sup> Street, proposing an enlargement of the existing two family home. Presentation was made by the Jordan Most of the Law Offices of Sheldon Lobel.**

The application proposes an increase in the height of the attic level and expansion at all levels (Cellar, 1<sup>st</sup> Floor, 2<sup>nd</sup> Floor and Attic) to the westerly side yard and to the rear yard.

The garage at the rear yard is proposed to be demolished and a one-car parking garage will be incorporated into the interior Cellar space, accessible from the front of the dwelling.

The application proposes to increase the degree of non-compliance of with respect to Floor Area and Open Space.

Committee discussion raised the following points:

The applicant is a new owner and although not planning to residence at this location himself, he has purchased the property for the use of immediate family members (his sister and his parents) who plan to occupy the premises. The committee questioned whether this application is aligned with the original intent of the Special Permit which was to allow families to grow in place in their existing homes

The existing residence, which is an R2 Zone, is an existing two family residence, in a one family residential zone. It already reaches an FAR of .53 whereas the allowable FAR is .5.

The proposal would increase the FAR to .85 or additional 35% over the allowable FAR of .5.

The existing residence is one of three nearly identical residences which lay side by side on the block.

The height of the proposed Attic roof level would achieve a height of eleven feet above the adjacent residences of its type. Additionally the proposed front wall (and in fact the walls on all sides) rises with all floors aligned, with no setbacks or articulations to offer visual relief.

In summary, the committee was of the opinion that the proposed application would produce a result that was out of character with respect to Floor area, and overall volume of space.

# ZONING AND LAND USE COMMITTEE

Community Planning Board #10/Brooklyn

September 6<sup>th</sup>, 2016

Motion:

To disapprove the application.

The vote was all in favor.

It is further noted that despite the current application filed by CB10 which is in process with City Planning for a zoning text change which would remove CB10 from Special Permit Section 73-622, this application was reviewed as an individual case and was given full consideration by the committee.

## **TOPIC #3**

**BSA Cal. No. 2016-4221-BZ seeks a Special Permit at 429 89<sup>th</sup> Street, to allow a school use in a C8-2 zoning district, pursuant to ZR 73-19, and also for a waiver of various bulk regulations, pursuant to ZR 72-21, to facilitate the development of a six story, approx. 50,000 sf high-school as Use Group 3/Community Facility in the C8-2.**

**The property owner/developer/applicant is 429 89 LLC, while the user will be Bay Ridge Prep, The project would accommodate grades 9 through 12 with 300 students and 40-50 staff persons, consolidating Bay Ridge Prep's high school and administrative functions which are now dispersed in seven different locations.**

**Presentation was made by the Dr. Charles Fasano, head of the school, Stuart Beckerman of the Law Offices and Slater&Beckerman, and the architect Edward Mills.**

Further information regarding the tenets of the BSA application:

1. Bay Ridge Prep has a programmatic needs to consolidate its high school operations into a single location to offer the maximum benefit to its students.
2. Bay Ridge Prep has commissioned alternate site studies and found no sites of adequate size within zoning districts where schools are permitted as of right
3. Bay Ridge Prep cannot meet the programmatic needs for its building without non-compliances with respect to floor area, height and rear yard regulations.
4. The applicant contends that the proposed building is in keeping with the scale and character of the surrounding area, citing several examples to support this point of view.

Further information regarding the proposed building:

- o The site is 100 X 100, about 100' off of 5<sup>th</sup> Ave. and would occupy the entire footprint of the site. The site is located on a busy block with an existing NYC school, and would be consistent with the C8-2 zone, there are several automotive use businesses.
- o The proposed building would contain a regulation-size gymnasium, a large swimming pool, art, performance and music rooms, classrooms, offices and a professional grade theater space.
- o The height of the basic six story portion of the building is 73' from the sidewalk level. Above the 73', the front of the building would step back about 15' for the upper roof structures, bulkheads and theater fly space reaching its total height of 106'. The rear face of the building observes a setback of 20' from the rear lot line, above the first 26' of height. For comparison, the tall part of the adjacent school, Fort Hamilton Early Childhood Education Center, is 63' and with bulkheads rises to 79'.

# ZONING AND LAND USE COMMITTEE

Community Planning Board #10/Brooklyn

September 6<sup>th</sup>, 2016

## Committee Actions:

Committee members appreciate the benefits that Bay Ridge Prep has brought to its students and want to encourage the future of Bay Ridge Prep.

However, the committee had concerns including the following:

1. General suitability of the site in the C8-2 which is primarily geared to automotive uses.
2. Traffic patterns, congestion and student safety especially with two densely populated schools on the same narrow street.
3. Question of whether the height of the building is in keeping with the scale of the neighborhood and discussion about possible ways to lower the proposed height.

Committee will conduct further meetings to discuss and consider possibilities around these concerns.

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Meeting was adjourned at 10:00 PM.

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*Respectfully Submitted:*

*Ann Falutico*

*Committee Chair Zoning and Land Use Committee*



*Committee Members Attending:*

*Josphine Beckmann*

*Doris Cruz*

*Ann Falutico*

*Barbara Germack*

*Steve Harrison*

*Brian Kasuba*

*Susan Pulaski*

*Dean Rasinya*

*Joanne Seminara*

*Mary Ann Walsh*

**District Manager Report**  
**September 19, 2016**

Good Evening Board Members:

I want to take this opportunity to formally congratulate Doris Cruz our new Chairperson.. and all the officers who were sworn into office today. On behalf of myself and the District Office staff, we look forward to working with you! I hope you all enjoyed the summer hiatus.. welcome back! I would like to share the following updates with you regarding issues we worked on this summer.

As you may have seen news reports, Community District 10 has seen an increase in the number of homeless person assistance complaints this summer. Although we have seen an increase in complaints to the Board it is generally still a limited number of locations and individuals that require recurring attention. The number of homeless assistance calls into 311 in 2014 – 24 and 36 in 2015 and 133 in 2016. While we have participated in meetings with Breaking Ground who is the outreach service provider to those in need – we have many who are refusing or ineligible for service. I have talked with our Chair Doris and we will be working to collaborate with service providers and local elected officials to address ongoing recurring locations.

Also, you may have noticed 4<sup>th</sup> Avenue in CB10 was milled and paved from 85<sup>th</sup> Street to 65<sup>th</sup> Street.

This fall the following streets are expected to be milled and paved including:

Poly Place from 7<sup>th</sup> to 14<sup>th</sup> Avenue

7<sup>th</sup> Avenue from Poly Place to 86<sup>th</sup> Street

88<sup>th</sup> Street from Parrott Place to 7<sup>th</sup> Avenue

Fort Hamilton Parkway from 7<sup>th</sup> Avenue to 81<sup>st</sup> Street

7<sup>th</sup> Avenue from 72<sup>nd</sup> Street to 78<sup>th</sup> Street

Final Restoration work will be taking place over the next two weeks including milling and paving along Shore Road near Fort Hamilton High School.

Also, over the summer the Repeal of Special Permit Section 73-622 continued with hearings at Borough Hall and the NYC Department of City Planning. The Department of City Planning is expected to vote on our application at the end of the month and then the final step of the process is a vote at the NYC Council. I will keep you apprised of all upcoming hearings.

Block Party – Street Activity Permits Summer of 2016 included 68 applications to Community Board Ten.

As a reminder over the next month, Community Board Ten will be reaching out to residents and local organizations and reviewing submissions regarding Capital and Expense Requests for FY 2018. In a few weeks you will receive a copy of our current list of priorities. We will ask you to review the list and if you have any additions you would like to make please let us know. The Executive Committee will be discussing these items at a special Executive Committee meeting. A public hearing will be scheduled at our October General Board Meeting.

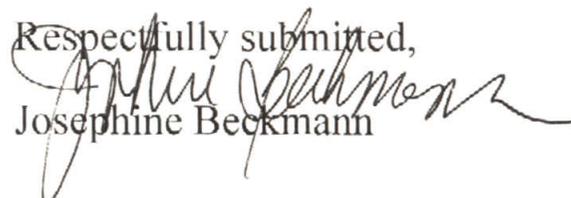
## **ANNOUNCEMENTS**

Brooklyn Smoke-Free Advocacy meeting, 9/27/16 7pm at the Brooklyn Public Library.

The Ragamuffin Parade – Celebrating 50<sup>th</sup> Anniversary Saturday October 1<sup>st</sup> at 1pm  
Rain or shine – the meeting point will be at Holy Academy School Yard on 74<sup>th</sup> Street off 3<sup>rd</sup> Avenue. Parade Assembly Point is at 12:30pm 76<sup>th</sup> Street between 3<sup>rd</sup> Avenue and Ridge Blvd.

3<sup>rd</sup> Avenue Festival will take place Sunday, October 2, 2016 – 3<sup>rd</sup> Avenue from Bay Ridge Avenue to 94<sup>th</sup> Street

The next General Meeting of Community Board Ten will take place on Monday, October 17, 2016 at 7:15pm at the Fort Hamilton Senior Center 9941 Fort Hamilton Parkway.

Respectfully submitted,  
  
Josephine Beckmann

**COMMUNITY BOARD TEN  
TREASURER'S REPORT**

Fiscal Year: July 1, 2016 to June 30, 2017

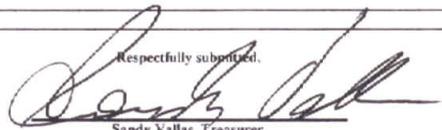
Budget Appropriation for FY 17	\$229,896.00
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	7/31/16	8/31/16	9/30/16	10/31/16	11/30/16	12/31/16	1/31/17	2/28/17	3/31/17	4/30/17	5/31/17	6/30/17	Y - T - D
DISTRICT MANAGER	\$13,081.48	\$8,731.78											
COMMUNITY COORDINATOR	\$7,909.68	\$5,279.64											
COMMUNITY ASSOCIATE													
COMMUNITY ASSISTANT	\$2,775.00	\$1,850.00											
<b>Total Personal Services</b>	<b>\$23,766.16</b>	<b>\$15,861.42</b>	<b>\$0.00</b>	<b>\$39,627.58</b>									

ExpensesCode	Description	7/31/16	8/31/16	9/30/16	10/31/16	11/30/16	12/31/16	1/31/17	2/29/2017	3/31/17	4/30/17	5/31/17	6/30/17	Y - T - D
10B	Telephone													
10X	Intra-City Supplies													
40B	Intra-City Telephone	210.02	208.66											
100	Supplies & Materials													
101	Printing Supplies													
117	Postage													
179	Cleaning Supplies													
199	Data Processing Supplies													
302	Telecomm. Equipment													
314	Office furniture													
315	Office Equipment													
319	Security Equipment	75.00												
332	Data Process Equipment													
337	Books													
402	Tel./Communications													
412	Rental/Misc./Equip	193.00	193.00											
417	Advertising													
431	Leasing Misc. Equip													
451	Local travel expenditures													
602	Telecomm. Maintenance	32.41	32.41											
613	Office Equip. Maint													
615	Data Process Equipment													
615	Printing Supplies													
622	Temporary Services-contractual	1,200.00	1,260.00											
624	Cleaning Services	170.00	170.00											
698	Iron Security Gate Maintenance													
676	Awning													
<b>Total Other than Personal Services</b>		<b>\$1,880.43</b>	<b>\$1,864.07</b>	<b>\$0.00</b>	<b>0.00</b>									

<b>TOTAL PS AND OTPS EXPENSES</b>	<b>25,646.59</b>	<b>17,725.49</b>	<b>0.00</b>	<b>43,372.08</b>										
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<b>TOTAL UNCLUMBERED BUDGET BALANCE</b>														<b>\$186,522.92</b>
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Respectfully submitted,  
  
 Sandy Vallas, Treasurer

**POLICE AND PUBLIC SAFETY COMMITTEE  
COMMUNITY BOARD 10**

Date/Time: September 12, 2016, 7:00 p.m.

Called to Order: 7:15 p.m.

Place: District Office, 8119 5th Avenue, Brooklyn , NY 11209

Quorum: Yes (attendance sheet attached)

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**New SLA On Premise Liquor License Application for The Brooklyn Firefly, Inc.**

**Premises: 7003 3rd Avenue**

**200 Foot/500 Foot Hearing: Yes**

This is an application is for a new restaurant on premise liquor license at 7003 3<sup>rd</sup> Avenue. This application came on CB 10's calendar just before the summer hiatus, so we were unable to meet with the applicant before the break, and before the scheduled SLA hearing on the matter. The applicant, however, was in touch with the District Office, and stipulations were put together in advance, to which the applicant agreed, and the stipulations were submitted to the SLA, subject to Board approval. A copy of the Stipulation Agreement is attached.

The applicant appeared by its representative, Andrew Caraballo, and its manager, Michael McLeer. The Premises is the former location of The Yellow Hook Grille. The premises has no adverse history. The owner, Raymond Medina, also owns the Brooklyn Tap House, and that premises has no adverse history. The premises will be a restaurant, serving Italian-style appetizers and pizzas. It has 24 tables and 82 seats inside and 16 tables and 68 seats outside. The premises has a side yard which does not require a sidewalk cafe license, as the side yard is part of the property lot.

The Committee voted unanimously to deny the application unless the attached stipulation agreement, which was already agreed to and signed by the applicant, was disapproved by the Board.

**New SLA Wine, Beer & Cider Application for A&N Coffee Shop, Inc. d/b/a Pegasus**

**Premises: 8610 3rd Avenue**

**200 Foot/500 Foot Hearing: n/a**

This is an application is for a new restaurant wine/beer license at 8610 3<sup>rd</sup> Avenue. This is the location of Pegasus restaurant. The applicant was represented by the Law Office of John E. Halkias, which appeared by Kostas Halkias. The applicant's owners, Demetra and Theocharis Nicolaou, will continue to own and run the premises as the Pegasus restaurant, and there will be no changes to the premises or the method of operation. The premises will continue to have background radio music, as it presently has. The premises has 11 tables and 45 seats, and no outdoor area. The permitted hours of operation will be: 7am – 11:30 pm, daily, but the premises may actually be open shorter hours than those permitted. There is no outdoor space to be used attendant to the operation of the Premises. The premises to have no adverse history. The Committee voted unanimously to approve this application.

**POLICE AND PUBLIC SAFETY COMMITTEE**  
**COMMUNITY BOARD 10**

**New SLA Wine, Beer & Cider Application for Moloai Restaurant d/b/a Blue Door Souvlakia**

**Premises: 8413 3rd Avenue**  
200 Foot/500 Foot Hearing: n/a

This is an application is for a new restaurant wine/beer/cider license at 8413 3<sup>rd</sup> Avenue, the former location of The Pig Guy restaurant. The applicant appeared by the Law Office of John E. Halkias, which appeared by Kostas Halkias, and the applicant's owners Anastasios Lekkas and Kyriaki ("Kiki") Lekkas. The premises will be a restaurant serving Greek food. The owner has many years experience owning and operating a similar establishment. The premises is under renovation, but when completed will have 17 tables and 50 seats. The hours of operation will be: 11am – 10pm, Sunday – Thursday; 11am – 11pm, Friday and Saturday. There is no outdoor space to be used attendant to the operation of the Premises, and it will have only background music. The premises have no adverse history. The Committee voted unanimously to approve this application.

**Three Month Review of SLA On Premises License for Car and Hug, Inc. d/b/a Casa Pepe**  
**Premises: 112-116 Bay Ridge Avenue**

200 Foot/500 Foot Hearing: N/A

This is the review of the liquor license for Car and Hug, Inc. d/b/a Casa Pepe which the Board approved in September, 2015, with stipulations. A copy of the Stipulation Agreement is attached. The licensee appeared by the Law Office of John E. Halkias, which appeared by Kostas Halkias, and the applicant's owner, Carlos Santamarina. Five residents appeared to complain of continued noise emanating from the party room within the premises, and the continued use of the rear yard and rear yard enclosed areas. The District Office also received emails from 2 residents complaining of noise emanating from the party room within the premises and the rear yard areas. There were also 6 calls to 311 for noise complaints. One resident of Bliss Terrace emailed to inform the District Office that the resident never had any issues with the premises or its customers or traffic from the premises. However, in sum, all of the residents who appeared and emailed complained of noise from loud parties (dj's, music, and yelling and singing guests) emanating from the party room within the premises, which has a large glass sliding wall and glass wall which demises it from the rear yard, and they also complained that the licensee continued to use the open area of the rear yard and the rear yard enclosure for service and parties. Some residents also complained of flashing party lights from the premises. They also noted the fact that the noise was not every weekend, but it could go on until 1 a.m. The owner denied the use of the rear yard areas and that there were any lights in the rear yard, and stated that the premises closes by midnight and the owner of the building had applied to legalize the use of the rear yard enclosure. However, the Committee noted that it appears from on-line DOB records that those plans have been disapproved by the DOB.

The Committee noted that the use of the rear yard areas and the operation of the premises beyond the stipulated hours, if true, would be violations of the licensee's stipulations. With regard to the stipulation which required the applicant to "retain an acoustical engineer to examine and report

**POLICE AND PUBLIC SAFETY COMMITTEE  
COMMUNITY BOARD 10**

how to achieve effective sound baffling and a sound controlled environment throughout the premises”, provide a copy to CB10, and implement those recommendations, the licensee only offered a partial e-mail from earlier this month which appeared to be an estimate from a soundproofing company, and the licensee’s owner stated that he was still going to shop around for estimates. The Committee noted that this was a violation of the said Stipulation. The Committee voted unanimously that should the licensee not provide the District Office on or before October 31, 2016, with required report of an acoustical engineer in compliance with that stipulation, and report on what work had been performed in accordance therewith, and if any such work remained to be completed, a timeline therefore, and then again appear before the Committee at the next Committee meeting, the Committee would recommend to the Board that CB10 notify the SLA of the licensee’s violations of its stipulation agreement.

**New SLA Wine, Beer & Cider Application for J&K King, Inc.**

**Premises: 6732 13<sup>th</sup> Avenue**

**200 Foot/500 Foot Hearing: n/a**

This is an application is for a new restaurant wine/beer/cider license at 6732 13<sup>th</sup> Avenue. The applicant appeared by its owner Yu Fang (“Karen”) Wu. The premises was formerly a restaurant, and will be operating as a new restaurant serving Chinese food. The premises has have 7 tables and 16 seats. The hours of operation will be: 12pm – 12am, Sunday – Monday. There is no outdoor space to be used attendant to the operation of the Premises, and it will have only recorded background music. The premises have no adverse history. The Committee voted unanimously to approve this application.

**New SLA On Premise Liquor Application for Mythai Kitchen, Inc.**

**Premises: 7803 3rd Avenue**

**200 Foot/500 Foot Hearing: Yes**

This is an application is for a new on premises liquor license at 7803 3<sup>rd</sup> Avenue, the location of My Thai restaurant. The applicant appeared by its representative, James Wang. The Premises is a Chinese restaurant which has been operating at the current location for many years. The premises will continue to be operated in the same manner, with no changes. The premises has 15 tables and 30 seats. The hours of operation will be: 12pm – 10:45 pm, Monday – Saturday; and 12pm – 9:45pm Sunday. There is no outdoor space to be used attendant to the operation of the Premises, and it will continue to have only background music, as at present. The premises have no adverse history. The Committee voted unanimously to approve this application.

**New SLA On Premise Liquor Application for Ming Hao, Inc.**

**Premises: 848 64<sup>th</sup> Street**

**200 Foot/500 Foot Hearing: No**

This is an application is for a new on premises liquor license at 848 64<sup>th</sup> Street, the former location of Crown KTV. The applicant appeared by its attorney, Redmond Haskins, of Patricia Lynch Associates, and its owner June Lin. Mr. Louis Lou, who identified himself as a “lesssee”

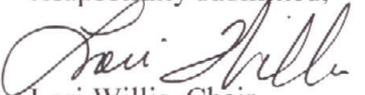
POLICE AND PUBLIC SAFETY COMMITTEE  
COMMUNITY BOARD 10

or “representative” of the owner, and the VP of the BCIA, community organization, also appeared. The premises will be operated as a restaurant and bar. The applicant’s owner has experience working in restaurants, the largest of which was a sushi restaurant on 17<sup>th</sup> Street in Manhattan, but he has never held a liquor license or had any experience operating a bar, lounge or other drinking establishment. The applicant is not making any changes to the current configuration of the premises, which still contains numerous karaoke rooms, except to remove the karaoke screens and equipment from each room, and permits occupancy 187 persons, and seats 170 people. The applicant stated that it intended to employ about 14 people at the premises, consisting of 5 wait staff, 4 kitchen staff, a manager, and 3 security persons (2 during the day, and 3 at night), and that the owner *may* be on the premises. The current sound system in the premises shall remain, but the applicant notes that the large speakers at the “center of the dance floor” were removed. The proposed hours of operation are: 5pm – 2am, Monday – Thursday; 5pm – 4am, Friday and Saturday; and 5pm – 12am, Sunday. The kitchen will offer a reduced menu after 10pm, and it will close at 1am each night (except Sunday when it will stay open until close), after which time a reduced “bar” menu will be offered. The Committee noted that the full proposed menu only consisted of one page, half of which featured drinks, and the fare that was offered appeared to be bar fare. The applicant stated that soundproofing already existed in the premises, so no changes would be made in that regard. The applicant’s attorney advised that the applicant is aware of the prior history of the premises. The attached summary of that history was reported by the Committee Chair. Residents previously voiced opposition to the District Office.

The Committee noted that the premises are not configured, nor do they look like a restaurant, considering the many, separate, small rooms, the very limited menu, the limited kitchen hours and facilities, and the hours of operation, but that the method of operation appeared by all objective indicia to be that of a bar/lounge. The Committee stated concern over the owner’s lack of experience in running a bar or lounge, especially in light of the size and history of this very large drinking establishment. The Committee also expressed concern over the fact that it appeared that in the past the configuration of small rooms seemed to lend itself to the many drug arrests that were made at the premises, and the fact that this configuration would remain in the drinking establishment. Concerns were also stated regarding the staffing plan at the premises, and applicant’s ability to sufficiently monitor and control the premises. In light of all of the foregoing, and the significant adverse history at the premises, the Committee voted unanimously to disapprove the application.

There being no further business, the meeting was adjourned at 9:45 p.m.

Respectfully submitted,

  
Lori Willis, Chair





# Community Board Ten

8119 5<sup>th</sup> Avenue • Brooklyn, NY 11209  
(718) 745-6827 • Fax (718) 836-2447  
BK10@cb.nyc.gov  
[www.bkcb10.org](http://www.bkcb10.org)

LORI WILLIS  
*Vice Chairperson*  
JAYNEMARIE CAPETANAKIS  
*Secretary*  
SANDY VALLAS  
*Treasurer*

DORIS N. CRUZ  
*Chair*  
JOSEPHINE BECKMANN  
*District Manager*

## STIPULATION AGREEMENT

The Brooklyn Firefly, Inc.

7003 3<sup>rd</sup> Avenue, Brooklyn, N.Y. 11209

And

Community Board Ten Brooklyn, 8119 5<sup>th</sup> Avenue 11209

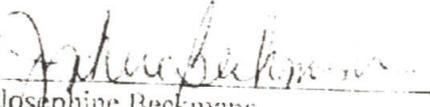
Set forth below are stipulations to apply to the Method of Operation in the application to the New York State Liquor Authority for a Liquor/Wine/Beer/Cider License for the establishment known as The Brooklyn Firefly, Inc., 7003 3<sup>rd</sup> Avenue, Brooklyn, New York 11209, which will be voted on at the duly publicized meeting of Community Board Ten to be held on September 19, 2016:

- The hours of operation of the premises shall be Monday through Thursday, 12:00 PM - 1:00 AM; Friday and Saturday, 12:00 PM - 2:00 AM; and Sunday, 12:00 PM - 1:00 AM.
- The use of the side yard shall be limited to the following hours: Monday through Thursday, 12:00 - 11:00 PM; Friday and Saturday, 12:00 PM - 12:00 AM; and Sunday 12:00 - 11:00 PM.
- The licensed premises shall keep the recorded music sound system, DJ, and live music so as to comply with the New York City noise code
- There shall be no music in the outdoor area.
- There shall be no smoking in the side yard.
- The doors leading to the outdoor area (when air conditioner is not in use) may be open until 10pm, and be outfitted with self-closing mechanisms.
- The licensed premises shall not place any speakers for amplified sound or music on the outside of the establishment at any time.
- The licensed premises shall not install televisions on the outside of the establishment.
- The licensed premises shall have adequate soundproofing installed. Thick curtains will be hung in the back to isolate noise.
- The licensed premises will not utilize the service of a "promoter" (i.e. a person or entity who maintains an independent guest list and/or shares in the licensee's revenues on a percentage basis). They will also not permit a "promoter" to rent out or use the establishment.

# Community Board Ten

Page - 2 -

- The applicant will appear before the Committee and the Board for a three month review following the issuance of license.
- If there is any change in the applicant's method of operation, the applicant shall notify the District Office at least three months before such change.

  
Josephine Beckmann  
As District Manager  
of Community Board Ten Brooklyn

  
Raymond Medina  
Owner

Date: 8/31/2016

Date: 8/31/16



# Community Board Ten

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DORIS N. CRUZ  
*Vice Chairperson*  
RONALD GROSS  
*Secretary*  
GREGORY AHL  
*Treasurer*

BRIAN KIERAN  
*Chair*

## STIPULATION AGREEMENT

JOSEPHINE BECKMANN  
*District Manager*

Car & Hug Inc., d/b/a Casa Pepe

112-116 Bay Ridge Avenue, Brooklyn, New York 11220

And

Community Board Ten Brooklyn, 8119 5<sup>th</sup> Avenue 11209

At a duly publicized meeting of Community Board Ten held on Monday, September 21, 2015, members of Community Board Ten and Carlos Santamarina as Owner agreed upon the following stipulations to apply to the Method of Operation set forth in his application to the New York State Liquor Authority for an On Premise License for the establishment known as Car & Hug Inc., d/b/a Casa Pepe, 112-116 Bay Ridge Avenue, Brooklyn, New York 11220:

1. The hours of operation are: 4pm-11pm, Monday – Thursday; 4pm-midnight Friday; noon-midnight Saturday; and noon-10pm Sunday;
2. The outdoor enclosure and outdoor area shall not be used;
3. The owner shall provide a telephone number for residents to call to address issues that may arise; (347) 359-8877
4. The applicant shall retain an acoustical engineer to examine and report how to achieve effective sound baffling and sound controlled environment throughout the premises and shall follow the engineer's recommendations to achieve same, and provide a copy of the report to CB10; and
5. The applicant shall return for a three (3) month review to address any issues that may exist.

Josephine Beckmann  
As District Manager  
of Community Board Ten Brooklyn

Carlos Santamarina  
Owner

Date:

9/22/15

Date:

10/01/2015

STATE LIQUOR AUTHORITY – NEW APPLICATIONS & RENEWALS

<u>Name/Address</u>	<u>Received at CB 10</u>	<u>Status</u>
P J Shamrock LLC, 8203 3 <sup>rd</sup> Avenue	9/6/16	*New Application Liquor, Wine, Beer & Cider
Rung Reung Group LLC, d/b/a Glow Thai 7107 3 <sup>rd</sup> Avenue	9/20/16	Renewal Liquor, Wine, Beer & Cider
Gomez & Grau Corp., d/b/a Dyker Beach Wine & Spirits, 697 86 <sup>th</sup> Street	9/26/16	Corporate Change Liquor, Wine (Liquor Store)

\*Will be invited to present application at Police & Public Safety Committee Meeting in October 2016.