

**Community Board Ten Board Meeting Attendance
Norwegian Christian Home
Monday, May 16, 2016 – 7:15 pm**

Board Members Present: 38

Greg Ahl
Elizabeth Amato
Allen Bortnick
Jaynemie Capetanakis
Kevin Peter Carroll
Paul Cassone
Shirley Chin
Judith Collins
Doris Cruz
Ida D'Amelio
Khader El-Yateem
Ann Falutico
Michael Festa
Barbara Germack
Judith Grimaldi
Stephen Harrison
June Johnson
Habib Joudeh
Ramsey Joudeh
Brian Kaszuba
Katherine Khatari
Brian Kieran
Nikolaos Leonardos
Rhea McCone
Nick Nikolopoulos
Susan Pulaski
Dean Rasinya
Husam Rimawi
Hani Sarji
Eleanor Schiano
Joanne Seminara
Joseph Sokoloski
Lawrence Stelter
Sandy Vallas
Brian Walsh
Mary Ann Walsh
Lori Willis
Jonathan Yedin

Board Members Excused: 4

Jumana Bishara
Donna Mae DePola
Stella Kokolis
Dilia Schack

Board Members Absent: 7

Ronald Gross
Victoria Hervas-Castaneda
Bob Hudock
Adil Oualim
Mary Quinones
Linda Sarsour
Joseph Shaia

Ex-Officio:

Councilman Vincent Gentile

COMMUNITY BOARD TEN GUESTS

Date: May 16, 2016 - 7:15 PM

Subject: CB10 Board Meeting - Norwegian Christian Home

PLEASE PROVIDE AS MUCH INFORMATION AS POSSIBLE. THANK YOU.

Name/Address	Phone #	Fax #	E-Mail Address	Organization/Affiliation
Jill Epstein 2533 Westchester St #5F 11235	917.9914413		jillmarie3@aol.com	
Guy & Suzanne DeAngelis 5119 Colonial Rd 11209	718 833-7461			
Pat Rourke 5324 3rd Ave	917-979 0984			Xin Rosi
Rosa D. B. A. 1137 G.S. St Apt #11	347-941-8836			
Ashley Santana	(646) 515-1310			
Christopher Custard...Mollie	249-330-4710 (929)			
EMILY ANDERSON 325 Adams St 11201	718-575-1000		eanderson@brooklynchamber.com	Brooklyn Chamber of Commerce
Diana & Susan Frances				
Nicolas Carandus	(718) 987 0127			Office of Assemblymember Nicole Malliotte
Suzanne D'Agostino	918 571-2536		camdae426@aol	

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Name/Address	Phone #	Fax #	E-Mail Address	Organization/Affiliation
ROSA CASELLA				N/A
Rowan El-Yateem	(347) 385-9533		relyateem@gmail.com	N/A
John Dineo	646-581-1836		JDineo2591@aol.com	N/A
Peter Lovett	(718)439-4295			NYC Parks
Ed Latimer	718-680-3024		ed.latimer413@gmail.com	OBSERVER
JUSTINE TOMOR	502 776 4169		tomorj@brooklyneda.org	DA
FRANK VELLA-MARSALE	718-650-5277			Cong Downer
Tenny Fischman	212 669-4662			Public Advocate.
DET KIRSCHNER				NYPD

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Name/Address	Phone #	Fax #	E-Mail Address	Organization/Affiliation
Patrice Rheume	718-802-3756		prheume@bnucleysp.nyc.gu	BP Adams
Melba Nassab	718-836-0527		nlmassab@gmail.com	PRES BLACKISSX
LINDA ORLANDO 260 65th St 23L	347 385 2010		LINORLANDO@aol.com	
Justene Richards	347.843.2248		juantz5@aol.com	

**COMMUNITY BOARD TEN BOARD MEETING
MAY 16, 2016 – SHORE HILL COMMUNITY ROOM
MINUTES**

Chair Kieran called the meeting to order at 7:20 PM and delayed the Honor of the Pledge until the arrival of James Brian Chin, who has achieved the rank of Eagle Scout.

Chair Kieran asked for a motion from the floor to adopt the agenda. Motion made and seconded.

Chair Kieran asked for a motion from the floor to adopt the Minutes from the April 18, 2016 Board Meeting. Motion by BM Sokoloski, seconded by BM Rasinya.

PUBLIC HEARING

Zoning and Land Use Committee Chair Falutico rendered the Committee report. See attached. Discussion followed.

It was noted that the Committee's recommendation is to disapprove the BSA Special Permit application for 8120 Colonial Road. BM El-Yateem noted that the owner of this property is a pharmacy owner in Bay Ridge. He has operated that business for over 20 years and has lived in this community for over 30 years. The owner is applying for a small change to the property and BM El-Yateem thinks we need to help our families. The owner wants to fix this house before he moves in so it will be big enough for the whole family. He is very interested to see how we can accommodate their application.

BM Nikolopoulos asked where the actual enlargement is needed. Committee Chair Falutico responded that there are two terraces on the second floor. One terrace will be eliminated in its entirety. The proposed condition brings the second floor to occupy much of the 82nd Street terrace. In addition, the shape of the roof goes from a steep slope to a shallow slope which puts more floor area under the roof. BM Nikolopoulos looked at the homes around it and it seems like there are similar type roofs. Committee Chair Falutico said that these conditions existed before zoning and we do not have control over that. She noted that 30% is not a small increase. BM Sarji asked if the 30% is in line with previous changes in surrounding houses that were approved, and was told it is not. Chair Kieran asked if anyone remembered the space increase of special permits and BM Harrison replied that he did not remember but it certainly was not 30%.

BM Rasinya asked why the Committee disapproved this and Committee Chair Falutico replied that it was the extent of the additional FAR over the permissible FAR: .5 allowable, .57 existing, and .74 proposed. BM Harrison said it was not strictly based on volume; it was based on the fact that this is a special permit. The purpose of the special permit was to allow families who are already in the home to expand the home to allow them to stay in the community instead of moving someplace else. In this case, someone is moving into the home never having lived there and is immediately asking, before moving in, to increase the size of the home. To him that is not a special permit; that is a negation of the existing zoning. Secondly, he thinks 30% is not a small number. It is a very significant number. The third reason is that we are in front of City Planning asking for a change to eliminate this altogether so it does not happen. It is contradictory if we say yes to something of this nature at this particular point. He thinks we have a different issue which may come up which is, is it fair when they have already made the application to tell them no, they cannot continue with the application. He would be more than willing to support a motion to the effect that they can continue with their application to go to the Board of Standards and Appeals. Despite the fact that the Community Board has turned down approximately 10 out of 20 applications that we have had, the BSA has never turned one down yet. He thinks we can take the mid-road and said yes, they can continue with it but treat it like we have done anything else of this nature. In this case the Committee has turned it down; he thinks that would be appropriate. In the long run this does not meet the purpose of the special permit. Chair Kieran asked if the owners talked about an alternate plan. Committee Chair Falutico said that as long as the text amendment is not adopted, it is not law. Chair

Kieran asked if they are adding kitchens and bathrooms or just space. Committee Chair Falutico thinks that the basic arrangement of this house is that the living space - kitchen, dining room, family space - would remain on the first floor, and they are adding a small bedroom.

BM Johnson said she has a lot of confidence in the Committee. They have gone over it and if we want to stop these special permits why aren't we following through. Why do we bother putting the Committee through this whole thing? We should follow the rules of the Committee if we want to keep our community safe. Everywhere you look they are building higher and higher, and we are against that. If we want to keep our neighborhood the way it is, she thinks we should follow the special permits.

BM McCone asked if any of the neighbors attended the Committee meeting and was told about 10 people attended and all were in favor of the application, including the next door neighbor and the neighbor directly across the street.

BM El-Yateem said that the language has not been changed into law yet so we have the opportunity to pass this. BM Grimaldi thinks that when you have a set of rules or guidelines it is helpful to stay with them. Our guideline was that it should be for a family who is already living there. She supports the Committee.

BM Kaszuba said he sat down with DM Beckmann over the weekend to look at all the applications we have dealt with in preparation for our application to be removed from the special permit. The Committee's decision was consistent with those. The 30% is a significant change and the fact that the family is moving into that location. He feels we need to be consistent. This is the criteria. Obviously the BSA has not listened to us at all. Most likely they will be able to get the approval. But as a Board it is important that we stay consistent.

The applicant's representative, Jordan Most, said he understands the history of the special permits and its purpose. The language of having to live in the house is not in the special permit statute because it is a little arbitrary. Certainly if the owners had purchased the house one year ago and lived in the house it would technically satisfy that aspect. They live about 10 blocks away from this location in a house that really does not have any enlargement potential. They satisfy the general intent of living in the community and staying in the community. With respect to the FAR, we are talking about a .75 FAR which is still well within the FAR of many homes within the area, some of which are old homes that pre-date the zoning rule. This is an enlargement of about 930 square feet creating more livable space in the attic and one more bedroom on the second floor. It is fairly modest and within the confines of the existing building's footprint.

BM Pulaski said that as an agent she sees this all the time. People see a house and decide to buy the house and enlarge it. This is their plan from the get-go. Their assumption is that they can go to the Community Board or whatever agency and enlarge the house. People should be happy with what they are buying .

BM Kaszuba told Mr. Most that if this family had been there one year it would not necessarily satisfy the requirement. It is the reasoning for the enlargement. The cases we have approved in the past were for young couples or families who needed extra bedrooms, or an older daughter is getting married and wants to stay in the building. It is in keeping families together. It is not a luxury enlargement. There is a purpose for what they are doing to keep the family there.

Chair Kieran noted that we have the Committee's recommendation, a very thorough report, and comments from the applicants, and asked if there were any more questions before the vote. BM Rasinya asked if he understood BM Harrison correctly. He thinks he heard that he wants to disapprove the application, but in the wording say we support the applicant, and was told that is incorrect. BM Harrison thinks there is an unfairness at this particular juncture because we are going forward and these people purchased a house. Mr. Most did not even know that this particular change was being made by us because it has not been published yet. The application had already been made. Upon reflection he does not think it is really fair to the applicant or Mr. Most. They

have spent a significant amount of money on this application. Under the circumstances he thinks if it was grandfathered only for the purpose of application under the current law so it is not something that falls upon them unfairly. Chair Kieran asked for clarification that BM Harrison said it is fair that it somehow be grandfathered but he is not supporting it. BM Harrison responded that it is fair to grandfather the application, but it would not be fair to the community to grant it. Committee Chair Falutico thinks that grandfathering is already part of City law. DM Beckmann said that as it was explained to her, special permit is a little bit unique. There are grandfathering conditions currently in the zoning text. Typically when it is rezoning or certain types of changes in zoning, there are applicants who already have building permits pulled. So the text probably speaks very specifically about applicants who already have building permits. But with the special permit, since you have to go to the BSA, they are unable to apply for building permits. Specific provisions currently in the text may not apply to this application. However, in our application we may be able to indicate a support for grandfathering of applications because we have not yet provided formal notice of our intent to change the text. Once notice is published in the City Record, which should be any day now, there will be a cutoff date which will be our date to request grandfathering. The question was asked if we are basing this on the current rule. DM Beckmann said it is the current rule but this is really two separate issues.

BM Cruz said that the grandfathering would not be part of this application. When Community Board Ten submits its application to rescind the special permit, in that application we can say existing applications as of a certain date are grandfathered. Any application that had been made to the Department of City Planning and Buildings prior to that date may be considered. However, if someone applies after that date, that cannot be considered. BM Harrison said it leaves the option open for us to say we oppose it. BM Cruz said that these people did not know we were going forward with the change to the special permit. They may not have considered this at all and not gone through any expense. We do not want to penalize them. We are basically letting the BSA make the decision. Committee Chair Falutico said that when DM Beckmann gives the full update on the text change then perhaps that is the time to make a motion about the grandfathering with respect to that.

BM Sarji said it has been said that the purpose of the special permit is to keep families in place. This family has a place where they reside, and they purchased this place. BM Harrison said the solution quite frankly was that they should not have bought this house if they had known that; they should have bought a larger place. They liked this place and wanted to build it. That would basically negate our current zoning and there is no reason for that. Committee Chair Falutico said the special permit is not a given.

BM Bortnick thinks it seems strange that people living adjacent to them say go ahead. People here who are blocks and blocks away say no, you cannot do it. BM Nikolopoulos commented that we have to separate the skyscrapers and the local homes. There is a big difference. This is a local family who is building a home.

Chair Kieran reiterated that the Committee's recommendation is to disapprove the application because it is not what we normally would consider supporting under special permit applications.

Motion: CB 10 to disapprove the BSA Special Permit Application #2016-4163-BZ, Special Permit as per Section 73-622, for the property located at 8120 Colonial Road which seeks to enlarge a single family detached residence within an R2 Zoning District. 26 in favor. 11 opposed. 1 Recusal – BM Stelter. Motion carried.

Motion: CB 10 to approve the new DCA Unenclosed Sidewalk Café Application for 7 tables and 28 seats at Brooklyn Burgers LLC, 719 86th Street, DCA License #4361-2016-ASWC. All in favor. Motion carried.

Chair Kieran then invited James Brian Chin to lead the Honor of the Pledge.

PUBLIC SESSION

Nicholas Chamberas congratulated James Chin on his achievement. He congratulated the organizers and participants of yesterday's Norwegian Day Parade, which was a great event as always. Assemblywoman Malliotakis is again organizing Yoga in the Park on Shore Road. May 30th is the wonderful, terrific and absolutely amazing Kings County Memorial Day Parade. He encouraged everyone to show up and participate and bring your family and friends.

Fran Vella-Marrone from Congressman Donovan's office announced an important piece of legislation that just passed the House and will soon be passed by the Senate, which is the Comprehensive Opioid Abuse Reduction Act. This will provide additional funding for local governments and non-profit organizations for treatment, education, and law enforcement. In addition, Congressman Donovan successfully offered an amendment to direct grants to assist pregnant women struggling with addiction. The Congressman has recently passed his one year anniversary since taking office. He hit the ground running with the comprehensive opioid addiction program that was passed. In addition, he fought vigorously to pass the Zadroga Act and make it permanent, and he has supported mass transit funding. That is just a small portion of the number of items he has fought for that have passed, and he will be coming out with an agenda shortly on what he will be pursuing in the future.

Travis Lamprecht announced that Councilman Gentile has submitted his new and reappointed Community Board Ten member list to the Borough President and they are awaiting his list. Everyone was given a Newsletter tonight and they are asking people to share legislative ideas with them, which they will review and possibly introduce something. He said that the Greenmarket opened and is a big success. They had a successful rain barrel giveaway which they are planning to do again. People can check their social media for information. Finally, with regard to the erroneous T-intersection curb cut tickets that have been given out since 2009, the Councilman has publicly called out the City to work on paying people back. They are closely monitoring the situation and will provide updates.

Alexandra Larkin from Assembly Member Pamela Harris' office noted that Speaker of State Assembly Carl Heastie toured the District last Friday, starting at their new Bay Ridge office at 8525 3rd Avenue. They opened this week and she invited everyone to stop by tomorrow during the Senior Social. They also toured McKinley Junior High School to Coney Island's Boardwalk and addressed a lot of issues that the community has. She noted they will keep us posted on bill #A09770 which would require video interrogations of juveniles under the age of 18.

Patrick Rheaume announced that on June 9th from 11AM to 4PM the Borough President and Deputy Borough President will be hosting a free Brooklyn Day Celebration at McCarren Park in Williamsburg. BM Bortnick asked Patrick if he could find out about the appointments for the Board. Patrick replied that he will find out and get the information to the Community Board.

Justine Tomon from District Attorney Thompson's office announced their Begin Again Program which will be held on Saturday, June 11th in Bushwick. They recently started their Young Adult Bureau which is geared to young individuals between the ages of 16 and 24 to get low level offenses wiped off their record. Finally, they will have an Immigration Forum on June 18th.

Jenny Fishman said that the Public Advocates' Office was getting a lot of calls from people in New York City housing during the winter about not having heat turned on. Their office called New York City Housing who stated their policy was that they do not turn the heat on unless it is below 20 degrees. The Public Advocates' office just settled a law suit so now anyone who lives in New York City housing has the right to have the heat turned on if it is below 50 degrees.

Jay Filan from the Fort Hamilton Branch of the library announced that they will have Citizenship Exam Preparation classes every Wednesday from 6:00 to 7:30 PM. This weekend two staff members from the Fort Hamilton Branch will be doing story time at the Greenmarket. Brooklyn Day, Thursday, June 9th, is the start of Brooklyn Public Library Summer Reading Club. Kicking off at the Fort Hamilton Branch will be a music performance and they were able to invite a lot of children from the Fort Hamilton Army Base. They hope to start a good relationship with them so they will be able to participate in the wonderful programs. Their monthly First Monday Cinema will be "The Palm Beach Story" on June 6th at 2:00 PM.

Doris Cruz and Judie Grimaldi announced the Senior Sidewalk Social which will be held on Tuesday, May 17th. This is an event that was designed to bring the concept of Age Friendly to Bay Ridge. Seniors make the decision as to where they are going to spend the rest of their lives between 60 and 70 years of age, and we want them to realize how much this community offers them. They also want the merchants to know what a huge part of their market seniors are because seniors shop and eat locally, and are one of the largest growing portions of our population. There will be a casino at Cebu, bingo, free tastings at a number of the restaurants, discounts, entertainment, a vintage car show in the parking lot of HSBC, an antique road show, free blowouts by Bohemian Rose, free haircuts for men at Rags and Stripes, and the consignment center is doing appraisals. Thirty-eight different events are happening from 2:00 to 7:00 PM. As part of the Age Friendly process, the Bay Ridge Center was given a \$100,000 grant to do a needs assessment survey. Anyone over 60 years of age can complete the needs assessment survey and receive a gift card. There is also a hop-on hop-off trolley. Because it is not handicap accessible, the Bay Ridge Center will also have a handicap accessible van for people on 3rd Avenue.

CHAIR'S REPORT

Chair Kieran said Bay Ridge is amazing – there is always something going on. Even if there is nothing special going on, the place is special in itself. The best we can do is try to preserve that, to make it better where we can and stop any deterioration, make the best choices we can, direct our public advocates and leaders to get the best for our citizens, our neighbors and our friends.

With regard to the Prince Hotel, Chair Kieran said that basically the hotel has not been run in conformance of the law, zoning, or their Certificate of Occupancy for decades. They have been fined and as you know the Mayor came to our Town Hall meeting and said he would get the sheriff on it and he did which was very effective. The hotel's owner had his attorney go to court and the judge who heard the application said the judgements are decades old and maybe there will be some remedy to be successful in vacating the judgements. A reasonable person might say I don't know how that is possible, but now the owner has a free stay and can go back to business as usual. Chair Kieran thinks that flies in the face of what the community is trying to do and maybe says why we have not had success for decades. We have to comply with the law and our neighbors have to comply with the law. Usually when people do not comply there is a consequence, but not for the Prince Hotel for whatever reason. They have a hearing in Supreme Court and he suggests that people who have time go down to the court and let the judge know that this is not just a piece of property, that this affects neighbors, that there is going to be a Board of Education facility on that block, and that people have moved away from that block. This auction is now on hold as well. He will certainly keep his attention on it, and he and the District Office will let the community know what is going on. The fight is not over and we will have to be ever more vigilant.

DISTRICT MANAGER'S REPORT – See Attached

BM Harrison asked if the 86th Street overpass rehabilitation was spurred on by the complaints that resulted in an inspection or is it something they already had in the works. DM Beckmann replied that to her, the timing seems that it coincided, but could not confirm this was the case. DOT stated the rehab work was being made in

response to an inspection that noted deficiencies. BM Harrison thinks we should be able to look and see what the inspection report says. DM Beckmann said she can get a copy of the report.

BM Bortnick said that when National Grid took over they doubled their income with monthly billing. National Grid wants a low six figures to install a gas line to supply gas to the co-op complex he lives in, and in checking no other company charges for that type of work. He asked what help they can get from the Board to go after National Grid. DM Beckmann said maybe we can have National Grid come to give a presentation on that and give them the opportunity to answer questions. BM Cruz asked if that was to convert from oil to gas. She said it is a citywide issue because the volume of gas that has to be brought into the building is much higher than it is for cooking. BM Bortnick said it is a question of charging them to lay the pipes in. They have pipes coming down in the Shore Road area that they do not want to tap into. It was not a question of volume; it was just the idea that they want to make more money. Chair Kieran said we can get them here to explain what they are doing and what they say they are doing.

BM Falutico asked if there is a rain date for the Senior Sidewalk Social and was told it will be held rain or shine.

Travis Lamprecht asked for information on the muni-meters and DM Beckmann replied that they will be equipped with the new technology but that has not yet been launched. It should be soon.

TREASURER'S REPORT – See Attached

COMMITTEE REPORTS

POLICE AND PUBLIC SAFETY COMMITTEE

Police and Public Safety Committee member Nikolopoulos rendered the Committee report. See Attached. Discussion followed.

Police and Public Safety Committee Chair Willis asked if the Committee met in quorum and was told it did.

BM Ahl commented that Ponte Vecchio valets constantly block off the whole sidewalk for their own parking. Cars are constantly double parked which shuts down 4th Avenue at that turn because that corner is off kilter and no one can get by. They block off the whole block with cones. They have to do a better job of not blocking the street when people have to get around those cars. Chair Kieran thinks that would be more a Police and Public Safety matter, including car dealerships on 5th Avenue. The applicant was present at tonight's meeting and BM Grimaldi asked him if there is a solution he could offer. The applicant replied that the valet parking costs him about \$970 per week and it is the same service that Arirang and Honda use. It is not their valet service. BM Grimaldi said the objection was the cones in the street. The applicant said the cones belong to the valet and they stay on top of that. DM Beckmann said that the valet is putting the cones out, and we have had the Precinct go down several times to remove the cones. Maybe the valet can be instructed not to put the cones out because sometimes it is the whole stretch. The applicant thinks it is more of a problem when school gets out. The company has released three or four valet parkers that constantly were doing that. BM Grimaldi said the three businesses have to be told no valet parking. The applicant replied that the State would have to do that. DM Beckmann said that the businesses hired the valet. Chair Kieran asked that the applicant speak with the valet parkers. BM Harrison pointed out that that is right down the block from Century, who made a deal with the Community Board when they got their garage that they would absolutely allow valets to move everything there so we can get them off the street. There is a solution there because Century 21 made a deal with us in order to get their parking lot. The applicant said they had a problem because a car they parked there was supposedly scratched and Century 21 was hit with a law suit, so they try to stop valets from parking there. BM

Harrison said they made a deal with the Community Board so they cannot do that. DM Beckmann said it is in their variance.

Motion: CB 10 to approve the SLA Alteration Application for ENBA LLC, d/b/a Ponte Vecchio Restaurant, 8810 4th Avenue. All in favor. Motion carried.

Motion: CB 10 to disapprove the new SLA On Premise Application for New Suki Sushi Inc., d/b/a Suki Sushi Cocktail, 9208 3rd Avenue unless the following stipulation is met:

- **Background music to end at 10:00 PM in the outdoor rear yard.**

All in favor. Motion carried.

Motion: CB 10 to disapprove the new SLA Wine/Beer/Cider Application for HN Sons II LLC, d/b/a The Coop, 9504 4th Avenue unless the following stipulation is met:

- **The doors to remain closed from 10:00 PM to closing.**

All in favor. Motion carried.

With regard to the new On Premise license for Xin, BM Cruz said this is a new application but there is an existing sidewalk café and asked if they need a new application. BM Nikolopoulos asked the applicant if they are applying for that and the applicant replied that they are not applying this year. This application does not include the sidewalk café.

Motion: CB 10 to disapprove the new SLA Liquor/Wine/Beer/Cider Application for Phoenix 384 Corp., d/b/a XIN, 8324 3rd Avenue unless the following stipulations are met:

1. **The exterior doors and windows will be shut when any type of music is on.**
2. **The applicant shall again appear before the Committee and the Board for a six month review.**

All in favor. Motion carried.

With regard to the new SLA Wine/Beer Application for Hot Pot 828 Inc., BM Habib Joudeh asked if the stipulation was that there would be no house of worship when in operation or period and was told no house of worship period. BM Nikolopoulos said that it is on the C of O but the applicant said there is a law office upstairs, but they want that on the stipulation. BM Stelter asked if the law office is legal and DM Beckmann said it is because it is zoned as a manufacturing district. Right now it is listed on the C of O as a house of worship, which is no longer there, but has to be amended on the Certificate of Occupancy.

BM Capetanakis stated that when it was a house of worship they had a temple on the roof structure. They did hear chimes at certain times and she will ask the teachers on that side of the building if they still hear it. BM Nikolopoulos said that at the Committee meeting, the applicant made it sound like the house of worship was no longer there. BM Falutico asked if the Certificate of Occupancy says house of worship and was told that it does. DM Beckmann said we put that in the stipulations. BM El-Yateem said it should be disapproved if there is a house of worship there. BM Nikolopoulos said it shows community facility (house of worship). DM Beckmann said BM Falutico's point is that they should change the C of O before they apply. BM Falutico said she would support the motion of disapproving the application until they change the Certificate of Occupancy. BM Willis asked why we have the right to tell them they cannot have a liquor license. DM Beckmann replied that it violates state law. The ABC Law says no license is issued within 200', so if it is in the same building that is within the 200'. BM Willis asked what the C of O says about the actual premises. BM Nikolopoulos replied that it says commercial space on the first floor, and community facility/house of worship or commercial space on the second floor. He said we are concerned about the house of worship part because the applicant states that he already has a commercial tenant.

BM Capetanakis checked on NY Lotus Light Association located at 828 64th Street, 3rd floor, which does have a Facebook page that was last updated on February 2nd. Chair Kieran said that we must vote on this motion or

table it. BM Harrison said that if this Lotus Light rings a bell once a day that does not make it a house of worship. Chair Kieran's humble opinion is that the Committee's recommendation does encompass whether it would be in conflict with a house of worship in the structure. He thinks if it is a problem they will have to come back or they will not get approval even with our recommendation. DM Beckmann said that this cannot be tabled because we have 30 days to provide comment. So we could put forth that comment to the SLA alerting them to the C of O issue. BM Willis said she doubts the SLA would go for a site inspection, but with the stipulation in there it would be a violation of their liquor license. She thinks it is covered. BM Nikolopoulos reiterated the Committee's recommendation.

Motion: CB 10 to disapprove the new SLA Wine/Beer Application for Hot Pot 828 Inc., 828 64th Street unless the following stipulations are met:

- 1. The front door to remain closed after 10:00 PM when the music is on.**
- 2. Verifying there is no house of worship on 2nd and 3rd floors.**

35 in favor. Two opposed – BM Carroll; BM Falutico. One recusal – BM Stelter. Motion carried.

Chair Kieran said the Committee does great work and thorough work and does the best they can with all the applications that come before it. He sat through the first presentation for To Restaurant and this is not a reflection of what he believes will happen or what is in the minds of the applicant or operators, but when you have more stipulations than you have fingers, there might be something problematic about the location or having a liquor license attached with whatever business is there. He is loath to approve any application there. He thinks it reflects how problematic this place has been. It has been a magnet for problems and there is no reason to believe it will not be in the future just based on the promises of new operators.

BM Harrison asked why the Committee decided to go with 18 stipulations. BM Nikolopoulos replied that the applicant agreed to the stipulations that were given for the original license with the addition of some hours changes and some additional ones because there is no restaurant involved. The Committee changed the original stipulations to reflect what is happening now. But it was noted that he did not change the permit that was supposed to be changed originally. It is the same owner.

BM Harrison asked if there is an expectation that the applicant will be able to meet the stipulations because it may be better to go with the 18 stipulations and when he does not follow the stipulations, then he has breached it and we have a better shot at getting rid of it than if we just say no now. If we say no now and the SLA says yes, then we have him there without any stipulations. He would rather go with the 18 stipulations.

BM McCone asked for clarification of the hours of operation as to whether it was 10AM or 10PM, and was told it is 10AM. Sunday through Thursday - 10AM to 1AM; Friday and Saturday – 10AM to 2AM.

Motion: CB 10 to disapprove the SLA Alteration Application for On Premise License for To Restaurant & Bar Corp., 834 62nd Street unless the following stipulations are met:

- 1. The applicant shall amend C/O and Place of Assembly permit to eliminate cabaret as a permitted use, and shall not file for a cabaret permit in the future.**
- 2. No dancing shall be permitted on premises.**
- 3. There shall be no live music or DJ music permitted on premises and no promoted events allowed.**
- 4. There shall be Karaoke permitted only in the Karaoke rooms.**
- 5. The plans submitted to the Committee shall have an indication that all tables shall be affixed to the premises and immovable, and shall be made part of the applicant's SLA application.**
- 6. The plans shall be a true and actual depiction of the physical layout of the licensed premises, and banquets and tables reflected thereon shall be affixed to the premises.**
- 7. The door of each Karaoke room shall have a 2' x 2' glass area to permit easy viewing into rooms from the exterior of the room for security reasons.**

8. Applicant shall install a video surveillance system in each Karaoke room, along with any other public space, and shall monitor same. Videos shall be kept for at least 30 days.
 9. Applicant shall at all times employ a licensed and bonded security company to check identification and provide security on premises, with at least four security personnel on the premises at all times operation, and not less than two security personnel at the door and two inside.
 10. The permitted hours of operation of the premises shall be: Sunday-Thursday 10AM – 1AM; Friday – Saturday 10AM – 2AM.
 11. The applicant shall hire and obtain a sound engineer to render a report with regard to soundproofing and/or sound abatement measures to be taken at the premises to prevent noise emanating from the premises, and shall provide the District Office with a copy of the same.
 12. The applicant shall install soundproofing on all walls and ceilings of the premises, and such additional soundproofing and/or sound abatement measures as the sound engineer's report shall recommend to prevent noise from emanating outside the premises.
 13. Only pre-recorded background music shall be permitted in any non Karaoke area through teacup speakers.
 14. The applicant, Mr. Li, or the manager shall be on premises during all hours of operation, and the said manager shall be added to liquor license.
 15. Applicant shall distribute a dedicated cell number for Mr. Li and said manager on duty to District Office and to the surrounding residents.
 16. The applicant shall submit its actual SLA amendment application to CB 10 District Office upon its filing.
 17. If the said method of operation changes, the applicant shall notify the District Office 30 days in advance of the said change, and attend a meeting with the Committee regarding same.
 18. The applicant will appear for a three month review to address any additional concerns. Three month review date after date of grand reopening. Applicant noted that construction will last anywhere from seven months to one year from today.
- 33 in favor. 5 opposed – BM Johnson, BM Kieran, BM Carroll, BM Collins, BM Yedin. Motion carried.

ZONING AND LAND USE COMMITTEE

Zoning and Land Use Committee Chair Falutico rendered the Committee report. See attached. Discussion followed.

BM Sokoloski asked what the “hold” means regarding 401 95th Street. Committee Chair Falutico said that they would not be able to renew their permits since there is a hold on the reissuance of permits. BM Cassone asked what the status is on the noise complaints and DM Beckmann replied that the complaints were early on in the construction and seem to have settled down now. Residents who were at the Committee meeting felt that Saturday is a day of family enjoyment and they did not want the Saturday work. In the beginning the work was taking place late at night and on Saturday, hence the noise complaints.

Motion: CB 10 to recommend that the Department of Buildings lift the “Hold” on general issuance of standard permits for 401 95th Street thus allowing continuance of project construction as per the approved plans. 37 in favor. One recusal – BM Stelter. Motion carried.

Motion: CB 10 to recommend that the Department of Buildings deny the current request for After-Hours Variance Permits at 401 95th Street due to the history of noise complaints. 37 in favor. One recusal – BM Stelter. Motion carried.

With regard to the update on the process to revoke the use of the Special Permit within Community Board Ten, Committee Chair Falutico asked if this was the opportunity to make a motion about grandfathering. DM

Beckmann thinks that we will have a public meeting and have a recommendation for the June Board meeting which might be the more appropriate time.

BM Harrison thinks in this particular case because it is something we have been trying to do for so long that DM Beckmann, Richard Jacobs who has worked with us so often, and Councilman Gentile ought to be thanked because regardless of what happens they have done incredible work on this issue.

NOMINATING COMMITTEE

Nominating Committee Chair Grimaldi rendered the Committee report. See attached.

Chair Kieran moved to open up nominations from the floor and asked if there were any nominations for the positions of Treasurer, Secretary, Vice Chair and Chair respectively. Seeing none, he asked for a motion from the floor to close the nominations. Motion by BM Bortnick, seconded by BM Sokoloski.

Motion: To close nominations for Treasurer, Secretary, Vice Chair and Chair. All in favor. Motion carried.

With no additional candidates nominated from the floor, and in the absence of Secretary Gross, Chair Kieran asked Vice Chair Cruz to cast one vote for the slate brought forth by the Nominating Committee as follows:

Chair	–	Doris Cruz
Vice Chair	–	Lori Willis
Secretary	–	Jaynemie Capetanakis
Treasurer	–	Sandy Vallas

Chair Kieran closed the nominating process and election process, and congratulated all the officers and the Nominating Committee. Chair Kieran said he is very happy to pass the microphone to Doris Cruz, that it has been a wonderful experience being Chair, and he is looking forward to his exit meeting and party. He thanked everyone for their cooperation and hard work over the past three years.

BM Kaszuba said he appreciated the Nominating Committee taking a look at his candidacy for the Board. He congratulated those on the slate and looks forward to working with them and taking a more active role.

OLD BUSINESS

None

NEW BUSINESS

Chair Kieran remembered our former Chair Arthur Schack who recently passed away due to illness. Our own Board member Dilia Schack is not here, and we remember her and her family. Arthur did a great job as Chair. He was inspirational and stayed involved. He was a wonderful example of what an involved citizen of Bay Ridge or any community can be. We could take a lesson from him, and we will miss him. He asked for a moment of silence in Arthur Schack’s memory.

Motion from the floor to adjourn. With no further business, Chair Kieran adjourned the meeting at 9:18 PM.

ZONING AND LAND USE COMMITTEE

Community Planning Board #10/Brooklyn

May 9th, 2016

ZALUC Committee Meeting @ 7:00 on May 9th 2016

TOPIC #1

BSA Application #2016-4163BZ _Special Permit as per Section 73-622 for the property located at 8120 Colonial Road proposing the enlargement of a single family home in the R2 Zoning District.

Jordan Most from the office of Sheldon Lobel presented the application. The application proposes an expansion of the 2nd Floor extending it over several one-story portions of the building and a reconfiguration of the roof line creating less steep slope than the existing. These two measures allow for an increase in floor area without a change in the footprint of the residence.

Several nearby neighbors, including the immediate next door neighbor and one immediately across the street, were present at the meeting and voiced support for the application as submitted.

Committee discussion raised the following points:

The applicant is a new owner who has not occupied the premises, bringing into question 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 reaches an FAR of .57 and the proposed conditions requested in the Special Permit would increase the FAR to .74 or additional 30% over the allowable FAR of .5.

Although the proposal does not increase the footprint and does not appear to interfere with light or view of other properties, it is a significant increase over the allowable FAR.

In addition, CB10 is in the process of filing with City Planning for a zoning text change which would remove CB10 from Special Permit Section 73-622 and that support of this application may be seen as inconsistent with our request for the text change.

Motion:

To disapprove the application.

The vote was all in favor.

TOPIC #2

DCA License #4361-2016-ASWCX – a new application for an unenclosed sidewalk café with 7 tables and 28 seats at Brooklyn Burgers at 719 86th Street (location of former Bella Luna)

The café is in connection with a newly established business. The application proposes a small number of tables, all of which are on 7th Avenue, none on 86th Street. The configuration is a single line of tables for four persons aligned against the building wall.

Motion:

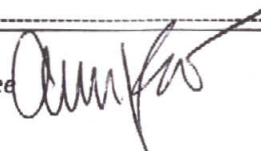
To approve the application.

The vote was all in favor.

Meeting was adjourned at 9:30 PM.

Respectfully Submitted:

Ann Falutico, Committee Chair Zoning and Land Use Committee



Committee Members Attending:

Josphine Beckmann

Ann Falutico, Barbara Germack, Steve Harrison, Brian Kasuba, Susan Pulaski

MaryAnn Walsh

DISTRICT MANAGER REPORT
May 16, 2016

Good Evening Board Members,

As you know, National Grid has been working in Community District 10 on several infrastructure replacement projects. They include 76th Street from 5th Avenue to 7th Avenue; Colonial Road from 77th Street to 80th Street, 79th Street from 11th to 12th Avenues and Bay Ridge Avenue at 3rd Avenue – 3rd Avenue from 68th Street to Ovington Avenue; Bay Ridge Avenue from 10th to 11th Avenue. The Bay Ridge Avenue at 3rd Avenue infrastructure is located under the intersection and on the west side of the street. Traffic will remain open and as we all know it is a very busy intersection with 4 bus lines – X27, X37, B9 and B1 buses and of course the 3rd Avenue B37.

Breaking Ground, our homeless outreach provider has a new coordinator. We will be working to address an increase in complaints along 62nd Street from 8th to 14th Avenues and on 67th Street near Leif Ericson Drive.

This is the height of block party application season at Community Board Ten. I want to make this public service announcement that anyone seeking to hold a block party within the confines of Community District Ten requires a Street Activity Permit. The rules are quite rigid as it relates to a street closure for a block party. The permit application was computerized a few years ago. The application is reviewed by a multitude of city agencies including Community Board Ten and listed on the Citywide Coordinated Event list alerting agencies. Each year we receive between 60 and 70 applications. The city requires 90 day advance filing and will not accept late filers. Last year we had a handful of residents who forgot about the 90 day requirement and were very disappointed they could not hold the block party on their specific event. Each year we proactively write to ALL previous filers in the month of February to remind applicants of this strict rule.

A block party is limited to only 9 hours and must take place between the hours of 9am and 9pm. Community Board 10 also requires a petition of signatures from at least 60 percent of the residents living on the block. Sound permits can only be obtained by the 68 Police Precinct once the SAPO permit is obtained. Fun fact.. there is a maximum of 3 block party applications per block each year.

On September 23, 2015, CB10 made a joint request to NYC and NYS DOT requesting an immediate engineering inspection of the overpass and crosswalk at the 86th Street Exit - BQE - (heading westbound) Intersection at Gatling Place.

The reason for the urgency of the request is that the District Office received several complaints from local pedestrians who regularly walk across 86th Street concerned that vibrations on the 86th Street Overpass and adjacent crosswalk have increased significantly. They described being lifted off their feet standing on the overpass waiting to cross the street at 86th Street and Gatling Place. A very large crack also formed (starts at the expansion joint that crosses 86th Street) across the crosswalk and newly depressed areas at the intersection of 86th Street.

On May 1, 2016, I received a notification from the NYS Department of Transportation which as part of multi-borough project the NYS DOT is planning to rehabilitate the 86th Street bridge over the Gowanus Expressway. The project is currently in the Preliminary Design Phase and will be constructed through a Design Building contract and work is planned to start in 2017.

BM Nick Nicolopolous also brought to our attention deficiencies on the 92nd Street Overpass which were forwarded with photos to the NYS Department of Transportation.

From the NYC Department of Transportation we received a letter from Commissioner Keith Bray informing us of DOT plans to install new muni-meters in Community District 10 beginning in June, 2016. The specific locations are as follows:

East Side

- Two meters on 3rd Avenue from 81st to 82nd Streets
- Two meters on 3rd Avenue from Marine Avenue to 97th Street
- Two meters on 4th Avenue from 68th to Senator Streets
- Two meters on 4th Avenue from 99th Street to Marine Avenue
- Two meters on 5th Avenue from 90th to 92nd Streets

West Side

- Two meters on 3rd Avenue from 97th Street to Marine Avenue
- Two meters on 4th Avenue from 99th to 100th Streets
- Two meters on Bay Ridge Parkway from 3rd Avenue to Ridge Boulevard on the north side

Muni-meters help create vibrant retail corridors by encouraging vehicular turnover, in addition to offering several customer-friendly features, including a convenient pay- and display system. DOT also reminded us that paying for parking is about to get even easier. As Mayor de Blasio announced in his State of the City address, we will begin rolling out a pay-by-cell program this year so that motorists will have another convenient payment option at the touch of a finger.

Tonight we have Bay Ridge Age 55 plus Neighborhood Needs surveys to distribute. If you are eligible and interested in filling one out.. they are relatively quick to do but you can take one and return it to the District Office as soon as it is completed. They need to be entered into the database by May 30th.. so we would need it back in office as soon as possible. The first 400 respondents will receive a \$5 Gift Card as an incentive.

I attended the 5th Avenue Bay Ridge SAW ribbon cutting on Saturday – May 14th. The 7th Annual Storefront Art Walk will be on display until June 25th from Bay Ridge Avenue to 85th Street.

Tonight most of you have been provided with 2015 Citywide Guide to Services and Resources in Brooklyn. This informative guide was given to us by the Borough Presidents office for distribution. We hope you find it useful.

Building our new website is moving along and we are on schedule to be launched before June 30th. The District Office will be attending a training session on June 2nd.

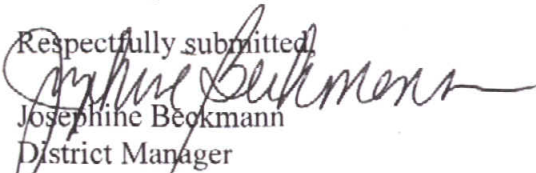
ANNOUNCEMENTS

Memorial Day Parade kicks off at 11 AM – Monday, May 30th on 87th Street and Third Ave. goes to Marine Ave. then up to Fourth Ave. and over to John Paul Jones Park, for a memorial service that includes a Wreath Laying, Flag Raising, Playing of Taps and a 21 gun-salute by Soldiers from the US Army Fort Hamilton Garrison

Senior Sidewalk Social is tomorrow Tuesday, May 17th – 2pm to 7pm kick-off to promoting Bay Ridge Age Friendly project. The opening ceremony will be at 2pm at HSBC Bank. Fifth Avenue Festival will take place on Sunday, June 5th from 10am to 6pm on 5th Avenue from 65th Street to 85th Street.

Next meeting of Community Board Ten will take place on Monday, June 20th – 7:15pm at the Shore Hill Community Room – 9000 Shore Road.

Respectfully submitted,


Josephine Beckmann
District Manager

**COMMUNITY BOARD TEN
TREASURER'S REPORT**

Fiscal Year: July 1, 2015 to June 30, 2016

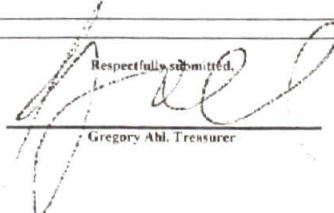
Budget Appropriation for FY 16	\$229,895.00
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	7/31/15	8/31/15	9/30/15	10/31/15	11/30/15	12/31/15	1/31/16	2/28/16	3/31/16	4/30/16	5/31/16	6/30/16	Y - T - D
DISTRICT MANAGER	\$12,757.46	\$8,495.56	\$8,495.56	\$8,495.56	\$8,495.56	\$12,743.34	\$8,495.56	\$8,495.56	\$8,495.56	\$10,232.38			
COMMUNITY COORDINATOR	\$7,713.71	\$5,136.78	\$5,214.76	\$5,265.22	\$5,265.22	\$7,897.83	\$5,265.22	\$5,265.22	\$5,265.22	\$5,265.22			
COMMUNITY ASSOCIATE													
COMMUNITY ASSISTANT	\$2,166.00	\$1,444.00	\$1,455.25	\$1,480.00	\$1,480.00	\$2,220.00	\$1,480.00	\$1,480.00	\$1,480.00	\$1,480.00			
Total Personal Services	\$22,637.17	\$15,076.34	\$15,165.57	\$15,240.78	\$15,240.78	\$22,861.17	\$15,240.78	\$15,240.78	\$15,240.78	\$16,977.58	\$0.00	\$0.00	\$168,921.73

ExpensesCode	Description	7/31/15	8/31/15	9/30/15	10/31/15	11/30/15	12/31/15	1/31/16	2/29/16	3/31/16	4/30/16	5/31/16	6/30/16	Y - T - D	
10B	Telephone	205.93	205.65	205.10	207.92	201.50	206.26	204.93	205.66	209.24	205.93				
10X	Intra-City Supplies														
40B	Intra-City Telephone														
100	Supplies & Materials			583.41					642.80						
61	Printing Supplies														
117	Postage										2,900.00				
170	Cleaning Supplies										209.18				
199	Data Processing Supplies														
302	Telecomm. Equipment														
314	Office furniture														
315	Office Equipment														
319	Security Equipment		75.00		75.00			75.00			75.00				
332	Data Process Equipment														
337	Books														
402	Tel./Communications														
412	Rental/Misc./Equip		386.82	149.00	237.00	193.00	193.00	193.00	193.00	193.00	149.00				
417	Advertising														
471	Leasing Misc. Equip														
451	Local travel expenditures														
602	Telecomm. Maintenance		63.14	31.61	31.61	31.48	31.48	31.48	31.48	31.48	31.48				
613	Office Equip. Maint														
613	Data Process Equipment														
615	Printing Supplies														
622	Temporary Services-contractual						80.00			525.00					
624	Cleaning Services	160.00	160.00	160.00	160.00	160.00	160.00	160.00	240.00	160.00	160.00				
638	Iron Security Gate Maintenance														
676	Arming														
Total Other than Personal Services		\$385.93	\$890.61	\$1,129.12	\$711.53	\$585.98	\$770.74	\$664.41	\$1,312.94	\$1,118.72	\$2,830.59	\$0.00	\$0.00	0.00	\$10,380.57

TOTAL PS AND OTPS EXPENSES	23,003.10	15,966.95	16,294.69	15,952.31	15,826.76	23,631.91	15,905.19	16,553.72	16,359.50	19,808.17	0.00	0.00	0.00	179,302.30
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TOTAL UNCUMBERED BUDGET BALANCE														\$50,592.70
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Respectfully submitted,

 Gregory Abl, Treasurer

POLICE AND PUBLIC SAFETY COMMITTEE COMMUNITY BOARD 10

Date/Time: May 10, 2016, 7:00pm
Called to Order: 7:06pm
Place: District Office, 8119 5th Ave, Brooklyn, NY 11209
Quorum : YES (Attendance sheet attached)

Alteration of an existing SLA On Premises Liquor License for ENBA LLC, dba Ponte Vecchio Restaurant

Premises: 8810 4th Avenue

200 Foot/500 Foot Hearing: n/a

This is an application for an alteration of an existing license, #1261994, to add the use of a rear outdoor space at 8810- 4th avenue. The applicant appeared by its owner, Rino Aprea. The premises is run as a restaurant and will continue to be run as such with the addition of the rear outdoor yard usage. The yard will have 8 tables and 23 seats. The yard will have 7 maintained planters, only one of which is required by the C of O. The outdoor space will be open Sun-Thurs from noon-11pm and Fri/Sat Noon- 12am. No music will be played in any outdoor space. The premises to have no adverse history. The committee voted unanimously to approve this application.

New SLA On Premises Liquor License for New Suki Sushi Inc, dba Suki Sushi Cocktail

Premises: 9208 3rd Avenue

200 Foot/ 500 Foot Hearing: n/a

This is an application for a new On Premises Liquor License at 9208-3rd avenue. The applicant appeared by the wife of the new owner, Xing Yan Chen, and by its attorney, Hong Chen. The Premises is currently a Sushi restaurant and will continue to operate as such. The restaurant has a C of O which allows for 75 seats. The restaurant has an outdoor rear yard use with 4 tables and 8 seats. The hours of operation are Mon-Fri 11:30am-11pm, Fri,Sat 11:30am-11:30pm, Sunday 11:30am-10pm. The premises will have background music. The premises has no adverse history with the previous owner. The committee voted unanimously to disapprove the application unless the following stipulation is met:

1. Background music to end at 10pm in the outdoor rear yard.

New SLA Wine and Beer Application for HN Sons Inc., dba The Coop

Premises: 9504 4th avenue

200 foot/ 500 foot hearing: n/a

This is an application for a new On Premise wine/beer license at 9504 4th avenue. The applicant appeared by its attorney, Michael Kelly, and its owner, Nicholas Yasonia. The premises is a new cafe that has 11 tables and 34 seats plus 5 seats at the bar. There are no outdoor rear yard seats. The hours of operation are Sunday through Thursday 7am-10pm, Fri-Sat 7am-midnight. There will be only background music during the hours of operation. The committee

voted unanimously to disapprove this application unless the following stipulation is met: 1. The doors to remain closed from 10pm to closing

New SLA On Premises Liquor License for Phoenix384 Corp., dba XIN

Premises: 8324 3rd Avenue

200 foot/ 500 foot hearing: ~~2-500 ft triggered~~ YES

This is an application for a new On Premises Liquor license at 8324 3rd Avenue. The applicant appeared by its attorney, Neil Visoky, and the new owner, Angel Panzera. The premises is an existing restaurant which has been operating at its current location and has 16 tables with 50 chairs and 8 seats at the bar. The premise will also have 8 tables with 16 chairs outside on sidewalk. Outdoor space will operate Sun-Thur 11am-11pm, Fri-Sat 11am-Midnight. The hours of operation are Mon- Sat 11am-2am and Sunday Noon -2am. There is no C of O but a letter of no objection has been provided with the application. There will be only background music during the daily operations unless a private party is booked and a DJ requested. Applicant stated, that even with a DJ, it will be like background music since premises is too small for dancing.

Although the premise has no SLA disciplinary history or any other adverse history, there have been a few noise complaints for the premises during the previous ownership from multiple neighbors. These noise complaints stem from the window/doors remaining open late at night and loud music playing. New owner/applicant knows about the previous issues and promised this will not be a problem under his ownership. The committee voted unanimously to disapprove the application unless the following stipulations are met:

1. The exterior doors and windows will be shut when any type of music is on.
2. The applicant shall again appear before the committee and the board for a 6 month review.

New SLA On Premises Wine and Beer license for Hot Pot 828 Inc, dba Hot Pot

Premises: 828 64th street

200 foot/ 500 foot hearing: n/a

This is an application for a new On Premises wine and beer license at 828-64th street. The applicant appeared by its attorney Nehal Trivedi. The premises is a new restaurant with 16 tables and 65 seats. The hours of operation are 7 days a week 12 Noon - 2am. There is no outside spaces to be used. There will be only background music. There is a C of O which allows a house of worship on the 2nd and 3rd floor. The applicant states there is a law office occupying the upstairs space. The committee voted unanimously to disapprove the application unless the following stipulations are met:

1. The front door to remain closed after 10pm when the music is on.
2. Verifying there is no house of worship on 2nd and 3rd floors.

Alteration of an existing SLA On Premises Liquor License for TO Restaurant & Bar Inc
Premises 834-^{62 NA} 64th street
200 foot/ 500 foot hearing: n/a

This is an application for an alteration to an existing SLA On Premises liquor license #1286814. The applicant appeared by its attorney, Sheldon Glass, and its owner, Yuan Da Lu. This Applicant came to the board in Dec 2015 for a new SLA Liquor license. The premises has been open since Jan 2015 and has recently closed down. Applicant turned Liquor license in to the SLA for safekeeping. Premises was a restaurant and karaoke establishment. Premises is now being newly constructed to reflect 11 Karaoke rooms exclusively, with no restaurant. There will be 22 tables with 124 seats. The hours of operation requested are Mon 10am- 2am, Tues-Sun 10am-3am. There is no backyard or any other outdoor space being used. There will be only background music during the hours of operation in non Karaoke spaces such as entrance and hallways. Owner was advised about the extensive adverse history at the location. Owner stated that he is now creating a "family oriented" karaoke place. The owner was also advised about the security requested as per stipulations and also advised of the extensive stipulation list being requested by the committee, in which he agreed to abide by. Mr. Glass, the owner's attorney, stated that the owner is spending a lot of money on fixing this place again so it can attract families. Committee felt this was not so much of a family place and had great concerns about the natural attraction of certain elements within closed rooms in these types of establishments. The committee voted unanimously to disapprove the application unless the following stipulations are met:

1. The applicant shall amend C/O and Place of Assembly permit to eliminate cabaret as a permitted use, and shall not file for a cabaret permit in the future. (This was requested of applicant in previous application in Dec 2015 and has not been done as of yet.)
2. No dancing shall be permitted on premises.
3. There shall be no live music or DJ music permitted on premises and no promoted events allowed.
4. There shall be Karaoke permitted only in the Karaoke rooms.
5. The plans submitted to the committee shall have an indication that all tables shall be affixed to the premises and immovable, and shall be made part of the applicant's SLA application.
6. The plans shall be a true and actual depiction of the physical layout of the licensed premises, and banquets and tables reflected thereon shall be affixed to the premises.
7. The door of each Karaoke room shall have a 2' x 2' glass area to permit easy viewing into rooms from the exterior of the room for security reasons.
8. Applicant shall install a video surveillance system in each Karaoke room, along with any other public space, and shall monitor same. Videos shall be kept for at least 30 days.
9. Applicant shall at all times employ a licensed and bonded security company to check identification and provide security on premises, with at least 4 security personnel on the premises at all times operation, and not less than 2 security personnel at the door and 2 inside.
10. The permitted hours of operation of the premises shall be: Sun-Thurs 10am-1am, Fri-Sat 10am-2am.
11. The applicant shall hire and obtain a sound engineer to render a report with regard to soundproofing and/or sound abatement measures to be taken at the premises to prevent noise emanating from the premises, and shall provide the District office with a copy of the same.

12. The applicant shall install soundproofing on all walls and ceilings of the premises, and such additional soundproofing and /or sound abatement measures as the sound engineer's report shall recommend to prevent noise from emanating outside the premises.
13. Only pre-recorded background music shall be permitted in any non Karaoke area through teacup speakers.
14. The owner of applicant, Mr. Li, or the manager shall be on premises during all hours of operation, and the said manager shall be added to liquor license.
15. Applicant shall distribute a dedicate cell number for Mr. Li and said manager on duty to District Office and to the surrounding residents.
16. The applicant shall submit its actual SLA amendment application to CB10 District office upon its filing.
17. If the said method of operation changes, the applicant shall notify the District Office 30 days in advance of the said change, and attend a meeting with the committee regarding same.
18. The applicant will appear for a ~~six~~ ³ month review to address any additional concerns. ³ month review date after date of grand reopening. Applicant noted that construction will last anywhere from 7 months to 1 year from today.

There being no further business, meeting was adjourned at 8:40pm.

Respectfully submitted,

Nick Nikolopoulos, 
(filling in the absence of Chairwoman Lori Willis)

ZONING AND LAND USE COMMITTEE

Community Planning Board #10/Brooklyn

April 25, 2016

ZALUC Committee Meeting @ 7:00 on April 25, 2015

At Fort Hamilton Senior Center at 9941 Fort Hamilton Parkway

TOPIC #1

Request for Removal of "Hold" on issuance of Permits and also Request for After-Hours Variance Permit, both requests with respect to 401 95th Street, a project under construction at this time.

Harold Hincapie and Nelson Leong represented J & J Property Management Group, developer for the new building under construction. A number of neighbors attended and voiced their opinions and concerns.

In formulating the motions made, the committee considered the following:

- The "hold" on the issuance of building permits for the project was put on the project by the Dept. of Buildings due to excessive construction noise.
- The neighbors present concurred with the complaints excessive noise conditions but also noted that the project overall seemed to be proceeding smoothly in many of its aspects.
- The building which will contain 22 dwelling units, some commercial space and 13 parking spaces, was anticipated to be completed in twenty four months on the standard work-day schedule of 7AM to 6PM Monday thru Friday and in twenty one months, if the After-Hours Variance Permit for work on Saturdays is granted.

Motions were made as follows:

#1

To recommend that DOB lift the hold on the issuance of standard permits thus allowing continuance of project construction as per the approved plans.

The vote was all in favor.

#2

To recommend that DOB deny the current request for After-Hours Variance Permits due to the history of noise complaints.

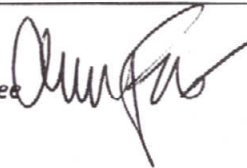
The vote was all in favor.

Meeting was adjourned at 8:30 PM.

Respectfully Submitted:

Ann Falutico

Committee Chair Zoning and Land Use Committee



Committee Members Attending:

Josephine Beckman

Ann Falutico

Steve Harrison

Brian Kaszuba

Susan Pulaski

Eleanor Schiano

Joanne Seminara

Brian Walsh

Mary Ann Walsh

COMMUNITY BOARD TEN

NOMINATING COMMITTEE REPORT

May 16, 2016

The Nominating Committee met twice as follows: on April 20, 2016 at 6 pm at the Law Office of Grimaldi & Yeung LLP, 9201 Fourth Avenue Brooklyn, NY 11209 and on May 11, 2016 at the CB 10 office. Present at the meetings were: Chairman: Judie Grimaldi and members: Lizbeth Amato, Joanne Seminara, and Dean Rasinya and by phone Rev. Khader El-Yateem

The offices to be filed will be Chairperson, Vice- Chairperson, Secretary and Treasurer. It was determined that the general board would be notified by mail and email of their opportunity to submit their names for consideration to the committee for nomination as an officer. It is to be noted that no current Board Member could be re-elected as they were all term limited. The notice of the open nomination period set a deadline of Friday May 5, 2016 for submission of a nomination which was to include a resume and statement of the candidate's position. There the following self nominations:

1. Sandy Vallas
2. Robert HuDock
3. Lori Willis
4. Jaynemie Capetanakis
5. Doris Cruz
6. Brian Kaszuba
7. Gregory J. Ahl

The committee met for a second time on May 11th at 6:30 pm at the CB 10 office. All were in attendance as previously cited and the Reverend attended by phone. We reviewed the potential candidates submissions and developed a slate for presentation to the full board at the next meeting. We were also notified that Greg Ahl had withdrawn his name from the nomination process. The committee as listed participated and reviewed the resumes and submissions and considered many aspects of each nominee's skills and experiences, as well as, their service and experience on the Board. It was unanimously agreed that the following slate would be presented at the upcoming Board meeting on Monday May 16, 2016:

Chair - Doris Cruz
Vice Chair - Lori Willis
Secretary- Jaynemie Capetanakis
Treasurer - Sandy Vallas

Nominees were notified and accepted the nominations.

Respectfully Submitted,



Judith D. Grimaldi
Chair, Nominations Committee

STATE LIQUOR AUTHORITY – NEW APPLICATIONS & RENEWALS

<u>Name/Address</u>	<u>Received at CB 10</u>	<u>Status</u>
Mezcal's Dos Restaurant Corp., d/b/a Mezcal's, 7508 3 rd Avenue	5/19/16	Renewal Liquor, Wine, Beer & Cider
First Oasis Inc., 9218 4 th Avenue	5/20/16	Renewal Liquor, Wine, Beer & Cider
A.N.N.M. LLC, d/b/a Samia's Fine Mediterranean Cuisine, 7809 3 rd Avenue	5/23/16	500' Hearing
Bake Ridge Bagels Inc., 9425 3 rd Avenue	5/26/16	*New Application Wine, Beer & Cider
8015 Tavern Ltd., d/b/a No Quarter, 8015 5 th Avenue	6/9/16	*Renewal Liquor, Wine, Beer & Cider
Verea Restaurant Corp., d/b/a Sancho's, 7410 3 rd Avenue	6/10/16	Renewal Liquor, Wine, Beer & Cider
Bay Ridge Memorial Inc., VFW Post 7173, 7010 Fort Hamilton Parkway	6/10/16	Renewal Liquor, Wine, Beer & Cider
Per Tavern Corp., d/b/a The Kettle Black, 8622 3 rd Avenue	6/13/16	Renewal Liquor, Wine, Beer & Cider

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

