

Brooklyn Community Board 9
890 Nostrand Avenue
Brooklyn, New York 11225
Public Safety Committee Meeting Minutes

January 11, 2024
Meeting ID: 824 1641 1153

Attendance (Board Members): Bazil-Charles, Jenelle (Committee Chair); Hilton, Mia (Assistant District Manager); Lasana, Primo (1st Vice Chair); Cohen, Chavi Lehrer, Yisroel; Mochkin, Zlati

Attendance (Community Resident Members): Banks, Ronald; Jean-Jacques, Zeng (Resident Member); Martinez, Carmen (Resident Member)

Absent (Board Members): N/A

Absent (Community Resident Members): Sanchez-Lloveras, Victor M (Resident Member)

Community Guests: Banks, Ronald; Barnes, Maxine; Bernard, Cheryl; Boyd, Alicia; Caraballo, Anthony; Cheong, Suki; Cox, Nichola; Fung, Sandra; Geller, Sam; Haynes, Antoinette; Herbert, Rod; Kassim, Hesham; Magrogan, James; Morgan, Danielle; P., Alexandra; Rock, Michelle; Starling, Anna; Westerdahl, Theresa; Yalley, Francis

CB9 Staff: Ma Hilton, Assistant District Manager

I. Call to Order

Chair, Jenelle Bazil-Charles, called the committee meeting to order at 7:02 pm

II. Roll Call

Present at tonight's meeting are:

Lasana, Primo (1st Vice Chair)

Hilton, Mia (Assistant District Manager)

Bazil-Charles, Jenelle (Committee Chair)

Cohen, Chavi (CB9 Member)

Lehrer, Yisroel (CB9 Member)

Mochkin, Zlati (CB9 Member)

Jean-Jacques, Zeng (Resident Member) (also serving as Secretary)

Martinez, Carmen (Resident Member)

III. Old Business

- Community Guest, Maxine Barnes, brought to CB9's attention that the SLA applicant, **Bijou BK**, from the last CB9 meeting did not properly complete their application as there was information missing. Specifically, Maxine Barnes said that she wanted a ruling to be made on such application.

- Committee Chair Jenelle Bazil-Charles informed Maxine Barnes that because we did not have quorum, CB9 for Public Safety did waive those applications and did not vote on them. 1st Vice Chair Primo Lasana then confirmed to Maxine Barnes that the Board did not receive her email informing them that the establishment was in violation of the 500 ft rule.

IV. New Business

- **IX Restaurant, 43 Lincoln Rd, Brooklyn, NY 11225.** This was a renewal of a Liquor, Wine, Beer & Cider SLA application, as the establishment has been in business for several years. During their presentation SLA applicant was represented by Sandra Hung. Sandra Hung stated that she was unaware of any complaints filed against this establishment.
 - Committee Chair Jenelle Bazil-Charles asked SLA Applicant if there has ever been any noise complaints or police reports filed at their establishment, to which the SLA applicant, and her representative responded “no.”
 - Community Guest Alicia Boyd commented that it was the responsibility of the Board to seek information from the precinct about an SLA Applicant, opposed to questioning the applicant directly and accepting their response, to see if there has been any prior complaints filed against their establishment. Community Guest Alicia Boyd then asked if the Board had been in contact with the precincts to find out if there has been any complaints against any of the SLA Applicants.
 - Vice Chair Primo Lasana confirmed the validity of Community Guest Alicia Boyd’s statement. Primo then asked Assistant District Manager Mia Hilton to confirm if she had been in contact with the precincts in reference of doing her own check on the SLA Applicants, to which Assistant District Manager Mia Hilton answered in the affirmative and said that she is only able to do so for SLA Application renewals because new SLA Applications generally have no history.
 - Committee Chair Jenelle Bazil-Charles motioned to approve SLA Application renewal for **IX Restaurant**. CB 9 Member Zlati Mochkin seconded the motion.
 - Chavi Cohen- Yes; Yisroel Lehrer- Absent; Zlati Mochkin- Yes; Carmen Martinez- Yes; Zeng Jean-Jacques- Yes; Ronald Banks- Yes. **Application APPROVED.**
- **Joseph’s Dream Burger, 333 Kingston Avenue, Brooklyn, NY 11213.** This was an initial Beer/Cider & Temporary Retail Permit SLA Application. The SLA Applicant was represented by Robert Holt. In giving the description of the establishment, Mr. Holt stated that there is no outdoor seating so all alcohol consumption would take place in the establishment. Establishment will be hiring employees from the area.
 - Community Guest Alicia Boyd asked Mr. Holt if he was aware of any complaints filed against the first restaurant, to which Mr. Holt responded “no.”
 - Community Guest Theresa Westerdahl asked the SLA Applicant if there were any residential units located by the establishment, to which the SLA Applicant said that there were some residential units located on the second floor of some of the neighboring commercial units, but their establishment in particular had no one occupying the residential units above them.
 - Community Guest Ronald Banks asked SLA Applicant if there were any schools or houses of worship near their establishment; and then he asked the SLA Applicant to clarify who was living above them. The SLA Applicant and their representative responded to Community Guest Ronald Banks by letting him know that there were no schools or houses of worship within 200 feet of their

establishment. In addition, it was made known that no one would be staying above the establishment because the establishment owned both floors.

- Community Guest Alicia asked that the Board provide clarity between the 200-ft rule, and the 500-ft rule that the SLA Applicants were legally required to obey. 1st Vice Chair Primo Lasana made the clarification, establishing that the 200-ft rule applies to the distance between SLA Applicants and full-time schools and houses of worship; while the 500-ft rule applies to having three-liquor stores within 500-ft of each other
 - Community Guest Maxine Barnes asked the SLA Applicant if there were residential units behind their establishment, in which the SLA Applicant confirmed that there was.
 - In response to a question by Alexander P, 1st Vice Chair Primo Lasana gave some background information on the 200-ft rule that applied to liquor licenses, and the Board's ability to make recommendations to the SLA.
 - Committee Chair Jenelle Bazil-Charles recommended approval for the SLA Application for **Joseph's Dream Burger** to the SLA.
 - Chavi Cohen-Yes; Zlati Mochkin- Yes; Carmen Martinez- Yes; Zeng- Abstain; Ronald Banks- Yes; Yisroel Lehrer- Yes. **Application APPROVED.**
- **Rodeo Brooklyn, 1134-1136 President Street, Brooklyn, NY 11225.** This was an initial Liquor, Wine, Beer, and Cider SLA Application. The SLA Applicant was represented by Anthony Caraballo. This establishment wants to be open till 2 a.m. on weekdays.
 - Committee Chair Jenelle Bazil-Charles asked Mr. Caraballo why the establishment wouldn't have any security given the fact that they would be open so late. Mr. Caraballo stated that they would be willing to close earlier than the stated time if necessary.
 - Community Guest Theresa Westerdahl asked SLA Applicant for a more detailed explanation of their establishment in which Mr. Caraballo explained all the various stuff that the establishment would be used for. Further, the SLA Applicant, Sam Geller, expounded on his noise mitigation plan that he had attached to his application to show that his establishment would be soundproof
 - Community Guest Alicia Boyd asked Mr. Caraballo what was the zoning for the establishment. Mr. Caraballo did not know the answer to Alicia Boyd's question.
 - District Manager Mia Hilton informed the Community Board that the zoning for **Rodeo Brooklyn** was an R6, to which Community Guest Alicia Boyd immediately responded that **Rodeo Brooklyn** was not allowed to conduct live music under their current zoning category. Alicia Boyd then stated her disapproval for the hours of operation, specifically stating that she was "completely against" this establishment trying to play live music till 2 am on a weekday in a "highly residential neighborhood."
 - 1st Vice Chair Primo Lasana requested that the establishment put in writing the concessions they were willing to make in order to align their establishment in accordance with the law, and reduce the hours of operation to be more accommodating to the residents of the community.
 - Community Board Member Chavi Cohen made an interjection due to the fact that she felt that it was inappropriate that this meeting was being conducted in a way that was not allowing for Committee Members to speak.

- 1st Vice Chair Primo Lasana suggested to Committee Chair Jenelle Bazil-Charles to take Committee Members first, then take Community Guest questions, as it was important to hear from both.
- Community Guest Maxine Barnes wanted to know if the establishment was following the 200-ft rule and the 500-ft rule. Maxine Barnes also wanted to know if the establishment had backyard space. Mr. Caraballo addressed all of Maxine Barnes' questions, explaining that there was no backyard space, and that the establishment was in complete compliance with the 200-ft and 500-ft rule.
- The SLA Applicant stated that they were willing to amend the hours, both Community Guests felt that the amended hours were still too late.
- Committee Chair Jenelle Bazil-Charles recommended approval for the SLA Application for **Rodeo Brooklyn** to the SLA.
 - Chavi Cohen- Yes; Yisroel Lehrer- Yes; Zlati Mochkin- Yes; Carmen Martinez- Abstain; Zeng- No; Ronald Banks- Yes. **Application APPROVED**
- **OET Inc., 733 Flatbush Avenue, Brooklyn, NY 11226.** This is an initial OCM dispensary application. The Applicant, Antoinette Haynes was present.
 - Assistant District Manager Mia Hilton ask OCM Applicant to clarify their hours of operation and an explanation of how the business will be run day-to-day. Antoinette Haynes informed all in attendance that the business would be run by retired detective Michael Wallen. The establishment would have two-armed security at all times. Further, the establishment would have ID scanners to make sure that all people entering into the establishment would be of proper age. The requested hours of operation was from 10 a.m. to 11:45 p.m.
 - Community Board Member Chavi Cohen wanted to know more about the establishment, to which Antoinette Haynes stated that the establishment would only be selling cannabis products and not liquor.
 - Community Guest Alicia Boyd wanted to know if any member of the Community Board physically went to the establishment, to which Community Board Member Chavi Cohen answered in the affirmative. Chavi Cohen then gave a detailed run down of what she saw when she went to visit the establishment, in addition to an explanation of the neighboring establishments. Alicia Boyd also voiced her objection to the establishment being opened so early and said that 10 a.m. was too early.
 - Community Guest Rod Herbert asked the SLA Applicant if the establishment was already selling weed, to which the SLA Applicant said no. SLA Applicant also confirmed that there would be no smoking on the premises. Rod Herbert also echoed Alicia Boyd's objection to the establishment being opened at 10 a.m. SLA Applicant then made clear that she is willing to negotiate the hours of operation to accommodate the community.
 - Community Guest Theresa Westerdahl wanted to know what type of cannabis would be being sold at the establishment, whether it was smokes or edibles.
 - Community Resident Member Zeng Jean-Jacques stated that he did not object to the original hours of operation requested by Antoinette Haynes. Also, because there was an earlier mention by Alicia Boyd of this establishment operating illegally, Zeng Jean-Jacques and Primo Lasana questioned Antoinette Hayes about such allegations, in which Antoinette Haynes made clear was not possible because she just took over the establishment in November 2023, so any illegal activity taking

place at that location prior to that date had nothing to do with her. No one in attendance refuted Antoinette Hayes assertion.

- Community Guest Danielle Morgan commented that while she felt that Antoinette Haynes was taking a step in the right direction, she felt that there were too many illegal smoke shops in the community. Further, Danielle Morgan stated that the community may suffer if the establishment was allowed to operate.
 - 1st Vice Chair Primo Lasana responded to Danielle Morgan by stating that this was the first cannabis application that was being presented to the Community Board and all the other smoke shops in the community were operating illegally. Primo Lasana said that this was a step in the right direction to start getting all the other smoke shops operating illegally out of the community.
 - Community Guest Nichola Cox commented that if the establishment were to be operating in the community, she wants the establishment to mirror the hours of operation of neighboring establishments in the community.
 - Community Guest Alicia Boyd asked that before the Community Board made a vote on this OCM Application, that we would get clarity on the hours that this establishment would be operating.
 - Community Guest requested a stipulation that the establishment would not allow any loitering in or around the store, in which Antoinette Haynes confirmed that there wouldn't be.
 - Community Guest Ronald Banks asked for there to be clarification on what would be done as a deterrent to things such as clever marketing to make products more appealing to children, to stop kids from being attracted to this establishment. The SLA Applicant stated that her establishment wouldn't be clearly visible to kids from the outside, and would be guarded by two-armed security guards to stop kids from entering the establishment.
 - Community Guest Anna Sterling asked about the regulations governing the distance between smoke shops from each other. 1st Vice Chair Primo Lasana confirmed that it would depend on the density, with denser populated areas having a 1,000-foot restriction; and less denser areas having a restriction of 2000-ft.
 - Committee Chair Jenelle Bazil-Charles began to ask the Committee Members about their opinions on the hours of operation. Community Resident Member Zeng Jean-Jacques stated that he felt that everyone was being too restrictive on SLA Applicant due to the bad actors who were operating illegally. Zeng Jean-Jacques stated that this establishment is the first establishment doing the right thing to get their OCM Application approved and therefore we should not be too restrictive on the SLA Applicant.
 - Committee Chair Jenelle Bazil-Charles then recommended approval for the SLA Application for **OET Inc** to the OCM.
 - Chavi Cohen voted Yes; Yisroel Lehrer- Yes; Zlati Mochkin- No; Carmen Martinez- Yes; Zeng- Yes; Ronald Banks- Yes. **Application APPROVED.**
- **“Flatbush Exotics, 544 Flatbush Ave, Brooklyn, NY 11225.** This is an initial OCM dispensary application. The OCM Applicant, Hesham Kassim and his representative Mr. Yalley was present
 - The establishment already has a license from the OCM to sell hemp products. 1st Vice Chair Primo Lasana explained that the OCM has two different types of licenses, one to sell hemp products; and another to sell cannabis products. Seeing

that the establishment already has the hemp license, they are trying to now get a dispensary cannabis license as well.

- Community Board Member Yisroel Lehrer went to the SLA Applicants establishment and saw a sign that said, “We Sell THC Products.” So Yisroel Lehrer wanted to know why that sign was up if they didn’t have a cannabis license as of yet. SLA Applicant replied to that question by stating that the hemp products (which he does have a license for) contains THC in them so therefore he makes that known to the customers. Yisroel Lehrer then informed the Board that the next OCM Application was in the same exact area as this current OCM Application. 1st Vice Chair Primo Lasana responded to Yisroel Lehrer’s comment by asking Assistant District Manager Mia Hilton to look online to see the distance between this current OCM Application, and the next OCM Application.
 - Community Guest Danielle Morgan asked SLA Applicant if they had another store in the area in which the SLA Applicant confirmed that he had another store on Fenimore. SLA applicant originally said that he was going to apply to get a OCM license at that Fenimore location too until Danielle Morgan said that he would have a monopoly. SLA Applicant then backtracked and said he would use one location to sell THC and the other location to sell hemp and CBD.
 - Community Board Member Chavi Cohen asked SLA Applicant about pictures he have in his store of dogs, to which the SLA Applicant said that he uses his dog as a security deterrent, but never had any issues. He then said that if his application gets approved, he will be getting real security. SLA Applicant also said that he would be scanning IDs.
 - Community Guest Alicia Boyd asked SLA Applicant about hours of operation, to which the SLA Applicant said he would be operating from 1 p.m. to 10 p.m.
 - Due to the fact that the next OCM Application, **Best NY Developments**, is 206-feet away from **Flatbush Exotics**, Committee Chair Jenelle Bazil-Charles suggested that the Board table the vote until we hear **Best NY Developments’** OCM Application.
 - **Best NY Developments** was not present at this Community Board 9’s Public Safety meeting, so therefore the Board went back to the **Flatbush Exotics’** OCM Application to vote on it.
 - Committee Chair Jenelle Bazil-Charles started the vote for approval **Flatbush Exotics’** application, but Community Guest Suki Cheong interrupted the vote to inform the Board that there has been multiple reports of illegality from this establishment of selling drugs illegally, even selling drugs to minors.
 - Community Resident Member Zeng Jean-Jacques motioned the Committee to stop the vote on this SLA Application until the allegations that Suki Cheong brought up was confirmed as either true or false. Community Board Member Chavi Cohen seconded that motion. **Motion to not vote on Flatbush Exotic’s application until allegations are properly investigated was APPROVED.**
- **Committee Updates**
 - Committee Chair Jenelle Bazil-Charles decided to shelf the Public Safety engagements for the Spring until next meeting because of time constraints.

V. Public Comment Period

- Community Guest Alicia Boyd voiced her concern in reference to **770 Eastern Parkway** in reference to the secret underground tunnel that was being constructed.
 - 1st Vice Chair Primo Lasana suggested NYPD and FDNY should be reached out to, to see if they can provide any pertinent information.
 - Community Board Member Chavi Cohen shared all the information that she knew in regards to the secret underground tunnel that was unlawfully being built.
- Community Guest Maxine Barnes voiced her concern about establishment **Bijou Brooklyn, amongst other locations**, going straight to the State Liquor Authority without the Public Safety Committee voting on it. In addition, Maxine Barnes stated that she also wanted the Committee to comment on the fact that the establishment was missing information. 1st Vice Chair Primo Lasana instructed Maxine Barnes that she could go directly to Chair Fred Baptiste to voice her concerns.
 - Assistant District Manager Mia Hilton and Primo Lasana engaged in dialogue with Maxine Barnes that even if there was something wrong with the application, the SLA would flag the application and hold a hearing on the deficient application.
- Community Guest Theresa Westerdahl voiced that she felt that it was very unfortunate that SLA Applicants were having issues getting their applications properly voted on due to quorum issues. Even further Theresa Westerdahl said that she didn't feel that such problem should be used as a license by Fred Baptiste to streamline the applications.
- Community Resident Member Zeng Jean-Jacques motioned the Committee to request that the NYPD provide the Committee with a detailed report of their investigation in regards to the Synagogue and the tunnel that was being built under it. Specifically, what happened and who was involved; and anything in public record so that we as a Committee can be in the know. Ronald Banks seconded the motion. Committee Chair Jenelle Bazil-Charles started the vote. Yisroel Leher- Yes; Zlati Cohen- Yes; Carmen Martinez- Absent; Zeng Jean-Jacques- Yes; Ronald Banks- Yes; Chavi Cohen- Yes.

VI. Adjournment

- Committee Chair Jenelle motioned to conclude the Public Safety meeting; Resident Member Zeng seconded the motion; All in favor, meeting was concluded at 9:37 p.m.

Minutes Submitted By: Zeng Jean-Jacques

Date When Submitted to Board Office: Saturday, January 13, 2023