



COMMUNITY BOARD # 4Q

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Louis Walker
Chairperson

Barry Grodenchik
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PUBLIC HEARING

DATE: MONDAY, SEPTEMBER 10, 2012

TIME: 7:00 P.M.

PLACE: VFW POST #150
51-11 108 STREET
CORONA, NY

SUBJECT MATTER

Enclosed Sidewalk Café – Ref# N120104ECQ
Santorini 108-40 Corona Avenue
Corona, NY
Block 1944 Lot 205

Application for Santorini Food Inc. to operate an enclosed sidewalk café with 20 tables and 40 seats at 108-40 Corona Avenue on the southwest corner of Martense Avenue and near the northwest corner of 108th Street and Martense Avenue in the Borough of Queens.

Chairperson Louis Walker opened the Public Hearing at 7:10 p.m.

First Vice Chairperson Patricia Terranova took the roll call. A quorum was present.

At this point, Consumer Affairs Committee Chair George Onuorah presented the report. Mr. Onuorah stated the application is to operate an enclosed sidewalk café with 20 tables and 40 seats at 108-40 Corona Avenue, Corona, NY.

As Chair of the Consumer Affairs Committee, Mr. Onuorah visited the site on Wednesday, September 5, 2012, at 11:40 a.m. Mr. John Sitaras, owner/operator, showed Mr. Onuorah the enclosed sidewalk café.

When asked about the hours of operation, Mr. Sitaras responded to be operational between the hours of 6:00 a.m. – 12:00 Midnight, seven days a week.

According to Mr. Sitaras, patrons can come and have a beer or a glass of wine with their meal.

The establishment looked clean and a security camera was on site.

The Consumer Affairs Committee recommended **Approval** of the application.

At this point, Mr. Sitaras was in the audience and called upon to answer any questions the Board had.

As a point of information, Mrs. Judy D'Andrea reported several years ago an application for a sidewalk café at this location was filed with the Board, but the restaurant never opened. Mr. Sitaras agreed and explained this was because the builder did not do the job correctly.

Board Member Judy D'Andrea continued at that time the application was approved by the Board and nothing ever happened until the filing of this application. Mrs. D'Andrea also pointed out since many years had passed, the time limit had expired and the application had to be re-filed. Mr. Sitaras agreed.

Board Member Stephen Castro inquired about the hours of operation and what would be sold. Mr. Onuorah explained breakfast would be served at 6:00 a.m.

Board Member James Lisa asked would this more of a diner operation, rather than a restaurant? The reply was yes to a diner. Mr. Lisa continued would seating be outside? Mr. Sitaras replied no, all seating accommodated inside the enclosed structure. Open for breakfast, lunch, and dinner. All meals served inside the enclosure.

Wine and beer would be served with dinner. It was pointed out by Mr. Sitaras this is a diner style operation with breakfast, lunch, and dinner served.

Mr. Castro brought up the application does not specify the usage as a diner, rather it states outdoor café. Currently, the business is open 10 a.m. to 10 p.m. Later on, the business will be open after Midnight, stated Mr. Sitaras.

Board Member Judy D'Andrea pointed out the cafe is already enclosed. It is located opposite Dunkin' Donuts, where there is not a lot of foot traffic and the site is not very busy or much congestion generated to obstruct the sidewalk.

Mrs. D'Andrea made a motion, seconded by Mr. Tony Moreno, to **approve** the application to operate an enclosed sidewalk café for Santorini Food, Inc.

Public Safety Committee Chair Lucy Schilero reported the applicant had appeared before the Public Safety Committee for a wine/beer license. When the establishment was designed, it never obtained the proper permits for the enclosed structure. For the record, she asked Mr. Sitaras if the enclosed structure can be removed. He responded no, it cannot be removed. It is a permanent structure.

Greek, Italian, and Spanish cuisine will be served until 11:00 p.m./Midnight said Ms. Schilero. Also, his background was checked and he does own a liquor store elsewhere. There is no bad history with this owner.

Next, Board Member D'Andrea asked if the permit goes with the owner or the property. For example, if the current applicant sells the business to someone else who may want to turn the café into another use, does the permit stay with the current owner/operator, or with the property? The reply was the application for the enclosed sidewalk café stays with the property; however, the liquor license stays with the owner/operator. A new owner must re-apply for a new SLA license.

Before the vote was taken on this application, Ms. Francisco Moreti asked if a permit was obtained for the structure.

Board Member Lucy Schilero responded the applicant had a temporary permit. In the past, when it was built, the contractor did not do it right. Mr. Sitaras bought the property from the previous owner and had to correct the violations, which cost him money.

Ms. Moreti brought out the enclosure is taking up half the sidewalk. He is taking space that does not belong to him.

Board Member Lucy Schilero replied it was in place long before. She also added prior permits were obtained long before, which were approved by the Board. Now, all the paperwork is in place ready for Mr. Sitaras to take over.

Next, Ms. Moreti spoke about other restaurants that serve wine and beer on weekends and stay open until three or four o'clock in the morning, disturbing the entire community. Will this applicant do the same?

Board Member Lucy Schilero addressed Mr. Sitaras on this issue. She wanted assurance from Mr. Sitaras that he would not do the same.

Discussion ensued on area establishments with drunken patrons, loud music, women dancing, and selling liquor into the wee hours of the morning. In fact, a petition was brought to the Board from Neighbors of Corona Avenue Protesting Local Establishment, "Carchiofini II, located at 109-06 Corona Avenue, Corona, NY for the following reasons: excessive noise (music and voices), loitering, drunken patrons' altercations, damaging property, (banging and urination) on parked vehicles.

Board Member Tony Moreno suggested tabling this complaint. This issue had been before the Board before and action needs to be taken.

Returning to the application at hand, Board Member Judy D'Andrea suggested hours of operation to be 6:00 a.m. to closing at 10:00 p.m. Mr. Sitaras said he is currently open from 10:00 a.m. to 10:00 p.m. Mrs. D'Andrea said it was previously reported the hours of operation were 6:00 a.m. to 12:00 Midnight. Discussion ensued.

Ms. Moreti expressed concern Mr. Sitaras would stay open later, just as the other establishments had. Also, he had a liquor store before which was closed by a governmental agency.

At this point, Chairperson Louis Walker called the question. A roll call vote will be taken. Yes is to approve the application, No is to deny it.

The result of the vote was 28 in favor, 1 opposed, 3 abstentions. Motion passed.

The Public Hearing was closed at 7:30 p.m. and the monthly meeting of the Board immediately followed.