

Community Board 8 SLA Committee

Applicant Guidelines

The SLA Committee of Community Board 8 has provided the information below to help business owners seeking or renewing licenses to sell alcoholic beverages better understand the Committee's role in new application and renewal processes.

Committee goal

The SLA Committee seeks to support the success of hospitality businesses that contribute to the economic development and cultural diversity of Brooklyn's Community District 8. In so doing, the Committee also seeks to preserve and enhance the quality of life experienced by District residents.

The New York State Alcoholic Beverage Control Law

The legal authority under which the SLA Committee operates is New York State's Alcoholic Beverage Control Law (the "ABC Law"). Under the ABC Law, Community Boards in New York City are responsible for advising the State Liquor Authority (SLA) with respect to applications for new licenses to sell alcoholic beverages for on-premises consumption, as well as with respect to renewals of existing licenses. Although the Committee does not make the final decision on whether a specific license will be issued or renewed, its recommendations carry significant weight in the SLA's review.

Your presentation before the SLA Committee

Meetings of Community Board 8's SLA Committee are open to the public, and as an applicant, you are encouraged to observe a meeting prior to appearing before the Committee to present your application. Observing a meeting in advance will help familiarize you with the meeting format and nature of discussion among Committee members and applicants.

After you file an application for a liquor license with the SLA (or when your existing license is about to renew), you will receive a notice from Community Board 8 to appear at a meeting of the Committee, during which a vote will be taken on a recommendation regarding your license. Brooklyn Community Board 8 provides application forms and a checklist of items to be submitted to the Committee prior to your appearance (available at

<http://www.brooklyn8.org/downloads/general/>). Your written application, and the documentation submitted with it, must be received by the Community Board office seven days prior to the scheduled SLA meeting. As this is the most important testimony the Committee uses in reaching a decision, please be sure you answer every question honestly and thoroughly.

Community participation in Committee meetings

Community Board 8 requires that applicants for a liquor license post notice of their appearance before its SLA Committee at least one week prior to the meeting date. (Forms for notice are available at <http://www.brooklyn8.org/downloads/general/>.) After you have presented your application before the SLA Committee, the Committee's presiding officer will ask if community members in attendance have questions or comments regarding your application. Committee members generally listen closely to an applicant's neighbors. Applicants should seek the support of neighbors in advance of appearing before the Committee.

Avoid responding directly to members of the audience during this public comment period. If a question or concern from the audience requires a response, wait for the presiding officer to ask you for it. If the presiding officer does not, you may ask him or her to recognize you. Address your remarks to the presiding officer, not to individuals in the audience.

Common committee member concerns

After members of the public have had an opportunity to speak to your application, the presiding officer will ask Committee members if they have any questions concerning your application. Committee members may refer to materials you have submitted to the Community Board, or may speak to issues raised in public comment. Some issues that have come up frequently during review of previous applications are highlighted below.

Operating hours

Customers leaving alcohol-serving establishments in the early morning hours have been the source of quality of life complaints. Committee members may be sensitive to allowing a concentration of businesses that serve late into the night.

Outdoor spaces

Businesses that serve customers in rear yard spaces have at times been the source of complaints from residents who live near them. To reduce the potential for neighbors to be disturbed by customers in rear yard gardens and sidewalk cafes, Committee members may suggest service in such spaces end earlier than in an establishment's indoor spaces. In general,

the Committee has not supported amplified sound in outdoor spaces during any time service is offered there.

Sidewalk cafes can help enliven a street, but also represent a private incursion into public space. Applicants for sidewalk cafe permits may find it easier to win support from the Committee if the proposed capacity of a sidewalk is well less than that of an establishment's indoor seating.

Over-saturation

Residents often express concern when establishments serving alcohol begin to concentrate along a particular block or avenue. The ABC Law attempts to address this concern by requiring an exception be granted when a license to serve full liquor at an establishment within a 500-foot radius of three other such licensees is requested. In these cases, the SLA gives even greater weight to the recommendations of local Community Boards. If your application requires a 500-foot exception, the presiding officer will ask you to justify why it should be allowed. Members of the Committee may ask for certain changes to your application in order to mitigate the impact of adding another establishment serving full liquor in the neighborhood.

Sidewalk stewardship

Businesses that maintain a clean, clear, attractive and safe environment outside their establishments contribute greatly to the quality of life of a neighborhood's streets. Your specific commitment to keeping the sidewalk outside your business free of litter, preventing loitering by your customers, and managing the trash produced by your establishment responsibly, will be appreciated by community members and the Committee.

Security

Applicants who plan to offer live entertainment, or attract large numbers of customers, should be prepared to present security plans in detail.

Sound attenuation

Excessive noise emanating from businesses, especially late in the evening, is a common source of neighbor complaints. If your business plans to attract a large number of customers, offer live entertainment, serve in outdoor spaces, or stay open late into the night, you should be prepared to discuss with the Committee the measures you will take to limit sound spill from your establishment.

Compliance with other City codes

Committee members will also review your application with a view towards compliance with New York City fire and building codes, and place of assembly and cabaret laws. If you are in doubt as to whether your application may be in conflict with these regulations, you should familiarize yourself with them before your presentation at a Committee meeting. Many areas of Community District 8 are protected by New York City landmark designation, and although landmarks review is a function of the CB8 Housing Committee, SLA Committee members may also ask about plans to alter storefronts and facades.

The Committee's recommendation

After the Committee members' questions have been addressed, one of the Committee members will likely make a motion to support or oppose your application based on the information that has been presented. A Committee member's motion to support your application may include conditions (or "stipulations") based on information you have provided or concerns that have been discussed at the meeting. If such a motion passes, you will be asked to sign a "Stipulations Sheet", which records these stipulations and becomes part of the application.

After the motion has received a second and discussion by the Committee members has been heard, the presiding officer will call for a vote. A recommendation that receives a majority vote from the Committee members will be presented to the full Community Board at its next general meeting for ratification. Although it is customary for the full Board to ratify the recommendations of the SLA Committee, it is possible that other Board members will have additional questions. It is therefore important that applicants make every effort to also attend the general meeting at which the Committee's recommendation will be presented.