

Report of the Police and Public Safety Committee

Dated: January 20, 2006

Re: 9604 Third Avenue
Brooklyn, New York 11209

On December 27, 2005, CB 10 received a notice from the Department of Consumer Affairs for a recommendation or a positive inspection report concerning the applicant's request for a cabaret license. The Police and Public Safety Committee met in quorum on Tuesday, January 17th at CB 10 Headquarters to discuss the requested recommendation of the applicant, Numb Nutz Productions LLC, for a cabaret license for the premises known as 9604 Third Avenue, Brooklyn, New York.

As this Board is well aware, the subject location has long been a source of concern for this Board and the residents adjacent to the property. The prior establishment that occupied this location was the nightclub "Samba" which has had a long history of problems, notably violent incidents in and out of the club, excessive noise, underage drinking, traffic problems at the location, and difficulty with outside promoters resulting in an overall disruptive atmosphere at the location. This committee had numerous meetings with the prior ownership of the Club, Inspector Aubry of the 68th Precinct and other NYPD personnel, and residents of the Co-Operative Apartment located at 302 – 96th Street to address the concerns of our neighbors.

With the continued pressure and vigilance of this Community Board, residents of 302 – 96th Street, and without question the good work and strong presence of the 68th Precinct, lead by Inspector Aubry, the nightclub Samba come to the realization that business owners in this Community need to work with and not against the residents. While we on the Police and Public Safety Committee welcome the opportunity to work with our local business owners; that working relationship is predicated upon a respect for the quality of life in our Community. As you know the nightclub Samba has been closed for the past eight (8) months and recently new individuals have approached this Community Board to open a dialogue with the Board and our neighbors who live in the vicinity.

With the assistance of this Board the new owners of the Club entered into a legal agreement with the shareholders of 302 – 96th Street Owners Corp., wherein the Club Owners represented that the location would be operated as a comedy club and not a “disco” night club. In addition, the owners warranted that they themselves would operate the club and not utilize outside promoters which have been problematic in the past. It is worth noting that one of the owners of this new venture, Raymond Garvey, was the prior owner of Pip’s Comedy Club in Sheepshead Bay. Additionally, the new club represented that it would be open until approximately 1:30 a.m. on Sunday through Thursday and 2:30 a.m. on Friday and Saturday. In exchange for these representations the Co-op agreed to support the owners in their application for a liquor license and waive any objection to the issuance of a Cabaret License by the Department of Consumer Affairs. It must be further noted that no representative of the Co-op appeared at our publicly scheduled meeting despite being advised of same and the Committee viewed that as further evidence of the residents acceptance that the applicant receive their requested cabaret license.

After discussion of the facts surrounding this application the Committee voted unanimously to recommend to the full Board that we recommend to the New York City Department of Consumer Affairs that the applicant, Numb Nutz Productions LLC, receive their requested cabaret license.

Respectfully Submitted,

Thomas J. Garry, Chairman
Police and Public Safety
Committee