



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD 3

59 East 4th Street - New York, NY 10003

Phone: (212) 533-5300 - Fax: (212) 533-3659

www.cb3manhattan.org - info@cb3manhattan.org

Gigi Li, Board Chair

Susan Stetzer, District Manager

Community Board 3 Liquor License Application Questionnaire

Please bring the following items to the meeting:

NOTE: ALL ITEMS MUST BE SUBMITTED FOR APPLICATION TO BE CONSIDERED.

- Photographs of the inside and outside of the premise.
- Schematics, floor plans or architectural drawings of the inside of the premise.
- A proposed food and or drink menu.
- Petition in support of proposed business or change in business with signatures from residential tenants at location and in buildings adjacent to, across the street from and behind proposed location. Petition must give proposed hours and method of operation. For example: restaurant, sports bar, combination restaurant/bar. (petition provided)
- Notice of proposed business to block or tenant association if one exists. You can find community groups and contact information on the CB 3 website:
http://www.nyc.gov/html/mancb3/html/sla/community_groups.shtml
- Photographs of proof of conspicuous posting of meeting with newspaper showing date.
- If applicant has been or is licensed anywhere in City, letter from applicable community board indicating history of complaints and other comments.

Check which you are applying for:

- new liquor license alteration of an existing liquor license corporate change

Check if either of these apply:

- sale of assets upgrade (change of class) of an existing liquor license

Today's Date: Thur Aug 6 ,2015

If applying for sale of assets, you must bring letter from current owner confirming that you are buying business or have the seller come with you to the meeting.

Is location currently licensed? Yes No Type of license: OP

If alteration, describe nature of alteration: _____

Previous or current use of the location: currently bar

Corporation and trade name of current license: 93 ART LLC dba LIT Lounge

APPLICANT:

Premise address: 93 Second Avenue

Cross streets: 5th/6th

Name of applicant and all principals: TBD

Trade name (DBA): _____

SHARMALAW -- Ravi Ivan Sharma, P.C.
26 Broadway, 26th Floor
New York, NY 10004
(212) 537 5957 - ravi@sharmalaw.com

PREMISE:

Type of building and number of floors: Brick 4 story

Will any outside area or sidewalk cafe be used for the sale or consumption of alcoholic beverages? (includes roof & yard) Yes No If Yes, describe and show on diagram: _____

Does premise have a valid Certificate of Occupancy and all appropriate permits, including for any back or side yard use? Yes No What is maximum NUMBER of people permitted? 314

Do you plan to apply for Public Assembly permit? Yes No

What is the zoning designation (check zoning using map: <http://gis.nyc.gov/doitt/nycitymap/> - please give specific zoning designation, such as R8 or C2): C6-1

PROPOSED METHOD OF OPERATION:

Will any other business besides food or alcohol service be conducted at premise? Yes No
If yes, please describe what type: _____

What are the proposed days/hours of operation? (Specify days and hours each day and hours of outdoor space) 7 days open-4am

Number of tables? tbd Number of seats at tables? tbd

How many stand-up bars/ bar seats are located on the premise? 2
(A **stand up bar** is any bar or counter (whether with seating or not) over which a patron can order, pay for and receive an alcoholic beverage)

Describe all bars (length, shape and location): 40' basment c shaped, 20' cellar l shape

Does premise have a full kitchen Yes No?

Does it have a food preparation area? Yes No (If any, show on diagram)

Is food available for sale? Yes No If yes, describe type of food and submit a menu meat pies from Tuck Shop

What are the hours kitchen will be open? during business hours

Will a manager or principal always be on site? Yes No If yes, which? _____

How many employees will there be? 2-4 nightly

Do you have or plan to install French doors accordion doors or windows?

Will there be TVs/monitors? Yes No (If Yes, how many?) _____

Will premise have music? Yes No

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If Yes, what type of music? Live musician DJ Juke box Tapes/CDs/iPod

If other type, please describe _____

What will be the music volume? Background (quiet) Entertainment level

Please describe your sound system: existing

Will you host any promoted events, scheduled performances or any event at which a cover fee is charged? If Yes, what type of events or performances are proposed and how often? no

How do you plan to manage vehicular traffic and crowds on the sidewalk caused by your establishment? Please attach plans. (Please do not answer "we do not anticipate congestion.")

Will there be security personnel? Yes No (If Yes, how many and when) 2 licensed security

How do you plan to manage noise inside and outside your business so neighbors will not be affected? Please attach plans.

No standing in front, montior sidewalk by security

Do you have or plan to install sound-proofing?

APPLICANT HISTORY:

Has this corporation or any principal been licensed previously? Yes No

If yes, please indicate name of establishment: Albion

Address: 575 Second Avenue Community Board # 6

Dates of operation: 2013-present

If you answered "Yes" to the above question, please provide a letter from the community board indicating history of complaints or other comments.

Has any principal had work experience similar to the proposed business? Yes No If Yes, please attach explanation of experience or resume.

Does any principal have other businesses in this area? Yes No If Yes, please give trade name and describe type of business Red Rooster 29 LLC

Has any principal had SLA reports or action within the past 3 years? Yes No If Yes, attach list of violations and dates of violations and outcomes, if any.

Attach a separate diagram that indicates the location (**name and address**) and total number of establishments selling/serving beer, wine (B/W) or liquor (OP) for 2 blocks in each direction. Please indicate whether establishments have On-Premise (OP) licenses. Please label streets and avenues and identify your location. Use letters to indicate Bar, Restaurant, etc. The diagram must be submitted with the questionnaire to the Community Board before the meeting.

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LOCATION:

How many licensed establishments are within 1 block? 7

How many On-Premise (OP) liquor licenses are within 500 feet? 12

Is premise within 200 feet of any school or place of worship? Yes No

COMMUNITY OUTREACH:

Please see the Community Board website to find block associations or tenant associations in the immediate vicinity of your location for community outreach. Applicants are encouraged to reach out to community groups. Also use provided petitions, which clearly state the name, address, license for which you are applying, and the hours and method of operation of your establishment at the top of each page. (Attach additional sheets of paper as necessary).

We are including the following questions to be able to prepare stipulations and have the meeting be faster and more efficient. Please answer per your business plan; do not plan to negotiate at the meeting.

1. I agree to close any doors and windows at 10:00 P.M. every night?
2. I will not have DJs, live music, promoted events, any event at which a cover fee is charged, scheduled performances, more than ___ DJs/ promoted events per ___, more than ___ private parties per ___
3. I will play ambient recorded background music only.
4. I will not apply for an alteration to the method of operation agreed to by this stipulation without first coming before CB 3.
5. I will not seek a change in class to a full on-premise liquor license. Or my business plan is to seek an upgrade at a later date.
6. I will not participate in pub crawls or have party buses come to my establishment.
7. I will not have a happy hour. Or Happy hour will end by _____.
8. I will not have wait lines outside. There will be a staff person outside to monitor sidewalk crowds and ensure no loitering.
9. Residents may contact the manager/owner at the following phone number. Any complaints will be addressed immediately and I will revisit the above-stated method of operation if necessary in order to minimize my establishment's impact on my neighbors.

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★ Applicant will agree to same stipulation preexisting with current occupant. ★

on following page



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Dominic Pisciotta, Board Chair

Susan Stetzer, District Manager

December 29, 2010

Ms Kerri J O'Brien
 Deputy Commissioner
 New York State Liquor Authority
 80 South Swan Street, Suite 900
 Albany, New York 12210-8002

Re: 93 Art LLC
 d/b/a Lit
 93 Second Avenue
 New York, NY 10003

Dear Ms O'Brien

At its December 2010 monthly meeting, Community Board #3 passed the following motion:

As this applicant has entered into a Memorandum of Understanding with the East Fifth Street Block Association (appended hereto), Community Board #3 moves to deny the application to transfer the full on-premises liquor license located at 93 Second Avenue, currently doing business as Lit Lounge and Fuse, to 93 Art LLC, unless the applicant agrees before the SLA to make as conditions of its license the following signed notarized stipulation that 1) it will minimize noise so that it is a reasonable level for adjacent residential tenants, 2) it will close doors and windows while music is playing, 3) it will address any and all complaints immediately, 4) it will monitor patrons outside to abate noise and sidewalk obstructions in front of the business, 5) security will remain after closing times to insure that exiting patrons leave in a quiet and orderly manner, and 6) it will insure that the sidewalk remains clear of instruments and equipment from bands or employees (see attached)

If you have any questions, please do not hesitate to call

Sincerely,

Dominic Pisciotta

Dominic Pisciotta, Chair
 Community Board #3

Alexandra Militano

Alexandra Militano, Chair
 SLA & DCA Licensing Committee

cc: Terrence R Flynn, Jr., Applicant's Representative

12/0K



THE CITY OF NEW YORK
MANHATTAN COMMUNITY BOARD NO. 3

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Dominic Pisciotta, Board Chair

Susan Stetzel, District Manager

Community Board 3 Liquor License Stipulations

I, DAVID SCHWARTZ, as a qualified representative of 75 ART LLC
located at 93 SECOND AVENUE, New York New York, agree to
the following stipulations:

My hours of operation will be _____

I understand this to mean that all patrons will be cleared from the establishment at the specified hour(s)

I will operate my backyard garden no later than _____

I will operate my sidewalk café no later than _____

I will operate a full-service restaurant, specifically a (type of restaurant) _____
serving food to within _____ hour(s) of closing every night

I will employ a doorman/security personnel on the following days to monitor patron noise & crowding
and take observation to sidewalk and who will stay past closing
 I will install soundproofing, _____ to monitor patrons

I will close all doors and windows at _____ every night I will not have French doors or windows

I will not have DJ's live music promoted events, any event at which a cover fee is charged scheduled performances, more than _____ DJ's/promoted events per _____ more than _____ private parties per _____

I will play ambient background music only, consisting of _____

Residents may contact the manager/owner at the following phone number. Any complaints will be addressed immediately and I will revisit the above-stated method of operation if necessary in order to minimize my establishment's impact on my neighbors

with minimal noise from music + patrons at it is reasonable to adjacent
Name DAVID SCHWARTZ / 75 ART LLC Phone Number 347.400.8168 Residents

I will close doors + windows while music is playing
Reduce noise sidewalk clear of equipment from back of
property

I hereby certify that the information provided above is truthful and accurate based upon my personal belief.

Signed [Signature] Dated 12/8/10

Sworn to this 8th day of December 2010

Community Board #3 requests that the SIA add this stipulation to the _____ of the above-mentioned application. -Rev. 09/10

SUSAN BURNS
NOTARY PUBLIC
City of New York
Commission Expires 07/11



CERTIFICATE OF OCCUPANCY

Job Number ALT 102951502

Borough MANHATTAN Date OCTOBER 14, 2004 No. 102951502

This certificate superceded C O No 102951502-T-1 ZONING DISTRICT C6-1

This certifies that the new-altered-existing-building-premises located at
93 SECOND AVENUE

Block 461 Lot 32

CONFORMS SUBSTANTIALLY TO THE APPROVED PLANS AND SPECIFICATIONS AND TO THE REQUIREMENTS OF ALL APPLICABLE LAWS, RULES, AND REGULATIONS FOR THE USES AND OCCUPANCIES SPECIFIED HEREIN

PERMISSIBLE USE AND OCCUPANCY

STORY	LIVE LOAD LBS PER SQ FT	MAXIMUM NO. OF PERSONS PERMITTED	ZONING DWELLING OR ROOMING UNITS	BUILDING CODE HABITABLE ROOMS	ZONING USE GROUP	BUILDING CODE OCCUPANCY GROUP	DESCRIPTION OF USE
CELLAR	06	112			U6-A	F-4	RESTAURANT, STORAGE, OFFICE & EATING AND DRINKING ESTABLISHMENT
BASEMENT	100	45			U-6	F-3	ART GALLERY
BASEMENT	100	157			U6-A	F-4	EATING AND DRINKING ESTABLISHMENT
1ST FLOOR	100			3	2	E	TWO (2) APARTMENTS
2ND FLOOR	40			2	2	E	ONE (1) APARTMENT
3RD FLOOR	40			3	2	E	ONE (1) APARTMENT
	40		1	6	2	RES	ONE (1) APARTMENT
4TH FLOOR	40		1	6	2	RES	ONE (1) APARTMENT
	40			3	2	E	ONE (1) APARTMENT
							RESIDENTIAL

OPEN SPACE USES

(SPECIFY PARKING SPACES, LOADING BERTHS, OTHER USES, NONE)

NO CHANGES OF USE OR OCCUPANCY SHALL BE MADE UNLESS
A NEW AMENDED CERTIFICATE OF OCCUPANCY IS OBTAINED

THIS CERTIFICATE OF OCCUPANCY IS ISSUED SUBJECT TO FURTHER LIMITATIONS, CONDITIONS AND SPECIFICATIONS NOTED ON THE REVERSE SIDE

Laura V. Cloud

Borough Commissioner

[Signature]

Commissioner

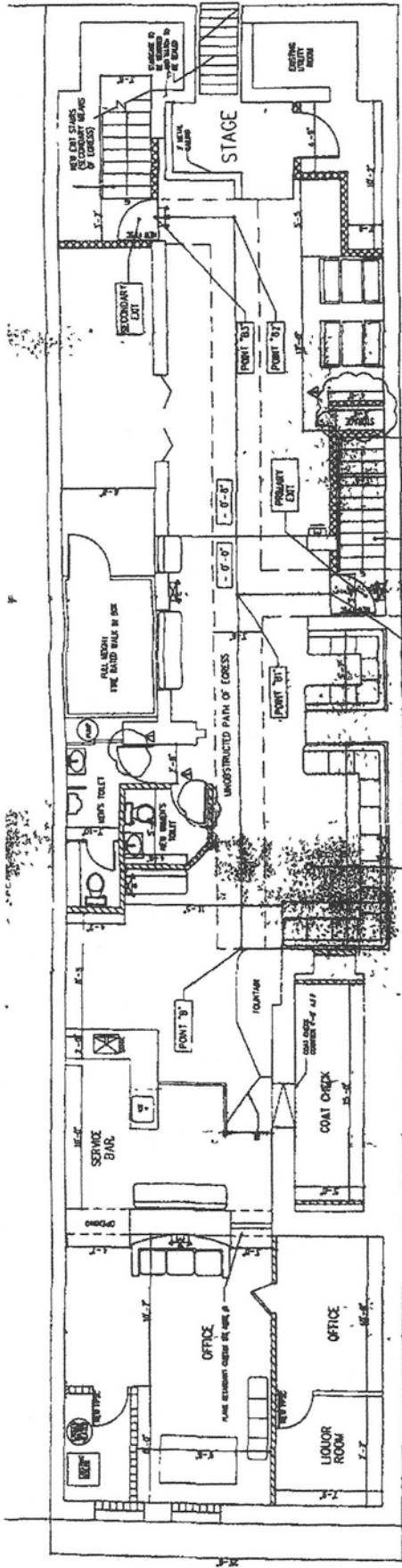
STATE LIQUOR AUTHORITY

ORIGINAL

OFFICE COPY - DEPARTMENT OF BUILDINGS

COPY

SEP 19 2011



CELLAR FLOOR PLAN

SCALE 1/8" = 1'-0"

93 Art & LLC dba Lid Lounge
 93 Second Avenue
 New York, NY 10003

EXISTING EATING AND DRINKING ESTABLISHMENT
 USE GROUP 6
 (FULLY SPRINKLED)

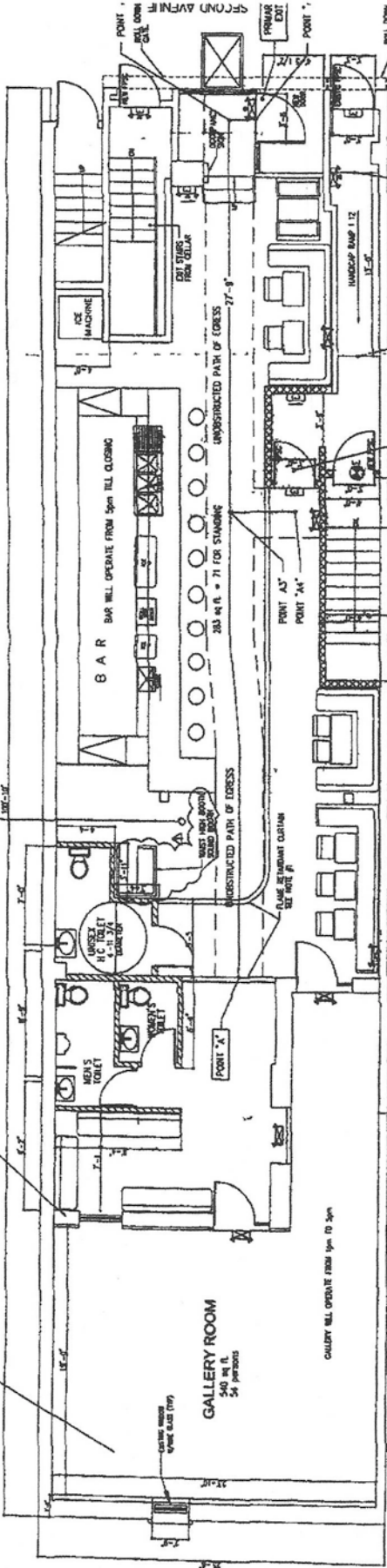
REVISION	DATE	DESCRIPTION
1	06 07 03	PER DOB
2	06 07 03	PER DOB

THIS DRAWING IS THE EXCLUSIVE PROPERTY OF SALAMON ENGINEERING GROUP. NO UNAUTHORIZED USE IS ALLOWED.

EXISTING EATING AND DRINKING ESTABLISHMENT
 USE GROUP 6
 157 PERSONS ONLY
 PER C O # 103512 (FULLY SPRINKLED)

2 HOURS FIRE RETARDANT CURTAIN

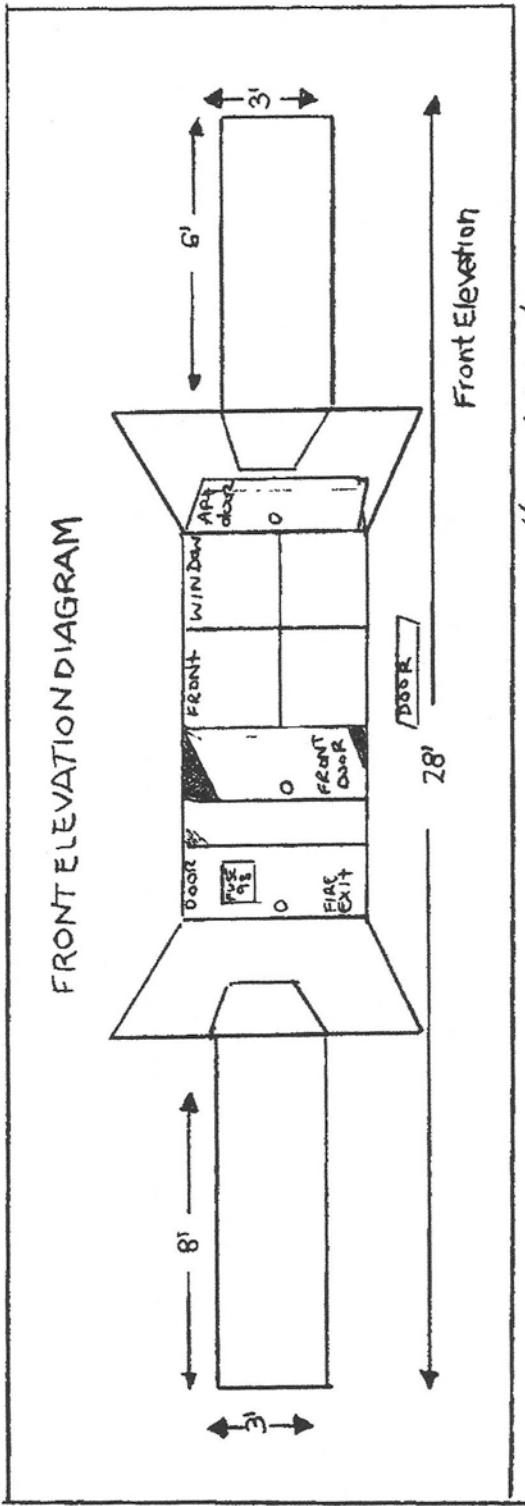
2 HOURS FIRE RETARDANT CURTAIN



BASEMENT FLOOR PLAN

SCALE 1/8" = 1'-0"

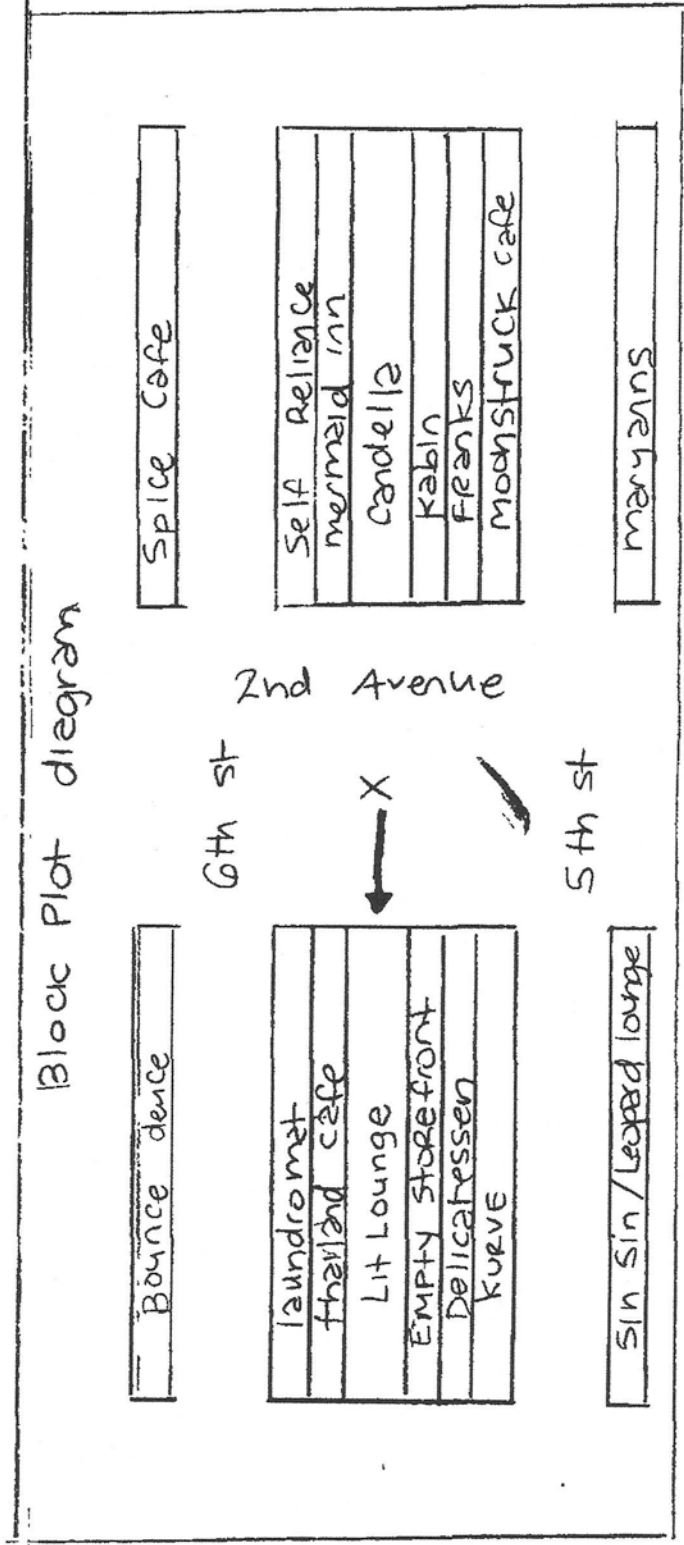
93 Arx LLC dba L.A. George
 93 Second Avenue
 New York, NY 10003



93 Art + LLC dba Lit Lounge
 93 Second Avenue
 New York, NY 10003

55

93 Art LLC dba Lit Lounge
 93 Second Avenue
 New York, NY 10003



ATTENTION RESIDENTS & NEIGHBORS

TBD

Company/DBA Name and Contact Number for Questions

Plans to open a

Bar

(Please choose) Bar/Restaurant/Club and indicate if there will be a Sidewalk Café or Backyard Garden

at the following location

93 Second Avenue

Building Number and Street Name (Address)

This establishment is seeking a license to serve

Beer, Wine, Liquor

Beer & Wine or Beer/Wine & Liquor

There will be an opportunity for public comment on

August 17 2015

Applicant Contact Information

**At COMMUNITY BOARD 3
SLA & DCA Licensing Committee Meeting
info@cb3manhattan.org - www.cb3manhattan.org**