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 Stipulations

1. Joseph Musciano, as a qualified representative of Virgola 2 LLC,
located at 111 E 7th St, New York, NY agree to the following stipulations:
   1. ☒ I will operate a full-service restaurant, specifically a (type of restaurant) Raw Bar & Seafood,
      with a kitchen open and serving food to within 1 hour(s) of closing every night ☐ during all hours of operation.
   2. My hours of operation will be 7:00 a.m./p.m. to 12:00 a.m. all days.

(I understand opening is "no later than" specified opening hour, and all patrons are to be cleared from business at specified closing hour.)

3. ☒ I will not use outdoor space for commercial use.
4. ☐ I will operate my sidewalk café no later than ____________.
5. ☐ I will employ a doorman/security personnel on the following days: ________
6. ☐ I will install soundproofing.
7. ☐ I will close any front or rear facade doors and windows at 10:00 P.M. every night or during any amplified performances, including but not limited to DJs, live music and live nonmusical performances.
   ☒ 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 ________
8. ☐ 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 ________
9. ☒ I will play ambient recorded background music only.
10. ☒ I will not apply for an alteration to the method of operation agreed to by this stipulation without first coming before CB 3.
11. ☐ I will not seek a change in class to a full on-premise liquor license without first obtaining approval from CB 3.
12. ☒ I will not participate in pub crawls or have party buses come to my establishment.
13. ☐ I will not have a happy hour. ☒ I will have happy hour and it will end by ____________.
14. ☒ I will not have wait lines outside. ☐ There will be a staff person outside to monitor sidewalk crowds and ensure no loitering.
15. ☒ I will conspicuously post this stipulation form beside my liquor license inside of my business.
16. ☒ 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.
   Name: Joseph Musciano  Phone Number: (917) 295-5485

17. ☐ I will:

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

Signed: ____________________________  Dated: ______________
Sworn to this ___ day of ______, 2015

______________________________
Notary Public - State of New York
Notary Public
Notary Public

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/communitygroups/community_group_listings.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: 8/9/15

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: abandoned RW

If alteration, describe nature of alteration:

Previous or current use of the location: Restaurant

Corporation and trade name of current license: Ca'Joo and Co LLC

APPLICANT:
Premise address: 111 E 7TH ST
Cross streets: Ave 1A & 1st Ave
Name of applicant and all principals: Joseph Marazzo

Virgola 2 LLC

Trade name (DBA): Virgola
PREMISE:
Type of building and number of floors: **Mixed Use 7 Story Building**

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?

Letter of no objection

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/](http://gis.nyc.gov/doitt/nycitymap/), please give specific zoning designation, such as R8 or C2):

R8 B

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)

11am - 12am, 7 days a week

Number of tables? _____ 8 _____  Total number of seats? _____ 29 _____

How many stand-up bars/bar seats are located on the premise?

1, 17 seats

(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):

L Shaped 1st Floor 19’10”

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

[Raw bar & Seafood]

What are the hours kitchen will be open? All open hours

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

How many employees will there be?

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
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: ________________

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? ________________

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) ________________

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

Do you have sound proofing installed? □ Yes □ No
If not, do you plan to install sound-proofing? □ Yes □ No

APPLICANT HISTORY:
Has this corporation or any principal been licensed previously? □ Yes □ No
If yes, please indicate name of establishment: Virginia
Address: 28 Greenwich Ave ____________________________ Community Board # 2
Dates of operation: 8/13 - 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 ____________________________
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.
LOCATION:
How many licensed establishments are within 1 block? 36
How many On-Premise (OP) liquor licenses are within 500 feet? 38
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.
- OYSTERS -
dozen of the day - 1.00
daily east coast selection - 1.50
west coast selection - 2.50
served with classic cocktail sauce, fresh horseradish & champagne vinegar mignonette

- FRUTTI DI MARE -
scallops - 9
swordfish crudo - 10
fluke and mango ceviche - 13
shrimp cocktail - 15
tuna tartare - 16

- CAVIAR -
salmon roe - 12
american black caviar - 25

- PLATTERS -
Virgola - 12 oysters, ceviche, shrimp cocktail & tuna tartare - 50
Trastevere - 18 oysters, ceviche, shrimp cocktail, tuna tartare, & black caviar - 75
Grande - 24 oysters, scallops, crudo, ceviche, shrimp, tuna tartare, salmon & black caviar - 100
eating shellfish or raw fish increases the risk of foodborne illnesses

- SALUMI -
felino
handmade salami, fennel, red wine
bresaola
lean, air-dried beef, Lombardia
mortadella
cooked pork, pistachio, Bologna
parmacotto tartufato
truffled ham, Parma
nduja calabrese
soft, spicy salami, Calabria
coppa
dry aged pork, red pepper, paprika

- FORMAGGI -
robiola fresca
soft, creamy, cow's milk
toma piemontese
semi-hard, nutty, cow's milk
mozzarella di bufala
soft, mild, water buffalo's milk
parmigiano reggiano
hard, cow's milk, Parma
ricotta di pecora
sheep's milk ricotta
gorgonzola dolce
soft, mild, Italian blue cheese

- INSALATE -
caprese
mozzarella, tomatoes & basil
panzanella
mixed vegetables, bread, olive oil
pomodorini misti
assorted tomatoes, sea salt, olive oil
funghi tartufati
mushrooms, sea salt, truffle oil
carciofi alla romana
roman artichokes, sea salt, olive oil

8 each - select any three for 21 - select any six for 36