

Manhattan Community Board 4

(All Fields Must Be Completed)

Liquor License Stipulations Application

CORPORATION NAME VEGG 58TH LLC		DOING BUSINESS AS (DBA) MASSERIA DEI VINI	
STREET ADDRESS 887-889 9TH AVE		CROSS STREETS W 57TH AND W 58TH ST	ZIP CODE 10019
OWNER <i>(Attach a list of all the people that will be associated listed with the license)</i>	NAME: GIUSEPPE COLADONATO	ATTORNEY/ REPRESENTATIVE	NAME: MICHAEL KELLY
	PHONE: 212-582-2111		PHONE: 914-632-6036
	EMAIL: mdvoffice@aol.com		EMAIL: KELLYMLK@AOL.COM
MANAGER	NAME: GUISEPPE COLADONATO	LANDLORD	NAME: 400WEST 58TH ST PROPERTIES CORP
	PHONE: 212-582-2111		PHONE: 718-423-4545
	EMAIL: mdvoffice@aol.com		EMAIL:
APPLICATION TYPE (Check One)			
<input type="radio"/> New	Has applicant owned or managed a similar business?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
	What is/was the name and address of establishment?		
	What were the dates applicant was involved with this former premise?		
<input type="radio"/> Transfer	What is the prior license # and expiration date?		
	Is applicant making any alterations or operational changes?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
	<i>If alterations or operational changes are being made, please describe/list all changes.</i>		
<input checked="" type="radio"/> Alteration	What is the current license # and expiration date?	1277352 EXPIRES 11/30/16	
	<i>Please list/describe the nature of all the changes and attach the plans:</i> ADDITION OF SIDEWALK CAFE		
METHOD OF OPERATION			
TYPE OF ALCOHOL	<input checked="" type="checkbox"/> Liquor/Wine/Beer <input type="checkbox"/> Beer <input type="checkbox"/> Wine & Beer		
ESTABLISHMENT TYPE	<input checked="" type="checkbox"/> Restaurant <input type="checkbox"/> Cabaret <input type="checkbox"/> Night Club <input type="checkbox"/> Hotel <input type="checkbox"/> Bar/Tavern <input type="checkbox"/> Catering Establishment <input type="checkbox"/> Adult Entertainment <input type="checkbox"/> Wine Bar <input type="checkbox"/> Dance Club <input type="checkbox"/> Sports Bar <input type="checkbox"/> Club (Fraternal Organization – Members Only)		
Has applicant/owner filed with the SLA? If yes, when? If no, when do you plan to file?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	NO. WE WILL FILE AFTER FEB 10TH
Is the 500 Foot Rule applicable? If yes, please attach a diagram of the On-Premise liquor license establishments within a 500 ft. radius of your establishment and the Public Interest Statement.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	NO
Is the 200 Foot Rule applicable? If yes, please attach a diagram of the schools and houses of worship that trigger the rule.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	NO
Has applicant/owner(s) read MCB4 Policy Regarding Concentration and Location of Alcoholic-Serving Establishments?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	YES

OPERATIONAL DETAILS (*Closing time will be when establishment is vacated of all patrons)

HOURS* (Indoor Only)		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
	Operation	11AM - 12AM	11AM - 12AM	11AM - 12AM	11AM - 1AM	11AM - 1AM	11AM - 1AM	11AM - 11PM
	Kitchen	11AM - 12AM	11AM - 12AM	11AM - 12AM	11AM - 1AM	11AM - 1AM	11AM - 1AM	11AM - 11PM
	Music	11AM - 12AM	11AM - 12AM	11AM - 12AM	11AM - 12AM	11AM - 12AM	11AM - 12AM	11AM - 11PM
If you plan to have music, what type(s)? (Circle all that apply)			<input checked="" type="checkbox"/> BACKGROUND	<input type="checkbox"/> LIVE MUSIC	<input type="checkbox"/> DJ	<input type="checkbox"/> JUKE BOX	<input type="checkbox"/> KARAOKE	

OCCUPANCY

	Capacity (Certificate of Occupancy)	Maximum # of Persons You Anticipate Occupying Premises (Including Employees)	Number of Tables	Number of Seats	Number of Service Only Bars	Number of Stand-Up Bars	Number of Seats at Stand-Up Bar
INSIDE	107	107	26	82	1	1	15
OUTSIDE (Other than sidewalk café)	n/a	n/a	n/a	n/a	n/a	n/a	n/a
SIDEWALK CAFÉ	18	20	8	10			

How many floors are there? What is the capacity for each floor? 1 FLOOR WITH CAPACITY OF 120

How frequently will the owner(s) be at the establishment? AN OWNER WILL BE ON PREMISE AT ALL TIMES

Will you be applying or intending to apply for a cabaret license with DCA? If yes, will there be dancing?	YES	<input checked="" type="radio"/> NO	
Will applicant have bottle or table service for beverage alcohol?	YES	<input checked="" type="radio"/> NO	
Will you be hosting private, promotional or corporate events?	YES	<input checked="" type="radio"/> NO	
Will outside promoters be used on a regular basis? If yes please describe.	YES	<input checked="" type="radio"/> NO	
Will you have a security plan? If, yes please attach.	YES	<input checked="" type="radio"/> NO	
Will security plan be implemented?	YES	<input checked="" type="radio"/> NO	
Will State certified security personnel be used?	YES	<input checked="" type="radio"/> NO	
Will New York Nightlife Association and NYPD Best Practices be followed?	YES	NO	N/A
Will applicant be using delivery bicycles? If yes, how many?	YES	<input checked="" type="radio"/> NO	
Will delivery bicycles be clearly marked with the name of the restaurant and will staff wear attire clearly noting name as described by NYC Law?	YES	NO	N/A
Where will delivery bicycles be stored during the day when not in use?	N/A		

LOCATION & ZONING			
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	<input checked="" type="radio"/>	NO	CLINTON
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input checked="" type="radio"/>	NO	
Is a Public Assembly permit required?	<input checked="" type="radio"/>	NO	
Are your plans filed with DOB?	<input checked="" type="radio"/>	NO	

Community Notification/Relations			
NOTIFICATION: List all block associations; tenant associations, co-op boards or condo boards of residential buildings; and community groups that applicant has notified regarding its application. For each please list both the organization and individual you contacted	# 1	HK5051@GMAIL.COM	
	# 2	WEST 55 BA	
	# 3	C GORMAN	
	# 4	HUDSON HOTEL RESIDENTS	
	# 5		
Please provide dates when applicant met with the groups listed above.	DECEMBER 24 2015		
Who was your contact person at each group you met with?	NOTIFIED VIA EMAIL		
When did applicant post the notice that was provided?	1/26/16		
Where did applicant post the notice that was provided?	IN WINDOW OF PREMISE AND LAMP POSTS ON OUR BLOCK		
Will applicant provide owner cell phone number to neighbors and respond to complaints that arise? Please provide number in space provided.	<input checked="" type="radio"/>	NO	(212) 315-2888
Will applicant inform the Community Board office of its job openings and/or provide a hyperlink to applicants jobs webpage?	<input checked="" type="radio"/>	NO	

BUILDING DESIGN			
State the name and type of business previously located in the space.	CURRENTLY A RESTAURANT		
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	WE CURRENTLY HAVE A LIQUOR LICENSE
Do you plan any changes to the existing façade? If yes, please describe.	<input type="radio"/> YES	<input checked="" type="radio"/> NO	
Will applicant have a vestibule within the establishment?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	
Will applicant use a storm enclosure?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant not place any items or obstructions on the sidewalk, for example, sandwich boards, sidewalk signs, freestanding menus and plants, as per the law?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant comply with the NYC noise code?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will the establishment have any of the following: (circle all that apply)	<input checked="" type="radio"/> FRENCH DOORS	<input type="radio"/> GARAGE DOORS	<input type="radio"/> WINDOWS THAT CAN BE OPENED
Will applicant close all windows, French doors, garage doors when any music or amplified sound (including televisions) is played inside the establishment?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant close all windows, French doors, garage doors by 11 PM Friday and Saturday and 10 PM on all other days even if no music or amplified sound is played inside the establishment?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Has applicant obtained an acoustical report from a certified sound engineer to assess potential noise disturbance to the neighboring residents and buildings?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	WE WILL ONLY HAVE BACKGROUND MUSIC
Will applicant follow the recommendations of a certified sound engineer to mitigate potential noise disturbance to the neighboring residents and buildings, including placing speakers on the floor of the establishment?	<input type="radio"/> YES	<input type="radio"/> NO	IF NECESSARY BUT N/A
Will the kitchen exhaust system extend to the roof?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will the establishment have an illuminated sign?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will the establishment have a canopy extending over the sidewalk?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	WILL PUT RETRACTABLE AWNING OVER SIDEWALK
Where will the air conditioner be located? What type is it?	AIR CONDITIONING IS EXISTING ON ROOF		
When was the air conditioner installed?	UNKNOWN		

OUTDOOR ITEMS - OTHER THEN SIDEWALK CAFÉ			
Has the applicant/owner(s) read MCB 4 Rear Yard Rooftop Policy?	YES	NO	N/A
Will applicant use any outdoor spaces: rooftop, rear yard, patio, porch, balcony, pavilion, tents, deck or gazebo? If yes, which one(s)?	YES	<input checked="" type="radio"/>	
Are the floorplans for the outdoor space(s) included?	YES	NO	N/A
Will applicant close and vacate the outdoor space(s) by 11PM on Friday & Saturday and 10 PM on all other days?	YES	NO	N/A
Will the service and consumption of alcohol in any outdoor space only be via seated food service?	YES	NO	N/A
Will applicant not allow standing space for patrons to drink or smoke in any outdoor space(s)?	YES	NO	N/A
Will there be no amplified music, as per the law?	YES	NO	N/A
If amplified sound is played inside the establishment, will windows and doors be closed?	YES	NO	N/A
Will applicant agree to post signs outside asking customers to respect the neighbors'?	YES	NO	N/A
Will applicant agree to train staff to encourage a peaceful environment?	YES	NO	N/A
Will applicant provide effective sound control (landscaping enclosure, soundproofing tenants apartments)	YES	NO	N/A
Will there be a lighting plan that allows safe usage of the outdoor space without disrupting neighbors?	YES	NO	N/A

OUTDOOR ITEMS – SIDEWALK CAFÉ			
Has the applicant/owner(s) read MCB4 Sidewalk Café Policy?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant be applying for a sidewalk café now or in the future?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	THE SIDEWALK CAFE APPLICATION HAS BEEN FILED
Is applicant in this application seeking to include a sidewalk café in its liquor license?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
If yes, has applicant submitted an application and plans to NYC Dept. of Consumer Affairs? Please attach application and plans.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant close and vacate the sidewalk café by <u>11 PM on Friday & Saturday and 10 PM on all other days</u> ?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant be serving alcohol in the sidewalk café? If so, will you have waiter service?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will the café have a 3 ft. wide serving aisle running the entire length of the sidewalk café?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant mark the perimeter of the café on the sidewalk?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will the service and consumption of alcohol in the sidewalk café only be via seated food service?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will the sidewalk café not provide standing space for drinking or smoking?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant use any portable natural gas heaters? If so, do you have the requisite approvals from DOB & the Fire Department?	YES	<input checked="" type="radio"/> NO	
Will applicant have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will all furniture, plants and barricades be stored inside between the evening closing hours and the morning opening hours?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will all furniture be stored inside between December 21 st and March 21 st , and any other day when it rains or snows?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant use umbrellas?	YES	<input checked="" type="radio"/> NO	
If construction or construction protection has reduced the sidewalk width, will applicant always maintain an 8 foot clear path of sidewalk between the perimeter of the café and the closes obstruction including construction barricades?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	

ADDITIONAL STIPULATIONS: (Office Use Only)

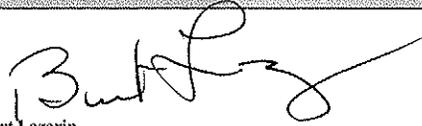
- Applicant will remove one of the three tables
- Applicant will plant a new tree

To the extent any additional stipulation on pages 7 and 8 of this application conflicts with any response on pages 1 – 6 of this application, the stipulations on pages 7 and 8 control.

ADDITIONAL STIPULATIONS: (Office Use Only), *Continued*

To the extent any additional stipulation on pages 7 and 8 of this application conflicts with any response on pages 1 – 6 of this application, the stipulations on pages 7 and 8 control.

Manhattan Community Board 4 (MCB4) recommends:	<input checked="" type="checkbox"/> Denial unless all stipulations agreed to by applicant/owner are part of the method of operation <input type="checkbox"/> Denial <input type="checkbox"/> Approval
--	--

CB4 REPRESENTATIVES		
 Nelly Gonzalez <i>CB4 Assistant District Manager</i>	Frank Holozubiec <i>CB4 BLP Committee Co-Chair</i>	 Burt Lazarin <i>CB4 BLP Committee Co-Chair</i>

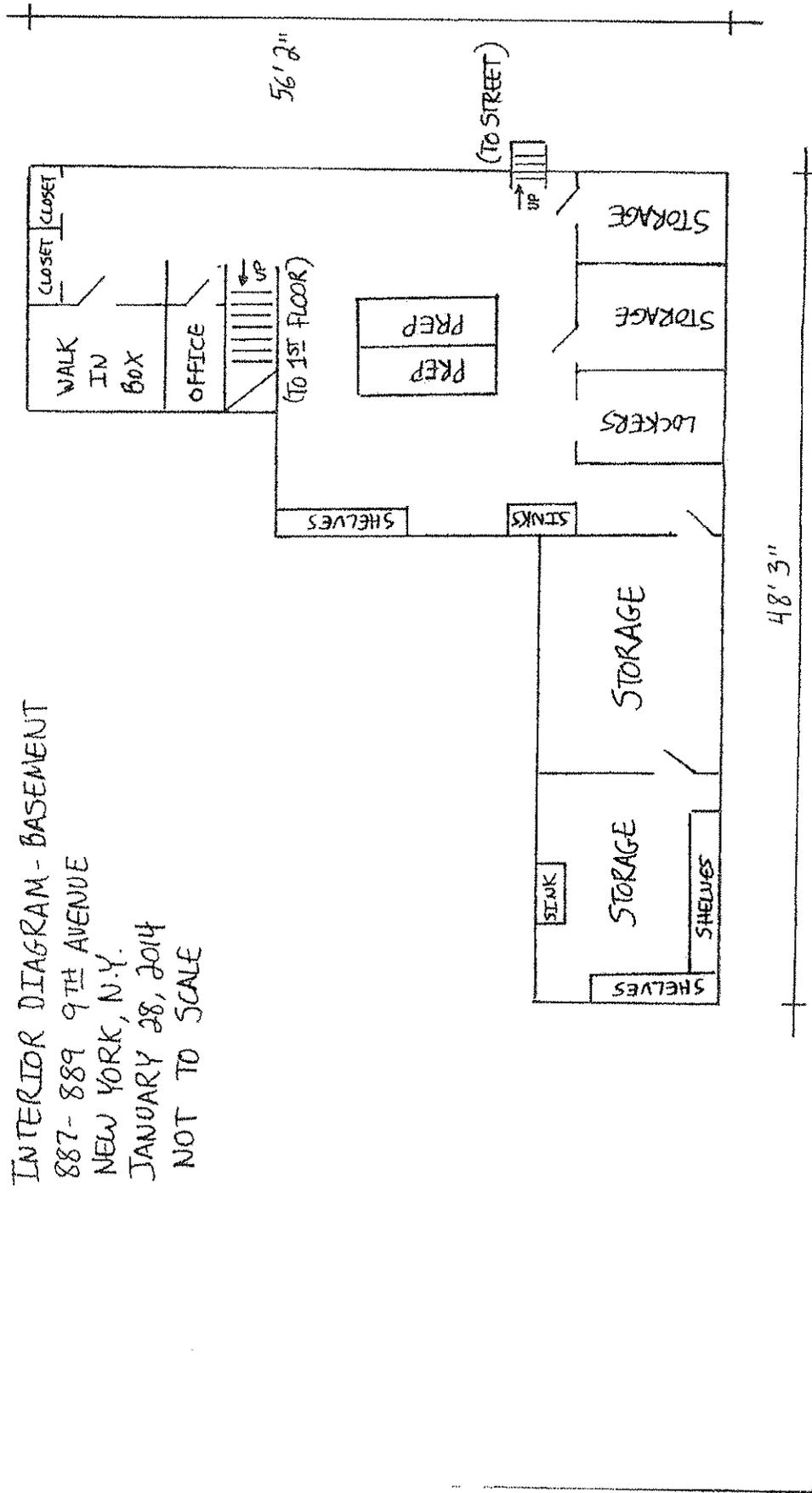
APPLICANT AGREEMENT WITH THE COMMUNITY
--

Applicant agrees to these stipulations as the basis for the community support of this application and acknowledges that all of these stipulations are essential prerequisites to the MCB4 recommendation regarding this application. Applicant agrees to have these stipulations incorporated in the method of operation of its liquor license. The stipulations in this application constitute the entire agreement between MCB4 and applicant and may only be altered in writing signed by MCB4 and applicant. These stipulations supersede any oral statements or representations in connection with this application.

SIGN HERE →	 PRINT NAME OF APPLICANT	SIGNATURE OF APPLICANT	2/9/16 DATE
--------------------	--	------------------------	----------------

STIP
 - REMOVE ONE OF THE THREE TABLES
 - NEW TREE

INTERIOR DIAGRAM - BASEMENT
 887- 889 9TH AVENUE
 NEW YORK, N.Y.
 JANUARY 28, 2014
 NOT TO SCALE



LE CARNI & I PESCI
Entrée

<i>BATTUTA DI POLLO ALLA GRIGLIA CON PORRI BRASATI</i> Grilled thinly pounded chicken breast with braised leeks	18.50
<i>POLLO NOVELLO AL MATTONE</i> Grilled young chicken old country style	26.50
<i>BOCCONCINI DI POLLO AL VIN COTTO, FUNGHI E SALSICCIA</i> Chunks of boneless chicken with Mushrooms & sausage, in a red wine And shallots sauce	19.75
<i>CONIGLIO ALLA CAPRESE</i> Oven roasted rabbit with fresh herbs & wine sauce	29.50
<i>COSTOLETTA DI VITELLO ALLA MILANESE</i> Thinly pounded breaded veal chop with rugola e tomato salad	39.50
<i>LOMBATA DI VITELLO</i> Grilled t-bone veal chop with fresh herbs	39.50
<i>COSTATA DI MANZO AI FERRI CON PATATINE FRITTE</i> Grilled aged prime rib eye steak served with shoestring fries	39.50
<i>FEGATO DI VITELLO SPADELLATO ALL'ACETO DI MIRTILLI</i> Calf liver sauté with onions & blueberry vinegar	25.50
<i>ORATA DEL MEDITERRANEO</i> Grilled whole Mediterranean Sea Bream	28.50
<i>TRANCIO DI SALMONE CON SALSIA ALLA MOSTARDA</i> Grilled salmon fillet, with grilled Zucchini & Mustard sauce	24.50
<i>GAMBERONI ALLA TORRE SARACENA</i> Grilled prawns over a mix greens & tomato salad	32.50
<i>QUANTO IL MARE HA DATO</i> What the sea gave	P A

DINNER MENU



La Masseria

Authentic Italian Cuisine

ANTIPASTI
Appetizers

<i>ZUPPA DEL GIORNO</i> Soup of the day	P A
<i>I CUCUZZIELLI FRITTI ALLA PINO</i> Crispy fried zucchini	8.00
<i>MOZZARELLA FARCITA DELLO CHEF</i> Home made stuffed fresh mozzarella	13.50
<i>CARPACCIO DI MANZO</i> Thinly sliced raw beef with parmesan cheese, rugola salad & hearts of palm	15.00
<i>TAVOLACCIO DEL SALUMIERE</i> Assortment of Italian cured meats and cheese	18.50
<i>MELENZANE RIPIENE DEL GARGANO</i> Stuffed eggplant with smoked mozzarella	14.50
<i>CAPESENTI E CARCIOFI GRIGLIATI</i> Combination of grilled sea scallops and artichokes hearts	19.50
<i>TERRA MARE DEL TAVOLIERE</i> Grilled baby octopus & cuttlefish, with broccoli rabe on a bed of fava beans puree'	18.50
<i>FRITTO MISTO DEL MARE</i> Golden fried calamari, shrimps & sea scallops	18.50
<i>POLPETTE DI MANZO DELLA MASSERIA</i> Fresh Daily Made Meat Balls With Tomato Sauce and Basil	17.00

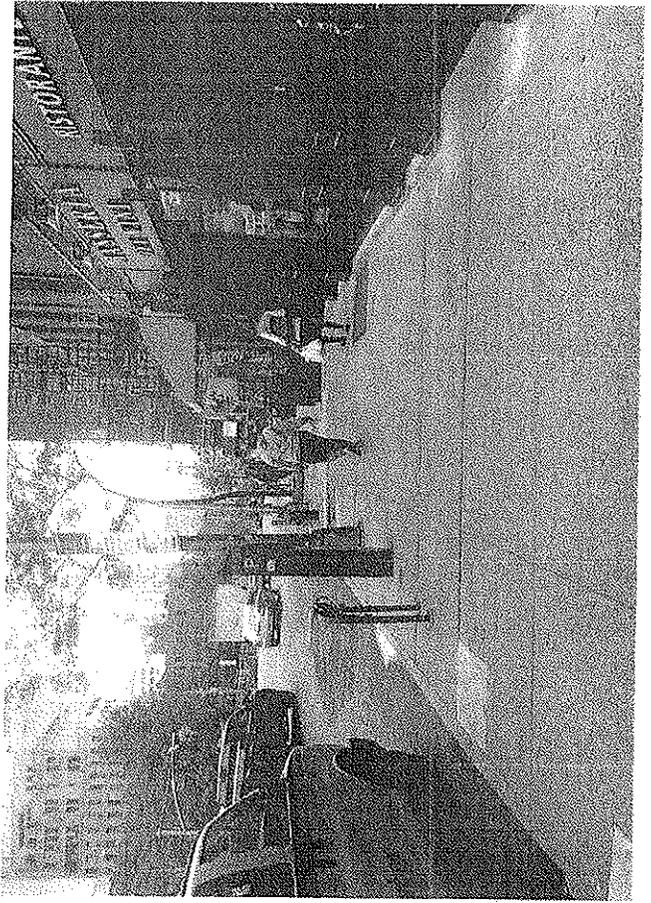
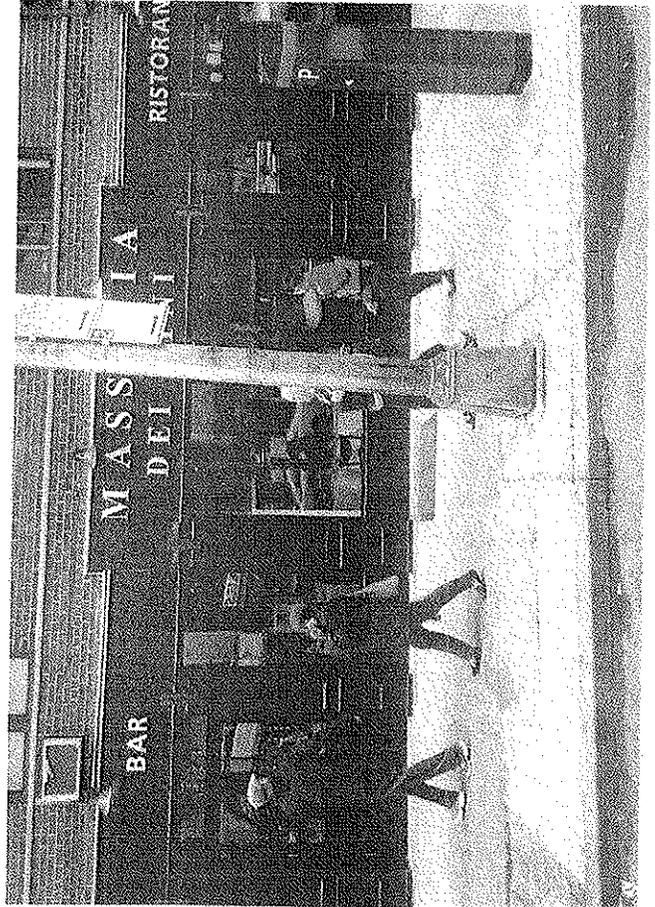
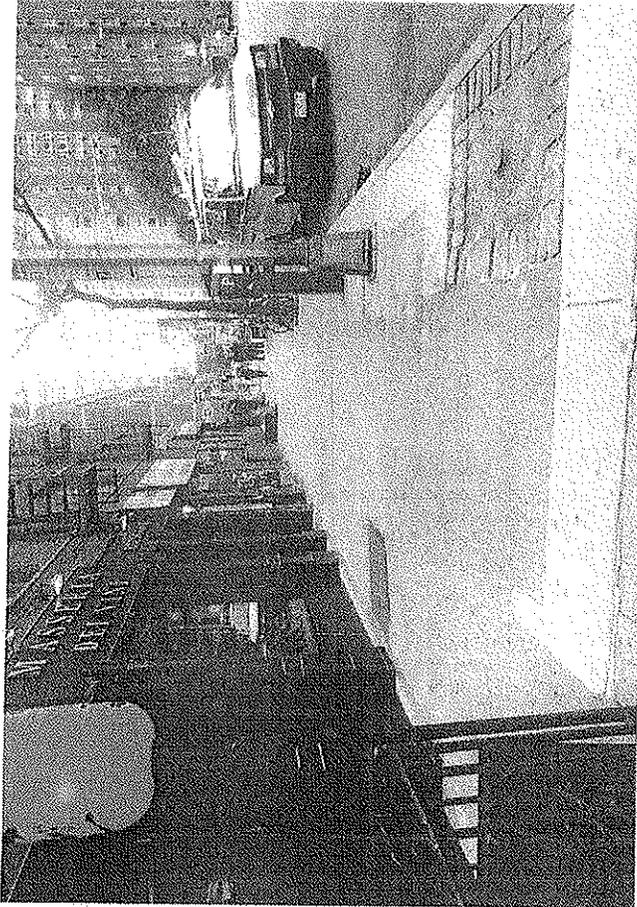


La Masseria

Authentic Italian Cuisine

235 West 48th Street New York, NY 10036
Tel (212) 582 2111 • Fax (212) 582 2420

Vegg 58th LLC
889 9th Ave
NY 10019





Certificate of Occupancy

CO Number: 122085652T002

This certifies that the premises described herein 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. No change of use or occupancy shall be made unless a new Certificate of Occupancy is issued. *This document or a copy shall be available for inspection at the building at all reasonable times.*

A.	Borough: Manhattan	Block Number: 01067	Certificate Type: Temporary
	Address: 889 9TH AVENUE	Lot Number(s): 33	Effective Date: 11/13/2015
	Building Identification Number (BIN): 1026889		Expiration Date: 02/11/2016
		Building Type: Altered	

This building is subject to this Building Code: 1968 Code

For zoning lot metes & bounds, please see BISWeb.

B.	Construction classification: 3	(Prior to 1968 Code designation)
	Building Occupancy Group classification: R-2	(2008 Code)
	Multiple Dwelling Law Classification: HAEA	
	No. of stories: 6	Height in feet: 81

C. Fire Protection Equipment:
None associated with this filing.

D. Type and number of open spaces:
None associated with this filing.

E. This Certificate is issued with the following legal limitations:
None

Outstanding requirements for obtaining Final Certificate of Occupancy:

There are 14 outstanding requirements. Please refer to BISWeb for further detail.

Borough Comments: None

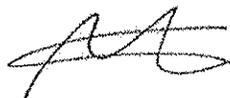
Borough Commissioner

Commissioner

Certificate of Occupancy

CO Number: 122085652T002

Permissible Use and Occupancy						
All Building Code occupancy group designations below are 2008 designations.						
Floor From To	Maximum persons permitted	Live load lbs per sq. ft.	Building Code occupancy group	Dwelling or Rooming Units	Zoning use group	Description of use
CEL		OG	R-2		2	BOILER ROOM, INCINERATOR & METER ROOMS STORAGE & GARAGE FOR 15 MOTOR VEHICLES
001		100	R-2	1	2	ONE (1) SUPERINTENDENT'S APARTMENT
001	124	100	A-2		6	EATING AND DRINKING, U.G. 6
001	107		B A-2		6	EATING AND DRINKING
002	17	40	B		6A	OFFICES
002		50	R-2	6	2	SIX (6) APARTMENTS
003 004		40	R-2	10	2	TEN (10) APARTMENTS PER FLOOR
005		40	R-2	9.5	2	NINE (9) APARTMENTS AND ONE-HALF (1/2) APARTMENT
006		40	R-2	9.5	2	NINE (9) APARTMENTS, AND ONE-HALF (1/2) APARTMENT
END OF SECTION						



Borough Commissioner



Commissioner

END OF DOCUMENT