

1 **Business License & Permits Committee**

Item #: 10

2  
3 December 4, 2013

4  
5 Dennis Rosen  
6 Chairman  
7 New York State Liquor Authority  
8 80 S. Swan Street, 9<sup>th</sup> Floor  
9 Albany, New York 12210

10  
11 **Re: Uma NY1 LLC d/b/a Uma Temakeria**  
12 64 7<sup>th</sup> Avenue (14)

13  
14 Dear Chairman Rosen:

15  
16 Manhattan Community Board 4 (MCB4) recommends denial of an Restaurant Wine & Beer License for  
17 Uma NY1 LLC d/b/a Uma Temakeria – 64 7<sup>th</sup> Avenue (14), unless the following stipulations, agreed to  
18 by the applicant, are part of the method of operation for this establishment with a capacity of 65 people,  
19 with 6-8 tables with 12-18 seats, and 1 stand up bar with 0 seats.

20  
21  
22 A signed copy of the questionnaire and stipulations are enclosed.

23  
24 Sincerely,

25  
26  
27  
28 Corey Johnson  
Chair

Paul Seres  
Co-Chair  
Business License & Permits  
Committee

Lisa Daglian  
Co-Chair  
Business License & Permits  
Committee

# Manhattan Community Board 4

(All Fields Must Be Completed)

## Liquor License Stipulations Application

<b>APPLICANT</b>		<b>DOING BUSINESS AS (DBA)</b>				
Uma NY1, LLC		Uma Temakeria				
<b>STREET ADDRESS</b>		<b>CROSS STREETS</b>				
64 7th Avenue, NY NY 10011		14th St. & 7th Ave.				
<b>OWNER</b>	<b>NAME:</b> Cynthia Kueppers	<b>ATTORNEY</b>	<b>NAME:</b> Elke A. Hofmann, Esq.			
	<b>PHONE:</b> 917-370-5883		<b>PHONE:</b> 212-487-9100			
	<b>FAX:</b>		<b>FAX:</b> 212-487-9131, elke@eahlaw.com			
<b>MANAGER</b>	<b>NAME:</b> N/A - Principal will manage	<b>LANDLORD</b>	<b>NAME:</b> Mar Dan Realty Co, LLC			
	<b>PHONE:</b>		<b>PHONE:</b> 212-697-0025			
	<b>FAX:</b>		<b>FAX:</b>			
<b>DESCRIPTION OF BUSINESS</b>						
Establishment Type:		<input type="radio"/> Bar/Tavern <input type="radio"/> Bed & Breakfast <input type="radio"/> Eating Place Beer <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input checked="" type="radio"/> Restaurant <input type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization – Members Only) <input type="radio"/> Other (Explain): _____				
Method of Operation:		<input checked="" type="radio"/> Restaurant <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Pizzeria <input type="radio"/> Cafe <input type="radio"/> Other (Explain): _____				
License Type:		<input type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input checked="" type="radio"/> Wine & Beer				
<b>APPLICATION TYPE</b> (check one)		<input checked="" type="radio"/> New	Has applicant owned or managed a similar business?	YES	<input checked="" type="radio"/> NO	
			What is/was the name of establishment?			
			What is/was the address of the establishment?			
			What were the dates the applicant was involved with this former premise?			
		<input type="radio"/> Transfer	What is the prior license #?			
			What is the expiration date on the prior license?			
			Are you making any alterations or operational changes?	YES	NO	
			If alterations or operational changes are being made, please attach the plans to this form.			
		<input type="radio"/> Alteration	What is the current license #?			
			What is the expiration date on the current license?			
			Please describe the nature of the alterations and attach the plans			

OPERATIONAL ISSUES									
		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY	
HOURS	Operation	11am - 12am	11am - 12am	11am - 12am	11am - 2 am	11am - 2am	11am - 2am	11am - 12am	
	Music		Background only						
	Kitchen	10am - 12am	10am - 12am	10am - 12am	10am - 2 am	10am - 2am	10am - 2am	10am - 12am	
OCCUPANCY	INDOOR				BAR			OUTSIDE	
	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 Bars	Number of Seats	Number of Tables
	65	40	6-8	12-18	0	1	0	N/A	N/A
How many floors are there? What is the capacity for each floor? (please respond in space provided)					1-2	3-4	5+		
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)					YES	NO	N/A		
Will applicant have bottle service?					YES	NO	N/A		
Will you be hosting private parties and promotional events?					YES	NO	N/A		
Will outside promoters be used?					YES	NO	N/A		
Will the security plan submitted be implemented?					YES	NO	N/A		
Will State certified security personnel be used?					YES	NO	N/A		
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?					YES	NO	N/A		
Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided)					YES	NO	N/A		
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)					YES	NO	N/A		
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)					YES	NO	N/A		
Will applicant provide contact information to neighbors and respond to complaints that arise?					YES	NO	N/A		
If you plan to have music, what type(s)?				BACKGROUND	LIVE MUSIC	DJ			
BUILDING DESIGN									
Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.					YES	NO	N/A		
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?					YES	NO	N/A		
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.)					YES	NO	N/A		

OUTDOOR ITEMS			
Will applicant use the rooftop, rear yard or any outdoor space?	YES	<input type="radio"/> NO	<input type="radio"/> N/A
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	YES	<input type="radio"/> NO	<input type="radio"/> N/A
The service and consumption of alcohol in the rear yard, on the rooftop, or in any other outdoor space will be only via seated food service.	YES	<input type="radio"/> NO	<input type="radio"/> N/A
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	YES	<input type="radio"/> NO	<input type="radio"/> N/A
Applicant will do everything in their power to provide an effective sound baffling or sound controlled environment through landscaping or some type of enclosure, where possible; provided they do not violate any fire or building code regulations? This includes possibly working with landlords for soundproofing tenants apartments (such as installing soundproofing windows, acoustical tiles, etc.).	YES	<input type="radio"/> NO	<input type="radio"/> N/A
Applicant will enforce a quiet environment in the outdoor space, so as not to disturb nearby residents (e.g. there will be no amplified music, as per the law, and windows and doors to areas that play amplified music shall be closed). The applicant will make every effort possible to limit the noise emanating from diners by posting signs outside and also on menus asking for respect of the neighbor's privacy and peace. The staff will also encourage a peaceful environment amongst the outdoor diners.	YES	<input type="radio"/> NO	<input type="radio"/> N/A
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	<input type="radio"/> NO	<input type="radio"/> N/A

LOCATION & ZONING			
Primary Zoning District:	C6-RA	Overlay (If Applicable):	N/A
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	<input type="radio"/> NO	<input type="radio"/> N/A
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A
Is the 500 Foot Rule or 200 Foot Rule Triggered? If yes, which? Please attach a diagram of the establishments that triggers the rule.	YES	<input type="radio"/> NO	<input type="radio"/> N/A
Is a Public Assembly permit required?	YES	<input type="radio"/> NO	<input type="radio"/> N/A
Are your plans filed with DOB?	YES	<input type="radio"/> NO	<input type="radio"/> N/A
Building Type	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____		
Adjacent Buildings	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____		
NOTIFICATION: What organizations / community groups have you notified regarding your application?	# 1		
	# 2		
	# 3		

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

- will comply with sound engineer report
  - soundproof ceiling
- speakers will be lower than ceiling.
- will respond to any complaints if they arise





CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

330 West 42<sup>nd</sup> Street, 26<sup>th</sup> floor New York, NY 10036

tel: 212-736-4536 fax: 212-947-9512

www.nyc.gov/mcb4

3  
COREY JOHNSON  
Chair 4

5  
ROBERT J. BENFATTO, JR., ESQ.  
District Manager 6

7 **Business License & Permits Committee**

Item #: 11 (RATIFICATION)

8

9 November 18, 2013

10

11 Dennis Rosen

12 Chair

13 New York State Liquor Authority

14 317 Lenox Ave.

15 New York, NY 10027

16

17 **Re: Fairy Tales Lounge, LLC**

18 **500 West 48<sup>th</sup> Street**

19 **License #: 1248424**

20

21 Dear Mr. Rosen:

22

23 **Manhattan Community Board 4 (MCB4) requests that the NYS SLA not**  
24 **renew** the on-premises liquor license for the establishment Fairy Tales  
25 Lounge, license #1248424 located at 500 West 48<sup>th</sup> Street. The license is up  
26 for renewal on November 30, 2013. You may also recall that the Community  
27 Board had voted to deny the original application based on the 500 foot rule  
28 and the fact that it is on a residential block where a barber shop once stood  
29 (see Attachment A).

30

31 Since the very day it opened the Board Office has received complaints from  
32 the neighboring resident and the 47<sup>th</sup>/48<sup>th</sup> Street Block Association. These  
33 complaints have been about excessive noise into late hours of the night, the  
34 showing of an adult-movie with the doors open (thus, visible to the street),  
35 and late night congregation in the street under the windows of residents (see  
36 Attached B- 311 complaints from neighbors and video).

37

38 We have asked the establishment to address these complaints numerous times  
39 and recently the owner attended the November 12, 2013 Business License and  
40 Permits Committee all to no avail. There have also been complaints about

1 employees at the establishment, and unwillingness to be at all responsive to  
2 complaints. In fact, at the committee meeting when asked to address these  
3 complaints the owner, Anthony J. Scianna, was belligerent and unwilling to  
4 do anything to address these long standing complaints. He acknowledged that  
5 he had never taken any steps to mitigate noise or address congregating  
6 crowds, stating that it wasn't a big deal and that it cost too much.

7  
8 Given these length of these complaints, their seriousness, and the applicant's  
9 unwillingness to address them we are left with no option but to ask that liquor  
10 license #1248424 not be renewed.

11  
12 Thank you for your consideration.

13  
14 Sincerely,  
15



16  
17 Corey Johnson  
18 Chair  
19

20 cc: Michael Jones, Deputy Chief Executive Officer, NYS SLA  
21 Sandra Williams, NYS SLA  
22 NYC Council Speaker Christine Quinn  
23 NYS Senator Brad Hoylman  
24 NYS Assemblyman Richard Gottfried  
25 47<sup>th</sup>/48<sup>th</sup> Street Block Association  
26



CITY OF NEW YORK

**MANHATTAN COMMUNITY BOARD FOUR**

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**JOHN WEIS**  
Chair

**ROBERT J. BENFATTO, JR., ESQ.**  
District Manager

October 6, 2010

Dennis Rosen  
Chairman  
New York State Liquor Authority  
84 Holland Avenue, 2nd floor, A-Wing  
Albany, NY 12208

Re: Fairy Tales Corp d/b/a Fairy Tales  
*500 West 48<sup>th</sup> Street (10<sup>th</sup>/11<sup>th</sup> Avenues )*

Dear Chairman Rosen:

Manhattan Community Board 4 (MCB4) recommends **denial** of a full (OP) on premises liquor license for **Fairy Tales Corp d/b/a Fairy Tales**, for the following reasons:

- Prior to this application, the subject location has never been a bar or restaurant to the knowledge of the community. It has a history of being a barber shop or an office/work space. The address above is a residential side street within Manhattan.
- This establishment is in a residential building with apartments above and also to the West and East side as well as the South side, creating a bar/restaurant establishment too close to residents that would create ongoing disturbances.
- This establishment falls within the 500 foot rule as there are at least 3 similar class liquor licenses within 500 feet of the front entrance to the subject address. There was no compelling need from the community established for a bar/restaurant at this location.
- The West 47<sup>th</sup>/48<sup>th</sup> Street Block Association held meetings with the applicant and remained opposed to the recommendation to approve this application. A copy of their letter is attached.
- Questions remained unanswered regarding the Certificate of Non-Harassment for the building this establishment would be located within. Additionally, the Certificate of Occupancy does not permit a bar/restaurant within this location.




- This location is within the Clinton Special District and if this establishment were to open in this location, it was deemed that it would materially change the residential composition of this area of the Special District, which is contrary to the zoning regulations.

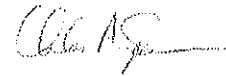
MCB4 found the applicant to be forthright and encouraged the applicant to seek space on an avenue within the Special District instead of the subject address.

Thank you for your attention and cooperation with this application.

Sincerely,



John Weis  
Chair  
Manhattan Community  
Board 4



Lisa Daglian  
Co-Chair  
Business License & Permits  
Committee - North

Chuck Spence  
Co-Chair  
Business License & Permits  
Committee - North

**Fairy Tails Lounge**

Nancy Roylance [nancyroylance@ymail.com]

**Sent:** Tuesday, October 22, 2013 3:28 PM**To:** Benfatto, Robert**Cc:** roywing@nyc.rr.com

Dear Bob,

Thanks for making sure that community voices are heard by the SLA as they consider renewing Fairy Tails' liquor license. Please add my complaints to those you've already received.

Like many others in the community - especially those of us who sadly count Fairytails among our most immediate neighbors - I have had my sleep disturbed by pounding music on many occasions. I've also had my evening relaxation shattered by the bar's loud and unruly patrons on the street in front of my apartment. One of these customers responded to my husband's request that he keep his voice down by yelling "what do you expect - you live next to a bar!" I think that says it all. Even though many of us who make our homes on 48th Street predate Fairytails by decades, and even though we fought to prevent the issuing of a liquor license to such an ill-placed "lounge," we are now seen as the interlopers by many of the bar's patrons. Promises about security, and pledges to keep the door closed to prevent the seepage of noise and other unwanted intrusions onto our residential street appear to have been long forgotten. And above all, on too many nights pounding bass vibrates my walls and disrupts my and my husband's sleep.

I fervently hope that the SLA will deny renewal of this establishment's liquor license and restore the quality of life for our block. I am grateful for all that you are doing to assist us with this issue.

Best,

Nancy Roylance

**Fairy Tails**

Stephen Roylance [roywing@nyc.rr.com]

**Sent:** Tuesday, October 22, 2013 6:24 AM**To:** Benfatto, Robert

Another letter from someone in our building at 504 W48. He forwarded it to me to send. Lorraine Lowrey in our building says she has 311 complaint numbers. Will forward them this evening. - Steve Roylance

Monday, October 21, 2013

Dear Sir or Madame,

I am writing to you in order to express my extreme dissatisfaction with the bar "Fairy Tale Lounge" which is directly next door to the coop where I live on W 48<sup>th</sup> St. I have been awakened numerous times at all hours of the night due to the loud music and rambunctious crowds that gather in front of the place. These people sometimes spread over in front of our building. I have been forced to call 311 on numerous occasions hoping the police would calm the place down so that I can get a night's sleep and go teach in the morning.

There is also a rat problem largely caused by the trash that they set in the alleyway. People are often screaming as the rats run out of the alleyway across to the construction site. Every morning as I walk past the Fairy Tale Lounge in the morning I notice all the cigarette butts and garbage laying in front of the place, often with butts and cups on our property. In my opinion, they are terrible neighbors and put a lot of stress on the people that reside in the immediate surroundings. I could only hope that the city doesn't renew their license.

Paul Mastalinski  
Resident on W 48<sup>th</sup> Street

Noise Complaints 311

10/26/12 11<sup>55</sup>pm # C 1-17946907

11/2/12 11<sup>46</sup>pm C-1-1797270171

12/11/12 12<sup>30</sup>am Rowdy in Street  
could not get there. (waited 10 mins)

5/1/13 C-1-1848869575

5/4/13 C-1-1849448745

5/10 12<sup>45</sup>am waited 15 mins on 311

5/19 12<sup>45</sup>am Hung up at 12<sup>59</sup>am —

**Fwd: Fairy Tails**

Stephen Roylance [roywing@nyc.rr.com]

**Sent:** Tuesday, October 22, 2013 4:40 PM**To:** Benfatto, Robert**Attachments:** DOC\_fairy\_tails\_com.pdf (36 KB)

Begin forwarded message:

**From:** Lorraine Lowrey <nanal1933@yahoo.com>**Date:** October 22, 2013 12:52:28 PM EDT**To:** Stephen Roylance <roywing@nyc.rr.com>**Subject:** Re: Fairy Tails**Reply-To:** Lorraine Lowrey <nanal1933@yahoo.com>

Hi Steve;

I tried to send the info to Mr. Benfatto but it will not go. They keep telling me to correct the address. I am doing it exactly as it is below and not working.

Mr. Benfatto, I have been plagued by this noisy Fairy Tails Lounge for close to a year. They are not only noisy, but very nasty at times. I have spoken to the owner, Anthony about his "bouncer" and he said he would get rid of him but he continued working there for another 2 months. I complained about the loud noise and the carrying on outside of his lounge. Most of the time, they come over by our door and smoke and since they are quite drunk, they are loud and using lewd and obnoxious language. We have a gate covering our entrance way and they just open it and sit there and do "whatever" they do. Just last week I passed and the music was very loud and I went to the door and 2 fellows came out and I asked one of them to please get the manager and he told me no. They not only were both "footless", but started to make out in front of me in a very vulgar way. I then went to the window where the bar was and tapped the window with my keys. Someone looked out and I told him to please turn down the volume and he just laughed and waved his hand at me and then closed the curtain. This noise only seems to start after 10pm, why I don't know unless it is because they are so drunk, they need to turn it up. There is no need for a Karaoke machine there as the bar is not that big, so the noise is quite loud. The pounding from the vibration without fail, my floors on the 3rd floor actually shook! When they have performers there, it also very noisy and they mingle out in the street by our door and the lamppost and do not talk in a whisper!

This is a residential neighborhood and no one is looking to put anyone out of business, but we are working people and get up early the next day (I even work on Saturday and Sunday). When you pass the bar around 7 or 8pm even, the music is at a minimum with the door open! Why then after 10pm until ?? do they have to carry on so much? We also have the Hardware Bar on 10th Avenue and their back end is in the back courtyard and that music comes up at night also, but so far, not as bad. But when you pass on 10th Avenue, all the doors and window doors are open and the noise is very loud. (Whatever happened to soft music?) or respecting the rights of others? If they cannot be civil and control their business, they should be shut down! This neighborhood always had bars in it. I was born in this neighborhood and my sister who is 73 was born in this building! The bartender would have the jukebox on, but if someone went and turned it up after a certain hour, the bartender

or owner would make them turn it down or many times I was told they pulled the plug out of the wall. They respected the people who lived here. Please do not renew the license of Fairy Tails Lounge. It has a very bad clientele and not suitable for our neighborhood and now that we have a few transient hotels in our block and they have to pass them, they seem quite disturbed at times from their comments as I pass by them.

I am enclosing some of the 311's I made, unfortunately I cannot find the rest, but I do have more. I even went to the Precinct meeting and voiced my concern. The next place you'll probably be hearing from is Pier 92, with their 3-4 night binges inside of a "hollow tunnel???" But we're told at the police precinct meeting that is Mayor Bloomberg's doing and they can't do anything about it! GOD BLESS AMERICA!!! Money seems to talk and those of us just have to take it.

Disgusted and full of despair for my neighborhood. Please help us! DO NOT RENEW THE LICENSE FOR FAIRY TAILS LOUNGE!

Sincerely,

Lorraine Lowrey  
504 West 48 Street NYC

---

**From:** Stephen Roylance <[roywing@nyc.rr.com](mailto:roywing@nyc.rr.com)>

**To:** Lorraine Lowrey <[nanal1933@yahoo.com](mailto:nanal1933@yahoo.com)>

**Sent:** Tuesday, October 22, 2013 7:10 AM

**Subject:** Fairy Tails

Hi Lorraine - Actually I recommend (now I think on it) that you send your 311 complaint numbers and your letter detailing your experience with Fairy Tails directly to Robert Benfatto at [rbenfatto@cb.nyc.gov](mailto:rbenfatto@cb.nyc.gov). (If you want you can copy me so I also have records of everything we sent). Thanks. - Steve

**Fairy Tails Lounge - Complaint**

Pat Hooper [pw504@aol.com]

**Sent:** Tuesday, November 05, 2013 9:42 AM**To:** Benfatto, Robert**Cc:** aefearshk@earthlink.net; ktreat@earthlink.net

November 5, 2013

Robert J. Benfatto  
District Manager  
Community Board 4  
330 West 42<sup>nd</sup> Street 26<sup>th</sup> Floor  
New York, NY 10036

**Re: Fairy Tails Lounge, 500 West 48<sup>th</sup> Street – Noise Complaint**

Mr. Benfatto,

We are writing to submit a complaint to CB4's Business, Licenses and Permit Committee regarding the Fairy Tails Lounge located at 500 West 48<sup>th</sup> Street. My husband and I live next door at 504 West 48<sup>th</sup> Street.

On Wednesday nights and weekends from 11 pm -12:30 am, we frequently hear loud noise coming from Fairy Tails. It is the thumping bass and microphone talk from the disc jockey that keeps us awake. Sound vibrations from the bass speakers are felt through the frame of our platform bed. We live in an old-law tenement, a wood-framed building built in 1888. The music and sound vibrations carry through the brick/wood structure. We have to close windows, use air conditioners and/or a white noise machine to mask the unrelenting bar noise.

Furthermore, patrons of Fairy Tails smoke outside the bar, talk loudly on their cell phones, laugh, scream and hang out on our building front stoop. In the morning, piles of cigarette butts, broken beer bottles, empty glasses and garbage litter the sidewalk.

Over the years, we have called 311 and Midtown North to place complaints. On several other occasions (in the early am hours) we have tried to report complaints but have been able to get through on 311. The most recent 311 calls:

**Service Request #:** C1-1-904786111 **Service Request #:** C1-1-900615441  
**Date Submitted:** 10/19/13 12:41:23 AM **Date Submitted:** 11/01/13 12:45:25 AM  
**Request Type:** Noise - Commercial **Request Type:** Noise – Commercial  
**Details:** Loud Music/Party **Details:** Loud Music/Party

**Service Request #:** C1-1-851923091 **Service Request #:** C1-1-849281961  
**Date Submitted:** 05/12/13 9:40:30 AM **Date Submitted:** 05/02/13 9:27:41 PM  
**Request Type:** Noise – Commercial **Request Type:** Noise - Commercial  
**Details:** Loud Music/Party **Details:** Loud Music/Party

Thank you,

Pat and John Hooper  
504 West 48<sup>th</sup> Street #5#  
New York, NY 10036  
(212) 541-8142

## Fairtail Lounge Complaints

Stephen Roylance [roywing@nyc.rr.com]

Sent: Monday, October 21, 2013 5:52 PM

To: Benfatto, Robert

Hi Bob - Got the e-mail chain about no complaints being receive by SLA from 311. Well, here is a partial list of mine (some numbers are repeated). This does not include any of the phone calls I made before I started making the complaints online. I know that Pat Hooper, Lorraine Lowry, and Paul Mastalinski all made complaints many times to 311.

This establishment has been a problem from the beginning. The owner never sound-proofed his bar. He put in a huge sound system which on big party nights is up full blast. The beat of the bass can be heard and felt in our building. High notes are also clearly audible. Sometimes a microphone has been used (evidently he has rented out the space to others for birthday parties). The most egregious nights are what I can only call "strip nights." These have happened on Sunday and Wednesday nights until past midnight. On three separate occasions (and because I am away frequently I am sure more than three) the curtains have been open for all passing by to look in. Probably to advertise what is going. On the bar are strippers and playing above the bar on a flat screen TV are porn videos - ALL VISIBLE FROM THE STREET! The first two times I was too shocked to think. But the third time I took out my Iphone and took movies. Once someone inside saw what I was doing they started closing the curtains. I have gone into the place several times to speak to the owner who simply doesn't care. The last time, Oct. 2, with arms folded across his chest said, and I quote - "I don't have to turn it down." I know that there are several people in the building above the bar who are very upset with the noise who have also confronted the owner.

It worries me that the SLA has no record of complaints from 311. Doesn't 311 have a record of these complaints and can't they be forwarded to the SLA? I will try to contact Pat Hooper and others and have them write you. I can write more. If there is more you need please don't hesitate. My phone is 917-428-0288. Thanks for all your help wit this. - Stephen Roylance

How to Print Screens on a Mac  
Inbox (Found 70 matches for search)

From	Subject	Date Received	
SRNotification@customerservice.nyc.gov	311 Service Request Closed #: C1-1-895938891, N...	October 3, 2013	12:12 AM
SRNotification@customerservice.nyc.gov	311 Service Request Update #: C1-1-895938891, ...	October 2, 2013	11:42 PM
SRNotification@customerservice.nyc.gov	311 Service Request Confirmation #: C1-1-895938891, ...	October 2, 2013	11:36 PM
SRNotification@customerservice.nyc.gov	311 Service Request Closed #: C1-1-895938431, N...	October 2, 2013	11:02 PM
SRNotification@customerservice.nyc.gov	311 Service Request Update #: C1-1-895938431, ...	October 2, 2013	10:56 PM
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SRNotification@customerservice.nyc.gov	311 Service Request Confirmation #: C1-1-841585371, ...	April 6, 2013	12:16 AM



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MAILBOXES All Mailboxes From To Subject

From	Subject	Date Received	
SRNotification@customerservice.nyc.gov	311 Service Request Update #: C1-1-845288201, ...	April 18, 2013	11:35 PM
SRNotification@customerservice.nyc.gov	311 Service Request Confirmation #: C1-1-8452...	April 18, 2013	11:31 PM
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SRNotification@customerservice.nyc.gov	311 Service Request Confirmation #: C1-1-741420...	April 11, 2012	10:13 PM
Pat Hooper	Fwd: 311 Service Request Closed #: C1-1-85192...	May 12, 2013	1:26 PM

**Fwd: 311 Service Request Confirmation #: C1-1-905085661 , Noise - Commercial**

Stephen Roylance [ROYWING@NYC.RR.COM]

**Sent:** Saturday, November 02, 2013 7:16 PM

**To:** Benfatto, Robert

More from Fairy Tail Lounge. - Thank you. - Stephen Roylance

Begin forwarded message:

**From:** [SRNotification@customerservice.nyc.gov](mailto:SRNotification@customerservice.nyc.gov)

**Date:** November 1, 2013 11:24:26 PM EDT

**To:** [ROYWING@NYC.RR.COM](mailto:ROYWING@NYC.RR.COM)

**Subject:** 311 Service Request Confirmation #: C1-1-905085661 , Noise - Commercial

**Reply-To:** [SRNotification@customerservice.nyc.gov](mailto:SRNotification@customerservice.nyc.gov)

\*\*This is an auto-generated system message. Please do not reply to this message.\*\*

**Service Request #:** C1-1-905085661

**Date Submitted:** 11/01/13 11:23:49 PM

**Request Type:** Noise - Commercial

**Details:** Loud Music/Party

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1 **Business License & Permits Committee**

Item #: 12

2  
3 December 4, 2013

4  
5 Dennis Rosen  
6 Chairman  
7 New York State Liquor Authority  
8 80 S. Swan Street, 9<sup>th</sup> Floor  
9 Albany, New York 12210

10  
11 **Re: BK 19 Inc.**  
12 *400 W 43<sup>rd</sup> Street (9/10)*

13  
14 Dear Chairman Rosen:

15  
16 Manhattan Community Board 4 (MCB4) recommends denial of an On-Premise Liquor License for BK  
17 19 Inc. – 400 W 43<sup>rd</sup> Street (9/10), for the following reasons:

- 18  
19 • Applicant presented an incomplete proposal  
20  
21 • Applicant was indecisive as to what the method of operation would be  
22  
23 • The establishment is on the ground floor of a residential building (Manhattan Plaza) with  
24 apartments above and also to the West and East side. Creating a restaurant/bar establishment –  
25 there are none on this block - this close to residents that would create ongoing disturbances  
26  
27 • The Manhattan Plaza Tenants Association meet with the applicant where unable to reach an  
28 accommodation  
29

30 Thank you for your attention and cooperation with this application.  
31

32  
33  
34 Sincerely,

35  
36  
37  
38  
Corey Johnson  
Chair

Paul Seres  
Co-Chair  
Business License & Permits  
Committee

Lisa Daglian  
Co-Chair  
Business License & Permits  
Committee

1 **Business License & Permits Committee**

Item #: 13

2  
3 December 4, 2013

4  
5 Dennis Rosen  
6 Chairman  
7 New York State Liquor Authority  
8 80 S. Swan Street, 9<sup>th</sup> Floor  
9 Albany, New York 12210

10  
11 **Re: Space NY**  
12 637 W 50<sup>th</sup> Street (11/12)

13  
14 Dear Chairman Rosen:

15  
16 Manhattan Community Board 4 (MCB4) recommends denial of an Restaurant Wine & Beer License for  
17 Space NY – 637 W 50<sup>th</sup> Street (11/12), unless the following stipulations, agreed to by the applicant, are  
18 part of the method of operation for this establishment with a capacity of 1390 people, with 45 tables  
19 with 231 seats, and 4 stand up bar with 42 seats; rooftop: 23 tables with 115 seats.

20  
21  
22 A signed copy of the questionnaire and stipulations are enclosed.

23  
24 Sincerely,

25  
26  
27  
28 Corey Johnson  
Chair

Paul Seres  
Co-Chair  
Business License & Permits  
Committee

Lisa Daglian  
Co-Chair  
Business License & Permits  
Committee

# Manhattan Community Board 4

(All Fields Must Be Completed)

## Liquor License Stipulations Application

APPLICANT <i>Eden Ballroom LLC</i>		DOING BUSINESS AS (DBA) <i>Space NY</i>					
STREET ADDRESS <i>637 West 50th Street</i>		CROSS STREETS <i>B/n 11th &amp; 12th Avenues</i>					
OWNER	NAME: <i>Anthony Pirquadio</i>	ATTORNEY	NAME: <i>Frank Pelillo</i>				
	PHONE: <i>(917) 565-5226</i>		PHONE: <i>(212) 227-1640</i>				
	FAX:		FAX: <i>(212) 349-1724</i>				
MANAGER	NAME: <i>Morgan McLean</i>	LANDLORD	NAME: <i>John Petrucci</i>				
	PHONE: <i>(212) 456-2723</i>		PHONE: <i>(212) 262-6063</i>				
	FAX:		FAX:				
DESCRIPTION OF BUSINESS							
Establishment Type:		<input type="radio"/> Bar/Tavern <input type="radio"/> Bed & Breakfast <input type="radio"/> Eating Place Beer <input checked="" type="radio"/> Cabaret <input checked="" type="radio"/> Night Club <input type="radio"/> Hotel <input checked="" type="radio"/> Restaurant <input type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization - Members Only) <input type="radio"/> Other (Explain): _____					
Method of Operation:		<input checked="" type="radio"/> Restaurant <input checked="" type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Pizzeria <input type="radio"/> Cafe <input type="radio"/> Other (Explain): _____					
License Type:		<input checked="" type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input type="radio"/> Wine & Beer					
APPLICATION TYPE (check one)		<input checked="" type="radio"/> New	Has applicant owned or managed a similar business?	YES	<input checked="" type="radio"/> NO		
			What is/was the name of establishment?				
			What is/was the address of the establishment?				
			What were the dates the applicant was involved with this former premise?				
		<input type="radio"/> Transfer	What is the prior license #?				
			What is the expiration date on the prior license?				
			Are you making any alterations or operational changes?			YES	NO
			If alterations or operational changes are being made, please attach the plans to this form.				
		<input checked="" type="radio"/> Alteration	What is the current license #?			<i>1272794</i>	
			What is the expiration date on the current license?			<i>(lic pending)</i>	
Please describe the nature of the alterations and attach the plans			<i>Remove westerly section + add rooftop</i>				



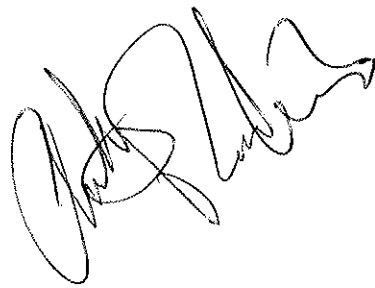
OPERATIONAL ISSUES									
HOURS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY	
	Operation								
	Music	AS PER THE ATTACHED SITUATION							
	Kitchen								
OCCUPANCY	INDOOR				BAR			OUTSIDE	
	Capacity (Certificate of Occupancy)	Maximum # of Persons You Anticipate Occupying Premises (Including Employees)	Number of Tables	Number of Seats	Number of Service Only Bars	Number of Stand-Up Bars	Number of Seats at Bars	Number of Seats	Number of Tables
	1390	1390	45	231	0	4	42	115	23
How many floors are there? What is the capacity for each floor? (please respond in space provided)					1-2	3-4	5+		
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)					YES	NO	N/A		
Will applicant have bottle service?					YES	NO	N/A	undecided	
Will you be hosting private parties and promotional events?					YES	NO	N/A	occasionally	
Will outside promoters be used?					YES	NO	N/A		
Will the security plan submitted be implemented?					YES	NO	N/A		
Will State certified security personnel be used?					YES	NO	N/A		
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?					YES	NO	N/A		
Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided)					YES	NO	N/A		
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)					YES	NO	N/A		
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)					YES	NO	N/A		
Will applicant provide contact information to neighbors and respond to complaints that arise?					YES	NO	N/A		
Will you inform the Community Board office of your job openings and/or provide a hyperlink to your jobs webpage?					YES	NO	N/A		
If you plan to have music, what type(s)?					BACKGROUND	LIVE MUSIC	DJ	Popular Contemporary	
BUILDING DESIGN									
Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.					YES	NO	N/A		
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?					YES	NO	N/A		
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.					YES	NO	N/A		

OUTDOOR ITEMS			
Will applicant use the rooftop, rear yard or any outdoor space?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	N/A <i>Retractable Rooftop</i>
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	N/A
The service and consumption of alcohol in the rear yard, on the rooftop, or in any other outdoor space will be only via seated food service.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	N/A
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	YES	NO	<input checked="" type="radio"/> N/A <i>Dance Floor</i>
Applicant will do everything in their power to provide an effective sound baffling or sound controlled environment through landscaping or some type of enclosure, where possible; provided they do not violate any fire or building code regulations? This includes possibly working with landlords for soundproofing tenants apartments (such as installing soundproofing windows, acoustical tiles, etc.).	<input checked="" type="radio"/> YES	<input type="radio"/> NO	N/A
Applicant will enforce a quiet environment in the outdoor space, so as not to disturb nearby residents (e.g. there will be no amplified music, as per the law, and windows and doors to areas that play amplified music shall be closed). The applicant will make every effort possible to limit the noise emanating from diners by posting signs outside and also on menus asking for respect of the neighbor's privacy and peace. The staff will also encourage a peaceful environment amongst the outdoor diners.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	N/A
Applicant will 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	N/A

LOCATION & ZONING			
Primary Zoning District:	<i>M-2-4</i>	Overlay (If Applicable):	<i>N/A</i>
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	<input checked="" type="radio"/> NO	N/A
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	N/A <i>currently being amended</i>
Is the 500 Foot Rule or 200 Foot Rule Triggered? If yes, which? Please attach a diagram of the establishments that triggers the rule.	YES	<input checked="" type="radio"/> NO	N/A
Is a Public Assembly permit required?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	N/A
Are your plans filed with DOB?	YES	<input checked="" type="radio"/> NO	N/A
Building Type	<input type="radio"/> Residential <input checked="" type="radio"/> Commercial <input type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____		
Adjacent Buildings	<input type="radio"/> Residential <input checked="" type="radio"/> Commercial <input type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____		
NOTIFICATION: What organizations / community groups have you notified regarding your application?	# 1		
	# 2		
	# 3		

ADDITIONAL STIPULATIONS: (Office Use Only)

- Increase capacity by 147 ppl.
- no <sup>amplified sound</sup> music when windows <sup>rooftop</sup> open.
- East wall will be fixed, non-openable.
- rooftop enclosure will close at 10 PM
  - space will remain in use
- will follow recommendation of sound report.
  - limiter - sound will be controlled by sound engineer on site
- will address complaints as they arise.
  - employees will be directed to do same.
- if after repeated complaints it is not possible to address concerns, will reconsider use of outdoor space.







JOHN WEIS  
Chair

ROBERT J. BENFATTO, JR., ESQ.  
District Manager

CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

330 West 42<sup>nd</sup> Street, 28<sup>th</sup> floor New York, NY 10036  
tel: 212-736-4536 fax: 212-947-9512  
[www.nyc.gov/mcb4](http://www.nyc.gov/mcb4)

May 14, 2010

Dennis Rosen  
Chairman  
New York State Liquor Authority  
84 Holland Avenue, 2nd floor, A-Wing  
Albany, NY 12208

Re: **Eden Ballroom LLC**  
*637 West 50<sup>th</sup> Street (11<sup>th</sup>/12<sup>th</sup>)*

Dear Chairman Rosen:

Manhattan Community Board 4 (MCB4) recommends denial of a new full liquor license for Eden Ballroom LLC, unless the following stipulations, agreed to by the applicant, are part of their method of operation:

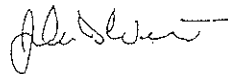
- 1) Hours of operation for serving alcohol in lounge and upstairs dance floor will be no earlier than 5:00 pm and no later than 4:00 am, 7 days per week.
- 2) Hours of operation for café will be 24 hours per day but alcohol will be served no earlier than 8:00 am and no later than 4:00 am, 7 days per week and will be within the hours legislated by the NY SLA.
- 3) The establishment will have a total capacity of no more than 1,240 with no more than 38 tables and 250 seats. Total capacity of the 24 hour café is 74, located on the ground floor. Total capacity of the lounge, located on the ground floor, is 266. Total capacity of the night club upstairs is 900.
- 4) There will be no more than three standing only bars in the establishment. One located in the lounge on the ground floor and two located upstairs in the nightclub.
- 5) The applicant agrees to never use outside promoters.
- 6) The applicant will not distribute advertisement fliers around the exterior of the establishment.

- 7) The applicant agrees to employ 25 New York licensed guards and will use between 15-25 during hours of operation of the lounge and nightclub, dependent upon the size of the crowd.
- 8) The applicant agrees to follow the best practices as outlined by the New York Nightlife Association which was developed in cooperation with the New York City Police Department.
- 9) A certified soundproofing engineer will recommend and implement soundproofing. The recommendations of the sound engineer include, but are not limited to, decibel restrictors/controls and sound absorbing material. A copy of the full report will be submitted with the application and is attached to this letter. A double door entry way will be employed to minimize sound escaping from the establishment.
- 10) To ensure that neighbors are not negatively impacted by sound emanating from the sidewalk in front of the establishment due to the gathering of people, the applicant's security personnel will monitor the area and encourage patrons to either enter the establishment or leave the area.
- 11) There will be absolutely no use of delivery bikes.
- 12) Only soft background music will be played in café and lounge and all doors and windows will be kept closed when music is being played. The night club will have a dj and also live music. Applicant has stated they will not allow hip hop music. The applicant further stated they will not allow events that attract a dangerous element to the neighborhood.
- 13) There will be no French doors or windows that open to the street front.
- 14) Kitchen exhaust will exit through ventilation above the highest floor of surrounding buildings and be constructed in a manner to not disturb neighboring residents or offices. Additionally it will be compliant with NY DOB code.
- 15) Applicant will never install a storm vestibule enclosure as they have the double door 'soundtrap' vestibule.
- 16) The applicant will proactively clean the sidewalk and area immediately outside of the establishment and club-related trash on neighboring properties.
- 17) No outdoor sidewalk space will be used for queuing of patrons waiting to enter the establishment. Applicant stated queuing will occur inside so there will be no velvet rope lines.
- 18) The applicant will make a concerted effort to hire employees from the community.


- 19) Applicant will provide 24 hour contact details to CB4 and pertinent community representatives.
- 20) Applicant will arrange for representatives to regularly attend Precinct Council, Block Association and Community Board meetings to address and resolve any community problems that may arise from this establishment.
- 21) There will be no use of any outdoor spaces (rooftop, patio or sidewalk café) at this time for the sale or consumption of alcoholic beverages.
- 22) The applicant is simultaneously applying to the NYCDCA to obtain a cabaret license which will be incorporated into their method of operation of the liquor license. The cabaret license will only permit dancing in the upstairs night club section of the establishment.

Eden Ballroom LLC has not yet determined the name of its establishment. The complex will consist of the café and lounge on the first floor and the night club (cabaret) on the second floor. The applicant has stated they have designed the café into the facility to control the number of patrons exiting at one time by providing a post closing venue. Entrance to the lounge and nightclub will be on West 50<sup>th</sup> Street with the café entrance located on the corner of West 50<sup>th</sup> and Westside Highway. A signed copy of the stipulations agreed to by the applicant is enclosed.

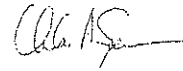
Sincerely,



John Weis  
Chair  
Manhattan Community  
Board 4



John Owens  
Co-Chair  
Business License & Permits  
Committee - North



Chuck Spence  
Co-Chair  
Business License & Permits  
Committee - North

1 **Business License & Permits Committee**

Item #: 14

2  
3 December 4, 2013

4  
5 Dennis Rosen  
6 Chairman  
7 New York State Liquor Authority  
8 80 S. Swan Street, 9<sup>th</sup> Floor  
9 Albany, New York 12210

10  
11 **Re: AZ Holding Corp.**  
12 *225 10<sup>th</sup> Avenue (23/24)*

13  
14 Dear Chairman Rosen:

15  
16 Manhattan Community Board 4 (MCB4) recommends denial of an alteration to upgrade to an On-  
17 Premise Liquor License for AZ Holding Corp – 225 10<sup>th</sup> Avenue (23/24), unless the following  
18 stipulations, agreed to by the applicant, are part of the method of operation for this establishment with a  
19 capacity of 74 people, with 10 tables seating 2-4, and 1 stand up bar with 9 seats.

20  
21  
22 A signed copy of the questionnaire and stipulations are enclosed.

23  
24 Sincerely,

25  
26  
27  
28  
Corey Johnson  
Chair

Paul Seres  
Co-Chair  
Business License & Permits  
Committee

Lisa Daglian  
Co-Chair  
Business License & Permits  
Committee

# Manhattan Community Board 4

(All Fields Must Be Completed)

## Liquor License Stipulations Application

APPLICANT			DOING BUSINESS AS (DBA)		
AZ Holding Corp			Drunken Horse		
STREET ADDRESS			CROSS STREETS		
225 10th Avenue, New York, NY			West 23rd Street & West 24th Street		
OWNER	NAME:	Azman Dayakli	ATTORNEY	NAME:	Stacy L. Weiss, Esq.
	PHONE:	201 803-6099		PHONE:	212-521-0828
	FAX:	N/A		FAX:	212-521-0826
MANAGER	NAME:	N/A	LANDLORD	NAME:	Laru Properties LLC
	PHONE:	N/A		PHONE:	201-370-2993
	FAX:	N/A		FAX:	N/A
DESCRIPTION OF BUSINESS					
Establishment Type:		<input type="radio"/> Bar/Tavern <input type="radio"/> Bed & Breakfast <input type="radio"/> Eating Place Beer <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input type="radio"/> Restaurant <input type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization – Members Only) <input checked="" type="radio"/> Other (Explain): <u>Tapas Bar</u>			
Method of Operation:		<input type="radio"/> Restaurant <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Pizzeria <input type="radio"/> Cafe <input checked="" type="radio"/> Other (Explain): <u>Tapas bar</u>			
License Type:		<input checked="" type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input type="radio"/> Wine & Beer			
APPLICATION TYPE (check one)	<input checked="" type="radio"/> New	Has applicant owned or managed a similar business?		<input checked="" type="radio"/> YES	<input type="radio"/> NO
		What is/was the name of establishment?		AZ Holding Corp	
		What is/was the address of the establishment?		225 10th Ave	
		What were the dates the applicant was involved with this former premise?		2009 - present	
	<input type="radio"/> Transfer	What is the prior license #?			
		What is the expiration date on the prior license?			
		Are you making any alterations or operational changes?		<input type="radio"/> YES	<input type="radio"/> NO
		If alterations or operational changes are being made, please attach the plans to this form.			
	<input type="radio"/> Alteration	What is the current license #?			
		What is the expiration date on the current license?			
Please describe the nature of the alterations and attach the plans					


OPERATIONAL ISSUES									
		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY	
HOURS	Operation	12pm - 1am	12pm - 1am	12pm - 1am	12pm - 2am	12pm - 2am	12pm - 2am	12pm - 12am	
	Music	12pm - 1am	12pm - 1am	12pm - 1am	12pm - 2am	12pm - 2am	12pm - 2am	12pm - 12am	
	Kitchen	12pm - 1am	12pm - 1am	12pm - 1am	12pm - 2am	12pm - 2am	12pm - 2am	12pm - 12am	
OCCUPANCY	DINING				BAR		OUTSIDE		
	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 Bars	Number of Seats	Number of Tables
	74	38/40	10		0	1	9	N/A	N/A
How many floors are there? What is the capacity for each floor? (please respond in space provided)					1-2	3-4	5+		
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)					YES	NO	N/A		
Will applicant have bottle service?					YES	NO	N/A		
Will you be hosting private parties and promotional events?					YES	NO	N/A		
Will outside promoters be used?					YES	NO	N/A		
Will the security plan submitted be implemented?					YES	NO	N/A		
Will State certified security personnel be used?					YES	NO	N/A		
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?					YES	NO	N/A		
Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided)					YES	NO	N/A		
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)					YES	NO	N/A		
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)					YES	NO	N/A		
Will applicant provide contact information to neighbors and respond to complaints that arise?					YES	NO	N/A		
If you plan to have music, what type(s)?				BACKGROUND	LIVE MUSIC	DJ			
BUILDING DESIGN									
Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.					YES	NO	N/A		
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?					YES	NO	N/A		
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.)					YES	NO	N/A		

OUTDOOR ITEMS			
Will applicant use the rooftop, rear yard or any outdoor space?	YES	<input checked="" type="radio"/> NO	N/A
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	YES	NO	<input checked="" type="radio"/> N/A
The service and consumption of alcohol in the rear yard, on the rooftop, or in any other outdoor space will be only via seated food service.	YES	NO	<input checked="" type="radio"/> N/A
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	YES	NO	<input checked="" type="radio"/> N/A
Applicant will do everything in their power to provide an effective sound baffling or sound controlled environment through landscaping or some type of enclosure, where possible; provided they do not violate any fire or building code regulations? This includes possibly working with landlords for soundproofing tenants apartments (such as installing soundproofing windows, acoustical tiles, etc.).	YES	NO	<input checked="" type="radio"/> N/A
Applicant will enforce a quiet environment in the outdoor space, so as not to disturb nearby residents (e.g. there will be no amplified music, as per the law, and windows and doors to areas that play amplified music shall be closed). The applicant will make every effort possible to limit the noise emanating from diners by posting signs outside and also on menus asking for respect of the neighbor's privacy and peace. The staff will also encourage a peaceful environment amongst the outdoor diners.	YES	NO	<input checked="" type="radio"/> N/A
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	<input checked="" type="radio"/> N/A

LOCATION & ZONING				
Primary Zoning District:	C6-3A		Overlay (If Applicable):	N/A
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	<input checked="" type="radio"/> NO	N/A	
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input checked="" type="radio"/> YES	NO	N/A	
Is the 500 Foot Rule or 200 Foot Rule Triggered? If yes, which? Please attach a diagram of the establishments that triggers the rule.	<input checked="" type="radio"/> YES	NO	N/A	500' rule - See attached LAMP map
Is a Public Assembly permit required?	YES	<input checked="" type="radio"/> NO	N/A	
Are your plans filed with DOB?	YES	<input checked="" type="radio"/> NO	N/A	
Building Type	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____			
Adjacent Buildings	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____			
NOTIFICATION: What organizations / community groups have you notified regarding your application?	# 1	Chelsea Council - Chelsea Block Association		
	# 2			
	# 3			

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

change in hours to open earlier  
change to full OP

A handwritten signature, possibly reading "AD", is written in the center of the page.



1 **Business License & Permits Committee**

Item #: 15

2  
3 December 4, 2013

4  
5 Dennis Rosen  
6 Chairman  
7 New York State Liquor Authority  
8 80 S. Swan Street, 9<sup>th</sup> Floor  
9 Albany, New York 12210

10  
11 **Re: Golden Chicken**  
12 *533 9<sup>th</sup> Avenue (39/40)*

13  
14 Dear Chairman Rosen:

15  
16 Manhattan Community Board 4 (MCB4) recommends denial of an On-Premise Liquor License for  
17 Golden Chicken – 533 9<sup>th</sup> Avenue (39/40), unless the following stipulations, agreed to by the applicant,  
18 are part of the method of operation for this establishment with a capacity of 75 people, with 12 tables 24  
19 seats and 1 stand up bar with 20 seats.

20  
21  
22 A signed copy of the questionnaire and stipulations are enclosed.

23  
24 Sincerely,

25  
26  
27  
28 Corey Johnson  
Chair

Paul Seres  
Co-Chair  
Business License & Permits  
Committee

Lisa Daglian  
Co-Chair  
Business License & Permits  
Committee

# Manhattan Community Board 4

(All Fields Must Be Completed)

## Liquor License Stipulations Application

<b>APPLICANT</b>		<b>DOING BUSINESS AS (DBA)</b>				
APRIL CORP		GOLDEN CHICKEN				
<b>STREET ADDRESS</b>		<b>CROSS STREETS</b>				
533 9TH AVENUE		WEST 39TH ST & WEST 40TH ST				
<b>OWNER</b>	<b>NAME:</b>	BLANCA GONZALEZ	<b>ATTORNEY</b>			
	<b>PHONE:</b>	(646) 704-9711				
	<b>FAX:</b>					
<b>MANAGER</b>	<b>NAME:</b>		<b>LANDLORD</b>			
	<b>PHONE:</b>					
	<b>FAX:</b>					
<b>DESCRIPTION OF BUSINESS</b>						
Establishment Type:		<input type="radio"/> Bar/Tavern <input type="radio"/> Bed & Breakfast <input type="radio"/> Eating Place Beer <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input checked="" type="radio"/> Restaurant <input type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization – Members Only) <input type="radio"/> Other (Explain): _____				
Method of Operation:		<input checked="" type="radio"/> Restaurant <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Pizzeria <input type="radio"/> Cafe <input type="radio"/> Other (Explain): _____				
License Type:		<input checked="" type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input type="radio"/> Wine & Beer				
<b>APPLICATION TYPE</b> (check one)		<input checked="" type="radio"/> New	Has applicant owned or managed a similar business?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
			What is/was the name of establishment?		UNCLE MARK'S REST	
			What is/was the address of the establishment?		3496 Broadway NY, NY 10031	
			What were the dates the applicant was involved with this former premise?		5/2012-2/2013	
		<input type="radio"/> Transfer	What is the prior license #?		1264110	
			What is the expiration date on the prior license?		6/30/2014	
			Are you making any alterations or operational changes?		<input type="radio"/> YES	<input type="radio"/> NO
			If alterations or operational changes are being made, please attach the plans to this form.			
		<input type="radio"/> Alteration	What is the current license #?			
			What is the expiration date on the current license?			
Please describe the nature of the alterations and attach the plans						

OPERATIONAL ISSUES									
HOURS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY	
	Operation	11AM-4AM	11AM-4AM	11AM-4AM	11A-4AM	11A-4AM	11AM-4AM	11AM-4AM	11AM-4AM
	Music	11AM-2AM	11AM-2AM	11AM-2AM	11AM-2AM	11AM-2AM	11AM-2AM	11AM-2AM	11AM-2AM
	Kitchen	11AM-4AM	11AM-4AM	11AM-4AM	11AM-4AM	11AM-4AM	11AM-4AM	11AM-4AM	11AM-4AM
OCCUPANCY	INDOOR				BAR			OUTSIDE	
	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 Bars	Number of Seats	Number of Tables
	75	75	12	24		1	20		
How many floors are there? What is the capacity for each floor? (please respond in space provided)					1-2	3-4	5+		
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)					YES	NO	N/A		
Will applicant have bottle service?					YES	NO	N/A		
Will you be hosting private parties and promotional events?					YES	NO	N/A		
Will outside promoters be used?					YES	NO	N/A		
Will the security plan submitted be implemented?					YES	NO	N/A		
Will State certified security personnel be used?					YES	NO	N/A		
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?					YES	NO	N/A		
Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided)					YES	NO	N/A		
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)					YES	NO	N/A		
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)					YES	NO	N/A		
Will applicant provide contact information to neighbors and respond to complaints that arise?					YES	NO	N/A		
Will you inform the Community Board office of your job openings and/or provide a hyperlink to your jobs webpage?					YES	NO	N/A		
If you plan to have music, what type(s)?			BACKGROUND	LIVE MUSIC	DJ	No Music			
BUILDING DESIGN									
Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.					YES	NO	N/A		
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?					YES	NO	N/A		
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.)					YES	NO	N/A		

OUTDOOR ITEMS			
Will applicant use the rooftop, rear yard or any outdoor space?	YES	<input checked="" type="radio"/> NO	N/A
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	YES	<input checked="" type="radio"/> NO	N/A
The service and consumption of alcohol in the rear yard, on the rooftop, or in any other outdoor space will be only via seated food service.	YES	<input checked="" type="radio"/> NO	N/A
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	YES	<input checked="" type="radio"/> NO	N/A
Applicant will do everything in their power to provide an effective sound baffling or sound controlled environment through landscaping or some type of enclosure, where possible; provided they do not violate any fire or building code regulations? This includes possibly working with landlords for soundproofing tenants apartments (such as installing soundproofing windows, acoustical tiles, etc.).	<input checked="" type="radio"/> YES	NO	N/A
Applicant will enforce a quiet environment in the outdoor space, so as not to disturb nearby residents (e.g. there will be no amplified music, as per the law, and windows and doors to areas that play amplified music shall be closed). The applicant will make every effort possible to limit the noise emanating from diners by posting signs outside and also on menus asking for respect of the neighbor's privacy and peace. The staff will also encourage a peaceful environment amongst the outdoor diners.	YES	NO	<input checked="" type="radio"/> N/A
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	<input checked="" type="radio"/> N/A

LOCATION & ZONING			
Primary Zoning District:		Overlay (If Applicable):	
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	NO	N/A
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	YES	NO	N/A
Is the 500 Foot Rule or 200 Foot Rule Triggered? If yes, which? Please attach a diagram of the establishments that triggers the rule.	<input checked="" type="radio"/> YES	NO	N/A
Is a Public Assembly permit required?	YES	<input checked="" type="radio"/> NO	N/A
Are your plans filed with DOB?	YES	NO	<input checked="" type="radio"/> N/A
Building Type	<input type="radio"/> Residential <input checked="" type="radio"/> Commercial <input type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____		
Adjacent Buildings	<input type="radio"/> Residential <input checked="" type="radio"/> Commercial <input type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____		
<b>NOTIFICATION:</b> What organizations / community groups have you notified regarding your application?	# 1		
	# 2		
	# 3		

1 **Business License & Permits Committee**

Item #: 16

2  
3 December 4, 2013

4  
5 Dennis Rosen  
6 Chairman  
7 New York State Liquor Authority  
8 80 S. Swan Street, 9<sup>th</sup> Floor  
9 Albany, New York 12210

10  
11 **Re: Yum Yum Bangkok 3**  
12 *658 9<sup>th</sup> Avenue (45/46)*

13  
14 Dear Chairman Rosen:

15  
16 Manhattan Community Board 4 (MCB4) recommends denial of an On-Premise Liquor License for Yum  
17 Yum Bangkok 3 – 658 9<sup>th</sup> Avenue (45/46), unless the following stipulations, agreed to by the applicant,  
18 are part of the method of operation for this establishment with a capacity of 58 people, with 19 tables 38  
19 seats.

20  
21  
22 A signed copy of the questionnaire and stipulations are enclosed.

23  
24 Sincerely,

25  
26  
27  
28  
Corey Johnson  
Chair

Paul Seres  
Co-Chair  
Business License & Permits  
Committee

Lisa Daglian  
Co-Chair  
Business License & Permits  
Committee

# Manhattan Community Board 4

(All Fields Must Be Completed)

## Liquor License Stipulations Application

<b>APPLICANT</b>		<b>DOING BUSINESS AS (DBA)</b>		
Entity to be formed by Nirun Jetanamest		Yum Yum Bangkok 3		
<b>STREET ADDRESS</b>		<b>CROSS STREETS</b>		
658 9th Avenue, New York, NY 10036		45th and 46th Streets		
<b>OWNER</b>	NAME: Nirun Jetanamest	<b>ATTORNEY</b>	NAME: Kordas & Marinis, LLP	
	PHONE: 646-284-2002		PHONE: 718-392-8000	
	FAX: 212-956-0176		FAX: 718-482-8000 peter.marinis@kandmlaw.com	
<b>MANAGER</b>	NAME: Kornthony Ananthasapt	<b>LANDLORD</b>	NAME: Merzer Realty, LLC	
	PHONE: 347-437-7732		PHONE: 646-522-3397	
	FAX: 212-956-0176		FAX:	
<b>DESCRIPTION OF BUSINESS</b>				
Establishment Type:		<input type="radio"/> Bar/Tavern <input type="radio"/> Bed & Breakfast <input type="radio"/> Eating Place Beer <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input checked="" type="radio"/> Restaurant <input type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization – Members Only) <input type="radio"/> Other (Explain): Bar/Arcade		
Method of Operation:		<input checked="" type="radio"/> Restaurant <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Pizzeria <input type="radio"/> Cafe <input type="radio"/> Other (Explain): Bar/Arcade		
License Type:		<input checked="" type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input type="radio"/> Wine & Beer		
<b>APPLICATION TYPE</b> (check one)	<input type="radio"/> New	Has applicant owned or managed a similar business?	YES	NO
		What is/was the name of establishment?		
		What is/was the address of the establishment?		
		What were the dates the applicant was involved with this former premise?		
	<input checked="" type="radio"/> Transfer	What is the prior license #?	1170687	
		What is the expiration date on the prior license?	12/31/2014	
		Are you making any alterations or operational changes?	YES	<input checked="" type="radio"/> NO
		If alterations or operational changes are being made, please attach the plans to this form. No, see additional information.		
	<input checked="" type="radio"/> Alteration	What is the current license #?		
		What is the expiration date on the current license?		
Please describe the nature of the alterations and attach the plans				



## OPERATIONAL ISSUES

		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY	
HOURS	Operation	11 AM - Midnight	11 AM - Midnight	11 AM - Midnight	11 AM - 1 AM	11 AM - 1 AM	11 AM - 1 AM	11 AM - Midnight	
	Music								
	Kitchen	11 AM - Midnight	11 AM - Midnight	11 AM - Midnight	11 AM - 1 AM	11 AM - 1 AM	11 AM - 1 AM	11 AM - Midnight	
OCCUPANCY	INDOOR				BAR			OUTSIDE	
	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 Bars	Number of Seats	Number of Tables
	58	58	19	38	-0-	-0-	-0-	14	7
How many floors are there? What is the capacity for each floor? (please respond in space provided)					1-2	3-4	5 +	One	
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)					YES	<input checked="" type="radio"/> NO	N/A		
Will applicant have bottle service?					YES	<input checked="" type="radio"/> NO	N/A		
Will you be hosting private parties and promotional events?					<input checked="" type="radio"/> YES	NO	N/A		
Will outside promoters be used?					YES	<input checked="" type="radio"/> NO	N/A		
Will the security plan submitted be implemented?					YES	NO	<input checked="" type="radio"/> N/A		
Will State certified security personnel be used?					YES	NO	<input checked="" type="radio"/> N/A		
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?					YES	NO	<input checked="" type="radio"/> N/A		
Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided)					<input checked="" type="radio"/> YES	NO	N/A		
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)					<input checked="" type="radio"/> YES	NO	N/A		
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)					YES	NO	<input checked="" type="radio"/> N/A		
Will applicant provide contact information to neighbors and respond to complaints that arise?					<input checked="" type="radio"/> YES	NO	N/A		
Will you inform the Community Board office of your job openings and/or provide a hyperlink to your jobs webpage?					YES	NO	<input checked="" type="radio"/> N/A		
If you plan to have music, what type(s)?			<input checked="" type="radio"/> BACKGROUND	LIVE MUSIC	DJ				
<b>BUILDING DESIGN</b>									
Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.					<input checked="" type="radio"/> YES	NO	N/A		
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?					YES	NO	<input checked="" type="radio"/> N/A		
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.)					<input checked="" type="radio"/> YES	NO	N/A		

**OUTDOOR ITEMS**

Will applicant use the rooftop, rear yard or any outdoor space?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	Sidewalk
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	
The service and consumption of alcohol in the rear yard, on the rooftop, or in any other outdoor space will be only via seated food service.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	
Applicant will do everything in their power to provide an effective sound baffling or sound controlled environment through landscaping or some type of enclosure, where possible; provided they do not violate any fire or building code regulations? This includes possibly working with landlords for soundproofing tenants apartments (such as installing soundproofing windows, acoustical tiles, etc.).	<input type="radio"/> YES	<input type="radio"/> NO	<input checked="" type="radio"/> N/A	
Applicant will enforce a quiet environment in the outdoor space, so as not to disturb nearby residents (e.g. there will be no amplified music, as per the law, and windows and doors to areas that play amplified music shall be closed). The applicant will make every effort possible to limit the noise emanating from diners by posting signs outside and also on menus asking for respect of the neighbor's privacy and peace. The staff will also encourage a peaceful environment amongst the outdoor diners.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	
Applicant will 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	<input type="radio"/> N/A	

**LOCATION & ZONING**

Primary Zoning District:	M1-6	Overlay (If Applicable):		
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	Clinton
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	
Is the 500 Foot Rule or 200 Foot Rule Triggered? If yes, which? Please attach a diagram of the establishments that triggers the rule.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	
Is a Public Assembly permit required?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	<input type="radio"/> N/A	
Are your plans filed with DOB?	<input type="radio"/> YES	<input type="radio"/> NO	<input checked="" type="radio"/> N/A	
Building Type	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe:			
Adjacent Buildings	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____			
<b>NOTIFICATION:</b> What organizations / community groups have you notified regarding your application?	# 1	Community Board 4		
	# 2	Block Association, West 46th Street, Allison Tupper at Allison.Tupper@verizon.net		
	# 3			



**ADDITIONAL INFORMATION: (Applicant Use)**

The proposed hours of operation, menu and method of operation is not changing.

→ to full OP  


**ADDITIONAL NOTES: (Office Use Only)**

1 **Business License & Permits Committee**

Item #: 17

2  
3 December 4, 2013

4  
5 Dennis Rosen  
6 Chairman  
7 New York State Liquor Authority  
8 80 S. Swan Street, 9<sup>th</sup> Floor  
9 Albany, New York 12210

10  
11 **Re: Manganaro's Hero Boy**  
12 *494 9<sup>th</sup> Avenue (37/38)*

13  
14 Dear Chairman Rosen:

15  
16 Manhattan Community Board 4 (MCB4) recommends denial of an On-Premise Liquor License for  
17 Manganaro's Hero Boy – 494 9<sup>th</sup> Avenue (37/38), unless the following stipulations, agreed to by the  
18 applicant, are part of the method of operation for this establishment with a capacity of 224 people, with  
19 50 tables 100 seats, 2 service bar, 1 stand-up bar seating 10.

20  
21  
22 A signed copy of the questionnaire and stipulations are enclosed.

23  
24 Sincerely,

25  
26  
27  
28  
Corey Johnson  
Chair

Paul Seres  
Co-Chair  
Business License & Permits  
Committee

Lisa Daglian  
Co-Chair  
Business License & Permits  
Committee

**Manhattan Community Board 4**  
(All Fields Must Be Completed)

**Liquor License Stipulations Application**

Applicant:		Doing Business As (D.B.A.):	
MANGANARO'S HERO BOY LLC		MANGANARO'S HERO BOY	
Address:		City/State/Zip:	
494 9TH AVE. New York, NY 10018		37-38	
Contact Person:		Contact Person:	
THOMAS MAKROS		Paul Nicaj	
212 736-8700		917-834-0793	
917 338-0421			
METO KOLENOVIC			
646 257-9797			
917 338-0421			
Establishment Type:			
<input type="radio"/> Bar/Tavern <input type="radio"/> Bed & Breakfast <input type="radio"/> Eating Place Beer <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input checked="" type="radio"/> Restaurant <input type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization - Members Only) <input type="radio"/> Other (Explain): _____			
Method of Operation:			
<input checked="" type="radio"/> Restaurant <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Pizzeria <input type="radio"/> Cafe <input type="radio"/> Other (Explain): _____			
License Type:			
<input checked="" type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input type="radio"/> Wine & Beer			
	<input checked="" type="radio"/> New	Has applicant owned or managed a similar business?	<input checked="" type="radio"/>
		What is/was the name of establishment?	MADISON GLOBAL LLC
		What is/was the address of the establishment?	656 MADISON AVE. NEW YORK, NY 10065
		What were the dates the applicant was involved with this former premise?	
	<input type="radio"/> Transfer	What is the prior license #?	
		What is the expiration date on the prior license?	
		Are you making any alterations or operational changes?	
		If alterations or operational changes are being made, please attach the plans to this form.	
	<input type="radio"/> Alteration	What is the current license #?	
		What is the expiration date on the current license?	
Please describe the nature of the alterations and attach the plans			

OPERATIONAL ISSUES									
		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY	
Hours	Operation	11am-12AM	11a-12am	11a-12am	11a-12am	11a-12am	11a-12am	11a-12am	
	Misc	11am-12AM	11a-12am	11a-12am	11a-12am	11a-12am	11a-12am	11a-12am	
	Kitchen	11am-11pm	11a-11pm	11a-11pm	11a-11pm	11a-11pm	11a-11pm	11a-11pm	
Occupancy	Seating								
	Bar								
		224	200	50	100	2	1	10	N/A
How many floors are there? What is the capacity for each floor? (please respond in space provided)		ONE FLOOR 100 SEAT							
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)									
Will applicant have bottle service?									
Will you be hosting private parties and promotional events?									
Will outside promoters be used?									
Will the security plan submitted be implemented?									
Will State certified security personnel be used?									
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?									
Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided)									
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)		IN THE FUTURE							
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)									
Will applicant provide contact information to neighbors and respond to complaints that arise?									
Will you inform the Community Board office of your job openings and/or provide a hyperlink to your jobs webpage?									
If you plan to have music, what type(s)?		BACKGROUND							
SOUND DESIGN									
Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.									
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?									
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.									

OUTDOOR DINING	
Will applicant use the rooftop, rear yard or any outdoor space?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
The service and consumption of alcohol in the rear yard, on the rooftop, or in any other outdoor space will be only via seated food service.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Applicant will do everything in their power to provide an effective sound baffling or sound controlled environment through landscaping or some type of enclosure, where possible; provided they do not violate any fire or building code regulations? This includes possibly working with landlords for soundproofing tenants apartments (such as installing soundproofing windows, acoustical tiles, etc.).	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Applicant will enforce a quiet environment in the outdoor space, so as not to disturb nearby residents (e.g. there will be no amplified music, as per the law, and windows and doors to areas that play amplified music shall be closed). The applicant will make every effort possible to limit the noise emanating from diners by posting signs outside and also on menus asking for respect of the neighbor's privacy and peace. The staff will also encourage a peaceful environment amongst the outdoor diners.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

GENERAL INFORMATION		
Primary Zoning District:	<u>HELLS KITCHEN</u>	
Overlay (If Applicable):		
Is this a Special District? If yes, Is it Clinton, West Chelsea or Hudson Yards?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
Is the 500 Foot Rule or 200 Foot Rule Triggered? If yes, which? Please attach a diagram of the establishments that triggers the rule.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
Is a Public Assembly permit required?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
Are your plans filed with DOB?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
Building Type	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____	
Adjacent Buildings	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____	
<b>NOTIFICATION:</b> What organizations / community groups have you notified regarding your application?	# 1	
	# 2	
	# 3	

1 **Business License & Permits Committee**

Item #: 18

2  
3 December 4, 2013

4  
5 Dennis Rosen  
6 Chairman  
7 New York State Liquor Authority  
8 80 S. Swan Street, 9<sup>th</sup> Floor  
9 Albany, New York 12210

10  
11 **Re: Nano Restaurant**  
12 *691 10<sup>th</sup> Avenue (47/48)*

13  
14 Dear Chairman Rosen:

15  
16 Manhattan Community Board 4 (MCB4) recommends denial of an On-Premise Liquor License for Nano  
17 Restaurant – 691 10<sup>th</sup> Avenue (47/48), unless the following stipulations, agreed to by the applicant, are  
18 part of the method of operation for this establishment with a capacity of 20 people, with 6 tables 14 seats  
19 and 1 service bar.

20  
21  
22 A signed copy of the questionnaire and stipulations are enclosed.

23  
24 Sincerely,

25  
26  
27  
28  
Corey Johnson  
Chair

Paul Seres  
Co-Chair  
Business License & Permits  
Committee

Lisa Daglian  
Co-Chair  
Business License & Permits  
Committee

# Manhattan Community Board 4

(All Fields Must Be Completed)

## Liquor License Stipulations Application

<b>APPLICANT</b>		<b>DOING BUSINESS AS (DBA)</b>		
Nano Endeavor LLC		Ñaño Restaurant		
<b>STREET ADDRESS</b>		<b>CROSS STREETS</b>		
691 10 <sup>th</sup> Avenue		West 47 <sup>th</sup> + 48 <sup>th</sup>		
<b>OWNER</b>	<b>NAME:</b>	Abel Castro	<b>ATTORNEY</b>	
	<b>PHONE:</b>	646-673-6812		
	<b>FAX:</b>			
<b>MANAGER</b>	<b>NAME:</b>	Abel Castro	<b>LANDLORD</b>	
	<b>PHONE:</b>	646-673-6812		
	<b>FAX:</b>			
<b>DESCRIPTION OF BUSINESS</b>				
Establishment Type:		<input type="radio"/> Bar/Tavern <input type="radio"/> Bed & Breakfast <input type="radio"/> Eating Place Beer <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input checked="" type="radio"/> Restaurant <input type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization – Members Only) <input type="radio"/> Other (Explain): _____		
Method of Operation:		<input checked="" type="radio"/> Restaurant <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Pizzeria <input type="radio"/> Cafe <input type="radio"/> Other (Explain): _____		
License Type:		<input type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input type="radio"/> Wine & Beer		
<b>APPLICATION TYPE</b> (check one)	<input checked="" type="radio"/> <b>New</b>	Has applicant owned or managed a similar business?	YES	<input checked="" type="radio"/> NO
		What is/was the name of establishment?		
		What is/was the address of the establishment?		
		What were the dates the applicant was involved with this former premise?		
	<input type="radio"/> <b>Transfer</b>	What is the prior license #?		
		What is the expiration date on the prior license?		
		Are you making any alterations or operational changes?	YES	NO
		If alterations or operational changes are being made, please attach the plans to this form.		
	<input type="radio"/> <b>Alteration</b>	What is the current license #?		
		What is the expiration date on the current license?		
Please describe the nature of the alterations and attach the plans				



OPERATIONAL ISSUES									
HOURS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY	
	Operation	11-11	11-11	11-11	11-11	11-12	11-12	11-11	
	Music	11-11	11-11	11-11	11-11	11-12	11-12	11-11	
	Kitchen	11-10	11-10	11-10	11-10	11-11	11-11	11-10	
OCCUPANCY	INDOOR				BAR			OUTSIDE	
	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 Bars	Number of Seats	Number of Tables
		20	6	14	1				
How many floors are there? What is the capacity for each floor? (please respond in space provided)					1-2	3-4	5 +		
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)					YES	NO	N/A		
Will applicant have bottle service?					YES	NO	N/A		
Will you be hosting private parties and promotional events?					YES	NO	N/A		
Will outside promoters be used?					YES	NO	N/A		
Will the security plan submitted be implemented?					YES	NO	N/A		
Will State certified security personnel be used?					YES	NO	N/A		
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?					YES	NO	N/A		
Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided)					YES	NO	N/A	In the process of applying with DOT.	
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)					YES	NO	N/A		
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)					YES	NO	N/A		
Will applicant provide contact information to neighbors and respond to complaints that arise?					YES	NO	N/A		
Will you inform the Community Board office of your job openings and/or provide a hyperlink to your jobs webpage?					YES	NO	N/A		
If you plan to have music, what type(s)?			BACKGROUND	LIVE MUSIC	DJ				
BUILDING DESIGN									
Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.					YES	NO	N/A		
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?					YES	NO	N/A		
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.)					YES	NO	N/A		



OUTDOOR ITEMS				
Will applicant use the rooftop, rear yard or any outdoor space?	YES	<input checked="" type="radio"/> NO	N/A	
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	YES	NO	<input checked="" type="radio"/> N/A	
The service and consumption of alcohol in the rear yard, on the rooftop, or in any other outdoor space will be only via seated food service.	YES	NO	<input checked="" type="radio"/> N/A	
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	YES	NO	<input checked="" type="radio"/> N/A	
Applicant will do everything in their power to provide an effective sound baffling or sound controlled environment through landscaping or some type of enclosure, where possible; provided they do not violate any fire or building code regulations? This includes possibly working with landlords for soundproofing tenants apartments (such as installing soundproofing windows, acoustical tiles, etc.).	YES	NO	<input checked="" type="radio"/> N/A	
Applicant will enforce a quiet environment in the outdoor space, so as not to disturb nearby residents (e.g. there will be no amplified music, as per the law, and windows and doors to areas that play amplified music shall be closed). The applicant will make every effort possible to limit the noise emanating from diners by posting signs outside and also on menus asking for respect of the neighbor's privacy and peace. The staff will also encourage a peaceful environment amongst the outdoor diners.	YES	NO	<input checked="" type="radio"/> N/A	
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	<input checked="" type="radio"/> N/A	

LOCATION & ZONING				
Primary Zoning District:	R-8		Overlay (If Applicable):	
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	<input checked="" type="radio"/> YES	NO	N/A	Clinton
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	YES	<input checked="" type="radio"/> NO	N/A	Currently applying for letter of no objection with DOB.
Is the 500 Foot Rule or 200 Foot Rule Triggered? If yes, which? Please attach a diagram of the establishments that triggers the rule.	<input checked="" type="radio"/> YES	NO	N/A	
Is a Public Assembly permit required?	YES	<input checked="" type="radio"/> NO	N/A	
Are your plans filed with DOB?	<input checked="" type="radio"/> YES	NO	N/A	
Building Type	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____			
Adjacent Buildings	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____			
<b>NOTIFICATION:</b> What organizations / community groups have you notified regarding your application?	# 1	West 47 <sup>th</sup> /48 <sup>th</sup> Street Block Association		
	# 2			
	# 3			

1 **Business License & Permits Committee**

Item #: 19

2  
3 December 4, 2013

4  
5 Dennis Rosen  
6 Chairman  
7 New York State Liquor Authority  
8 80 S. Swan Street, 9<sup>th</sup> Floor  
9 Albany, New York 12210

10  
11 **Re: Gallowgreen**  
12 *530-542 W 27<sup>th</sup> Street (10/11)*

13  
14 Dear Chairman Rosen:

15  
16 Manhattan Community Board 4 (MCB4) recommends denial of an On-Premise Liquor License for  
17 Gallowgreen – 530-542 W 27<sup>th</sup> Street (10/11), unless the following stipulations, agreed to by the  
18 applicant, are part of the method of operation for this establishment with a capacity of 150 people, with  
19 27 tables 100 seats, 1 service bar and 1 stand-up bar seating 12; rooftop: 55 tables with 125 seats.

20  
21  
22 A signed copy of the questionnaire and stipulations are enclosed.

23  
24 Sincerely,

25  
26  
27  
28  
Corey Johnson  
Chair

Paul Seres  
Co-Chair  
Business License & Permits  
Committee

Lisa Daglian  
Co-Chair  
Business License & Permits  
Committee

**Manhattan Community Board 4**  
(All Fields Must Be Completed)

Liquor License Stipulations Application

<b>APPLICANT</b> <div style="font-size: 1.2em; font-family: cursive;">ONE 27 ROOF, LLC</div>			<b>DOING BUSINESS AS (DBA)</b> <div style="font-size: 1.2em; font-family: cursive;">GALLOW GREEN</div>			
<b>STREET ADDRESS</b> <div style="font-size: 1.2em; font-family: cursive;">530 - 542 WEST 27<sup>th</sup> ST</div>			<b>CROSS STREETS</b> <div style="font-size: 1.2em; font-family: cursive;">10<sup>th</sup> AND 11<sup>th</sup> AVENUE</div>			
<b>OWNER</b>	NAME:	PDNYC, LLC + 27 <sup>th</sup> ST Group	<b>ATTORNEY</b>	NAME:	RAVI I. SHARMA	
	PHONE:	212 904 1880		PHONE:	212 537 5957	
	FAX:	646 490 2157		FAX:	212 537 5956	
<b>MANAGER</b>	NAME:	EMORISIVE, LLC	<b>LANDLORD</b>	NAME:	27 <sup>th</sup> STREET PROPERTY OWNER	
	PHONE:	212 904 1880		PHONE:	(212) 308 - 4443	
	FAX:	646 490 2157		FAX:		
<b>DESCRIPTION OF BUSINESS</b>						
<b>Establishment Type:</b>		<input type="radio"/> Bar/Tavern <input type="radio"/> Bed & Breakfast <input type="radio"/> Eating Place Beer <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input type="radio"/> Restaurant <input type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization - Members Only) <input checked="" type="radio"/> Other (Explain): <u>RESTAURANT / LOUNGE</u>				
<b>Method of Operation:</b>		<input checked="" type="radio"/> Restaurant <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Pizzeria <input type="radio"/> Cafe <input type="radio"/> Other (Explain): _____				
<b>License Type:</b>		<input checked="" type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input type="radio"/> Wine & Beer				
<b>APPLICATION TYPE</b> (check one)		<input type="radio"/> New	Has applicant owned or managed a similar business?		YES	NO
			What is/was the name of establishment?			
			What is/was the address of the establishment?			
			What were the dates the applicant was involved with this former premise?			
		<input type="radio"/> Transfer	What is the prior license #?			
			What is the expiration date on the prior license?			
			Are you making any alterations or operational changes?		YES	NO
			If alterations or operational changes are being made, please attach the plans to this form.			
		<input checked="" type="radio"/> Alteration	What is the current license #?		1254228	
			What is the expiration date on the current license?		5/31/2014	
Please describe the nature of the alterations and attach the plans <u>To extend the hours of</u>						

OPERATION for the SIXTH FLOOR.

OPERATIONAL ISSUES & HOURS FOR SIXTH FLOOR									
		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY	
HOURS	Operation	11 <sup>00</sup> AM - 4 <sup>00</sup> AM	11 <sup>00</sup> AM - 4 <sup>00</sup> AM	11 <sup>00</sup> AM - 4 <sup>00</sup> AM	11 <sup>00</sup> AM - 4 <sup>00</sup> AM	11 <sup>00</sup> AM - 4 <sup>00</sup> AM	11 <sup>00</sup> AM - 4 <sup>00</sup> AM	11 <sup>00</sup> AM - 4 <sup>00</sup> AM	
	Music	11 <sup>00</sup> AM - 4 <sup>00</sup> AM	11 <sup>00</sup> AM - 4 <sup>00</sup> AM	11 <sup>00</sup> AM - 4 <sup>00</sup> AM	11 <sup>00</sup> AM - 4 <sup>00</sup> AM	11 <sup>00</sup> AM - 4 <sup>00</sup> AM	11 <sup>00</sup> AM - 4 <sup>00</sup> AM	11 <sup>00</sup> AM - 4 <sup>00</sup> AM	
	Kitchen	11 <sup>00</sup> AM - 4 <sup>00</sup> AM	11 <sup>00</sup> AM - 4 <sup>00</sup> AM	11 <sup>00</sup> AM - 4 <sup>00</sup> AM	11 <sup>00</sup> AM - 4 <sup>00</sup> AM	11 <sup>00</sup> AM - 4 <sup>00</sup> AM	11 <sup>00</sup> AM - 4 <sup>00</sup> AM	11 <sup>00</sup> AM - 4 <sup>00</sup> AM	
OCCUPANCY	INDOOR (11 <sup>00</sup> AM - 11 <sup>00</sup> PM)		BAR		OUTDOOR				
	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 Bars	Number of Seats	Number of Tables
	150	150	27	100	1	1	12	125	55
How many floors are there? What is the capacity for each floor? (please respond in space provided)					<input checked="" type="radio"/> 1	<input type="radio"/> 2	<input type="radio"/> 3		
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)					YES	<input checked="" type="radio"/> NO	N/A		
Will applicant have bottle service?					YES	<input checked="" type="radio"/> NO	N/A		
Will you be hosting private parties and promotional events?					<input checked="" type="radio"/> YES	NO	N/A		
Will outside promoters be used?					YES	<input checked="" type="radio"/> NO	N/A		
Will the security plan submitted be implemented?					<input checked="" type="radio"/> YES	NO	N/A		
Will State certified security personnel be used?					<input checked="" type="radio"/> YES	NO	N/A		
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?					<input checked="" type="radio"/> YES	NO	N/A		
Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided)					YES	<input checked="" type="radio"/> NO	N/A		
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)					YES	<input checked="" type="radio"/> NO	N/A		
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)					YES	NO	<input checked="" type="radio"/> N/A		
Will applicant provide contact information to neighbors and respond to complaints that arise?					<input checked="" type="radio"/> YES	NO	N/A		
Will you inform the Community Board office of your job openings and/or provide a hyperlink to your jobs webpage?					<input checked="" type="radio"/> YES	NO	N/A		
If you plan to have music, what type(s)?					<input checked="" type="radio"/> BACKGROUND	<input checked="" type="radio"/> LIVE MUSIC	<input checked="" type="radio"/> DJ		
BUILDING DESIGN									
Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.					<input checked="" type="radio"/> YES	NO	N/A		
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 checked="" type="radio"/> YES	NO	N/A		
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.)					YES	NO	<input checked="" type="radio"/> N/A		

OUTDOOR ITEMS			
Will applicant use the rooftop, rear yard or any outdoor space?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	N/A
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	YES	<input checked="" type="radio"/> NO	N/A
The service and consumption of alcohol in the rear yard, on the rooftop, or in any other outdoor space will be only via seated food service.	YES	<input checked="" type="radio"/> NO	N/A
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	YES	<input checked="" type="radio"/> NO	N/A
Applicant will do everything in their power to provide an effective sound baffling or sound controlled environment through landscaping or some type of enclosure, where possible; provided they do not violate any fire or building code regulations? This includes possibly working with landlords for soundproofing tenants apartments (such as installing soundproofing windows, acoustical tiles, etc.).	<input checked="" type="radio"/> YES	<input type="radio"/> NO	N/A
Applicant will enforce a quiet environment in the outdoor space, so as not to disturb nearby residents (e.g. there will be no amplified music, as per the law, and windows and doors to areas that play amplified music shall be closed). The applicant will make every effort possible to limit the noise emanating from diners by posting signs outside and also on menus asking for respect of the neighbor's privacy and peace. The staff will also encourage a peaceful environment amongst the outdoor diners.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input checked="" type="radio"/> N/A
Applicant will 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	N/A

LOCATION & ZONING			
Primary Zoning District:	WEST CHELSEA		Overlay (If Applicable):
Is this a Special District? If yes, Is it Clinton, West Chelsea or Hudson Yards?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	N/A
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	N/A
Is the 500 Foot Rule or 200 Foot Rule Triggered? If yes, which? Please attach a diagram of the establishments that triggers the rule.	YES	<input type="radio"/> NO	<input checked="" type="radio"/> N/A
Is a Public Assembly permit required?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	N/A
Are your plans filed with DOB?	Were previously	YES	<input checked="" type="radio"/> NO
Building Type	<input type="radio"/> Residential <input checked="" type="radio"/> Commercial <input type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____		
Adjacent Buildings	<input type="radio"/> Residential <input checked="" type="radio"/> Commercial <input type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____		
NOTIFICATION: What organizations / community groups have you notified regarding your application?	# 1	COMMUNITY BOARD 4	
	# 2		
	# 3		

**ADDITIONAL INFORMATION: (Applicant Use)**

This is an application for a change in method of operation as to the hours of operation of the 6th floor portion of the licensee's premises only.

**ADDITIONAL COMMENTS (Office Use Only)**



1 **Business License & Permits Committee**

Item #: 20

2  
3 December 4, 2013

4  
5 Dennis Rosen  
6 Chairman  
7 New York State Liquor Authority  
8 80 S. Swan Street, 9<sup>th</sup> Floor  
9 Albany, New York 12210

10  
11 **Re: Hummus Kitchen**  
12 *768 9<sup>th</sup> Avenue (51/52)*

13  
14 Dear Chairman Rosen:

15  
16 Manhattan Community Board 4 (MCB4) recommends denial of an Restaurant Wine & Beer License for  
17 Hummus Kitchen – 768 9<sup>th</sup> Avenue (51/52) unless the following stipulations, agreed to by the applicant,  
18 are part of the method of operation for this establishment with a capacity of 74 people, with 7 tables 30  
19 seats.

20  
21  
22 A signed copy of the questionnaire and stipulations are enclosed.

23  
24 Sincerely,

25  
26  
27  
28 Corey Johnson  
Chair

Paul Seres  
Co-Chair  
Business License & Permits  
Committee

Lisa Daglian  
Co-Chair  
Business License & Permits  
Committee

# Manhattan Community Board 4

(All Fields Must Be Completed)

## Liquor License Stipulations Application

APPLICANT		DOING BUSINESS AS (DBA)				
NWMN Food LLC		Hummus Kitchen				
STREET ADDRESS		CROSS STREETS				
768 9 <sup>TH</sup> Ave		W 51 <sup>ST</sup> & W 52 <sup>ND</sup> ST				
OWNER	NAME:	ATTORNEY	NAME:			
	PHONE:		PHONE:			
	FAX:		FAX:			
MANAGER	NAME:	LANDLORD	NAME:			
	PHONE:		PHONE:			
	FAX:		FAX:			
DESCRIPTION OF BUSINESS						
Establishment Type:		<input type="radio"/> Bar/Tavern <input type="radio"/> Bed & Breakfast <input type="radio"/> Eating Place Beer <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input checked="" type="radio"/> Restaurant <input type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization - Members Only) <input type="radio"/> Other (Explain): Bar/Arcade				
Method of Operation:		<input checked="" type="radio"/> Restaurant <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Pizzeria <input type="radio"/> Cafe <input type="radio"/> Other (Explain): Bar/Arcade				
License Type:		<input type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input checked="" type="radio"/> Wine & Beer				
APPLICATION TYPE (check one)		<input type="radio"/> New	Has applicant owned or managed a similar business?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
			What is/was the name of establishment?		Managed applicant	
			What is/was the address of the establishment?			
			What were the dates the applicant was involved with this former premise?			
		<input checked="" type="radio"/> Transfer	What is the prior license #?		1216299	
			What is the expiration date on the prior license?		11/30/13	
			Are you making any alterations or operational changes?		<input type="radio"/> YES	<input checked="" type="radio"/> NO
			If alterations or operational changes are being made, please attach the plans to this form.			
		<input type="radio"/> Alteration	What is the current license #?			
			What is the expiration date on the current license?			
Please describe the nature of the alterations and attach the plans						

OPERATIONAL ISSUES									
HOURS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY	
	Operation	11am-11pm	11am-11pm	11am-11pm	11am-11pm	11am-12am	11am-12am	11am-12am	
	Music	11	11	11	11	11	11	11	
	Kitchen	One	hour before closing						
OCCUPANCY	INDOOR				BAR			OUTSIDE	
	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 Bars	Number of Seats	Number of Tables
	74	30	9	30	0	0	0	4	10
How many floors are there? What is the capacity for each floor? (please respond in space provided)					1-2	3-4	5+	1st - 30	
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)					YES	NO	N/A		
Will applicant have bottle service?					YES	NO	N/A		
Will you be hosting private parties and promotional events?					YES	NO	N/A		
Will outside promoters be used?					YES	NO	N/A		
Will the security plan submitted be implemented?					YES	NO	N/A		
Will State certified security personnel be used?					YES	NO	N/A		
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?					YES	NO	N/A		
Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided)					YES	NO	N/A		
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)					YES	NO	N/A	4 Tables + 8 seats	
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)					YES	NO	N/A	4 Tables + 8 seats	
Will applicant provide contact information to neighbors and respond to complaints that arise?					YES	NO	N/A		
Will you inform the Community Board office of your job openings and/or provide a hyperlink to your jobs webpage?					YES	NO	N/A		
If you plan to have music, what type(s)?					BACKGROUND	LIVE MUSIC	DJ		
BUILDING DESIGN									
Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.					YES	NO	N/A		
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?					YES	NO	N/A		
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.)					YES	NO	N/A		

OUTDOOR ITEMS				
Will applicant use the rooftop, rear yard or any outdoor space?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	Sidewalk Cafe
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	
The service and consumption of alcohol in the rear yard, on the rooftop, or in any other outdoor space will be only via seated food service.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	
Applicant will do everything in their power to provide an effective sound baffling or sound controlled environment through landscaping or some type of enclosure, where possible; provided they do not violate any fire or building code regulations? This includes possibly working with landlords for soundproofing tenants apartments (such as installing soundproofing windows, acoustical tiles, etc.).	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	
Applicant will enforce a quiet environment in the outdoor space, so as not to disturb nearby residents (e.g. there will be no amplified music, as per the law, and windows and doors to areas that play amplified music shall be closed). The applicant will make every effort possible to limit the noise emanating from diners by posting signs outside and also on menus asking for respect of the neighbor's privacy and peace. The staff will also encourage a peaceful environment amongst the outdoor diners.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	
Applicant will 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	<input type="radio"/> N/A	

LOCATION & ZONING				
Primary Zoning District:	C1-5		Overlay (If Applicable):	R-8
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	Clinton
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	LNO
Is the 500 Foot Rule or 200 Foot Rule Triggered? If yes, which? Please attach a diagram of the establishments that triggers the rule.	<input type="radio"/> YES	<input checked="" type="radio"/> NO	<input type="radio"/> N/A	
Is a Public Assembly permit required?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	<input type="radio"/> N/A	
Are your plans filed with DOB?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	<input type="radio"/> N/A	
Building Type	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe:			
Adjacent Buildings	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe:			
NOTIFICATION: What organizations / community groups have you notified regarding your application?	# 1			
	# 2			
	# 3			

**ADDITIONAL INFORMATION: (Applicant Use)**

**ADDITIONAL NOTES: (Office Use Only)**

Does not include sidewalk cafe

SH