



CITY OF NEW YORK

**MANHATTAN COMMUNITY BOARD FOUR**

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**CHRISTINE BERTHET**  
Chair

**JESSE R. BODINE**  
District Manager

May 7, 2015

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

**Re: FFJ Entertainment LLC**  
**d/b/a Adam Lounge**  
640-642 10<sup>th</sup> Avenue (45/46)

Dear Chairman Rosen:

Manhattan Community Board 4 (MCB4) recommends denial of the application for a new On-Premise Liquor License by FFJ Entertainment LLC d/b/a Adam Lounge, at 640-642 Tenth Avenue, New York, NY 10036. Given the long and extensive history of community complaints regarding the prior licensed establishment at this location and the severe disruption to residential quality that a licensed establishment has caused here in the past, granting a new On-Premise license to the present applicant would not serve, and would be contrary to, the public interest.

This establishment falls within the 500 foot rule as there are **11 (eleven)** OP liquor licenses within 500 feet of this address (per the SLA's website). Given the past history at this location, MCB4 does not believe that the contemplated establishment could operate here without a repeat of the noise, crowding, and anti-social behavior complaints that have accompanied prior operations at this location.

The prior operator at this location, Lux Bar & Lounge Inc. d/b/a/ Bar-Tini, had a troubled history, with persistent community complaints about such issues as excessively loud music, sidewalk congestion and inadequate security/crowd control, dancing without a cabaret license, and use of adjacent outdoor space. At the April 14, 2015 meeting of MCB4's BLP meeting regarding the present application, multiple community members who live near this location spoke about the persistent and acute problems caused by the prior establishment. Residents of adjacent buildings reported that they could hear the music from this establishment in their own apartments, with all windows closed, until the establishment closed at 4:00 a.m. nightly. These residents also reported that the air conditioning equipment for this establishment was excessively noisy and also could be

heard within their apartments; one resident stated it that it sounded like an airplane. Other neighbors discussed the congestion on the sidewalk and street in front of the establishment as patrons exited, smoked, and loitered outside -- causing serious problems of noise, pedestrian flow, litter, and anti-social behavior.

Based on its history with the community's complaints about this location, MCB4 is concerned that many of the problems experienced by residents arise from the structure of the building itself and the nature of the business being operated there. The location, which consists of two adjacent storefronts, seemingly was not built to properly house a bar/restaurant with a DJ and loud amplified music, accommodating 150 people, and open until 4:00 a.m. nightly. The front doors open directly onto the sidewalk/street with no vestibule or internal buffer, meaning that music and crowd noise pour into the street every time the doors are opened. The rear wall of the establishment contains a door to the backyard, which abuts a residential building that has been especially affected by the noise and other problems. Although the present applicant would agree not to use the backyard or the door, it appears that the existence of the door makes it very difficult to properly soundproof the back wall. A letter from an acoustical design firm submitted by the applicant to MCB4 stresses these front façade and rear wall issues and suggests that structural changes to both the front façade and the rear wall may be necessary to comply with the NYC noise code.

The present applicant has submitted a complete MCB4 stipulations application form and, at our request, has met with affected residents. Based on their lengthy experience with this location and its problems, the residents have made clear to the applicant and MCB4 what they believe is necessary to protect a reasonable quality of residential life. These steps include closing no later than 2:00 a.m. nightly, no DJ, background music only, and thorough sound-proofing of the entire establishment and its air-conditioning equipment to ensure that music, crowd noise, or equipment noise does not exceed the legally acceptable noise level in nearby apartments. The applicant and the community could not come to an agreement because at least some of these stipulations are out of the applicant's control or cannot be implemented consistent with the applicant's business plan.

Accordingly, MCB4 recommends denial of this new On-Premise license application.

Thank you for your attention and cooperation with this application.

Sincerely,



Christine Berthet  
Chair

[signed 5/7/15]

Burt Lazarin  
Co-Chair  
Business License & Permits  
Committee



Frank Holozubiec  
Co-Chair  
Business License & Permits  
Committee

