

CITY OF NEW YORK
MANHATTAN COMMUNITY BOARD FOUR

330 West 42nd Street, 26th floor New York, NY 10036
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www.nyc.gov/mcb4

CHRISTINE BERTHET
Chair

JESSE R. BODINE
District Manager

July 15, 2015

Julie Menin
Commissioner
Department of Consumer Affairs
42 Broadway
New York, NY 10004

Re: The Jolly Monk
701 9th Avenue (48/49)
License #: 7535-2015-ASWC

Dear Chairman Rosen:

Manhattan Community Board 4 (MCB4) recommends **denial** of a new Unenclosed Sidewalk Cafe License application for The Jolly Monk – 701 9th Avenue (48/49), **unless** the attached stipulations, agreed to and signed by the applicant, are part of the method of operation for this establishment with 4 tables and 8 seats; hours of operation for the sidewalk café: 8 a.m. – 10 p.m. Sunday – Thursday, 8 a.m. – 11 p.m. Friday & Saturday.

Sincerely,

Christine Berthet
Chair

[signed 7/15/15]

Burt Lazarin
Co-Chair
Business License & Permits
Committee

Frank Holozubiec
Co-Chair
Business License & Permits
Committee

Manhattan Community Board 4

Unenclosed Sidewalk Café Stipulations Application

APPLICANT 701 Restaurant, LLC		ADDRESS 701 9th Avenue, New York, New York 10019	
DOING BUSINESS AS (DBA) The Jolly Monk		CROSS STREETS Between 48th & 49th Streets	OWNER Brian Connell, Anthony Doyle, Patrick Schmidt
DESCRIPTION OF APPLICATION Licensee will be applying to the SLA for permission to make an alteration - the addition of a small sidewalk cafe.			LAWYER Michael J. Paleudis, Esq.
ON SITE CONTACT: (Name, position & phone number): Brian Connell, LLC Member and Manager, (917) 653-7390			LICENSE NUMBER: SLA License: 1278118

Side-walk café hours of Operation	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
12 pm	8:00 am - 12:00 am	8:00 am - 12:00 am	8:00 am - 12:00 am	8:00 am - 12:00 am	8:00 am - 1:00 am	8:00 am - 1:00 am	12:00 pm - 12:00 am
DCA Hours Allowed	8-12	8-12	8-12	8-12	8-1	8-1	12-12
SEATING & TABLES	DESCRIPTION		NOTES				
	SEATS 10 8	TABLES 5 4	11 pm				

OPERATIONAL ISSUES

Will you follow the rule prohibiting speakers for music in the outdoor space?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	
Will you close all French doors and sliding windows when any interior amplified music is played (per law)?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	
The sidewalk café will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	<input checked="" type="radio"/> YES	<input checked="" type="radio"/> NO	<input type="radio"/> N/A	Sidewalk Cafe will follow DCA allowed hours of operation.
Will you be serving alcohol on the sidewalk? If so, will you have waiter service as required by DCA?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	
The service and consumption of alcohol on the sidewalk café will be only via seated food service.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	
The sidewalk café will not provide standing space for drinking or smoking.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	
Will the outdoor furniture be removed when not in use?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	
Will the applicant be using delivery bicycles? If so, explain where you will store them since you'll have a sidewalk café.	<input type="radio"/> YES	<input checked="" type="radio"/> NO	<input type="radio"/> N/A	
Do you intend to use any portable natural gas heaters? If so, do you have the requisite approvals from DOB & the Fire Department?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	<input type="radio"/> N/A	
Will applicant have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	

OTHER / NOTES:

SOUND ISSUES

Will applicant 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	The anticipated application is for a small, unenclosed cafe. Extensive sound proofing was put in place at the time the premises was built and a description of the soundproofing was presented to the community board at that time.
Will applicant 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	NO	N/A	

CAFÉ DESIGN

Is the sidewalk a minimum of 12 feet? Subtracting the width of the proposed sidewalk café from the width of the entire sidewalk, do you at least leave 8 feet of clearance?	<input checked="" type="radio"/> YES	NO	N/A
Is there a minimum clearance of 8 feet between the sidewalk café and all sidewalk obstructions including parking meters, traffic signs and installed City-sanctioned street furniture (current DCA regs exempt those items)?	<input checked="" type="radio"/> YES	NO	N/A
Is there a minimum clearance of 8 feet between the sidewalk café and the tree trunk of a tree with a flush grate (regs exempt trees with flush grates)?	YES	NO	<input checked="" type="radio"/> N/A
Is there a minimum clearance of 4 feet between the sidewalk café and subway grating to be consistent with ADA standards (regs require 3 ft)	YES	NO	<input checked="" type="radio"/> N/A
Is there a minimum clearance of 3 feet between a sidewalk café and a residential building entrance (regs do not apply to residences)?	<input checked="" type="radio"/> YES	NO	N/A
Is there a minimum 3 feet wait service aisle to ensure no public space is used by the café to service its clientele?	<input checked="" type="radio"/> YES	NO	N/A
Are the sidewalk-café outer boundaries marked on the sidewalk as requested by DCA regulations?	<input checked="" type="radio"/> YES	NO	N/A
If applicant decides to apply for alterations, as defined by SLA or DCA (as applicable), he/she will reappear before CB4 to describe these alterations.	<input checked="" type="radio"/> YES	NO	N/A

ADDITIONAL INFORMATION: (Applicant Use)

SIGNS WILL BE ~~BE~~ PLACED REMAINING STOPS THAT ALL BEER & WINE ONLY WILL BE SERVED NO LATER THAN 11:00 PM. FRIDAY / SATURDAY AND 10:00 PM. & ALL OTHER NIGHTS

AND WHENEVER APPROVED SOUND IS ~~PLAYED~~ PLAYED 2 of 4

ADDITIONAL NOTES: (Office Use Only)

- APPLICANTS WILL ENSURE THAT 8 FEET OF SIDE WALK REMAINS FREE ~~FOR~~ ^{FOR} PEDESTRIANS, REGARDLESS OF CONSTRUCTION OR CONSTRUCTIVE FENCING.
- IN THE EVENT OF ANY CONSTRUCTION ON WEST SIDE OF ~~ESTABLISHMENT~~ NORTH AVENUE IN FRONT OF ESTABLISHMENT, THERE WILL BE NO SIDEWALK CAFE.

ADDITIONAL STIPULATIONS: (Office Use Only)

- WILL SUBMIT REVISED SIDEWALK CAFE PLANS BY 6/30/15, REFLECTING 4 TABLES ONLY, ~~ALL~~ ALL AGAINST THE BUILDING FACADE.
- NO DIVIDERS, ~~OR~~ FENCES, PLANTERS OR OTHER OBSTRUCTIONS PARALLEL TO NORTH AVENUE
- ONLY DIVIDERS WILL BE ON NORTH + SOUTH ENDS OF THE SIDEWALK CAFE, NO LONGER THAN ~~LENGTH~~ WIDTH OF CAFE.

Manhattan Community Board 4 (MCB4) recommends:

Denial unless all agreed to by applicant is part of the method of operation
 Denial Approval

CB4 REPRESENTATIVES


Nelly Gonzalez
CB4 Assistant District Manager

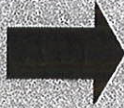

Frank Holozubiec
CB4 BLP Committee Co-Chair


Paul Sores
CB4 BLP Committee Co-Chair

APPLICANT AGREEMENT WITH THE COMMUNITY

Pursuant to these stipulations, this applicant agrees to have these provisions incorporated in the method of operation of their liquor license. Additionally, the applicant agrees to the community agreements as the basis for the community supporting this application.

SIGN HERE




SIGNATURE OF APPLICANT OR ATTORNEY

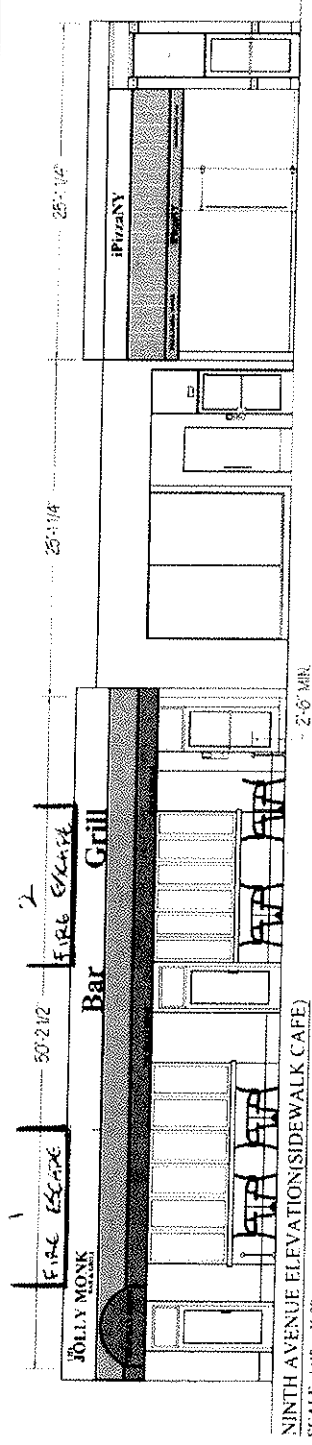
DATE

6/9/15

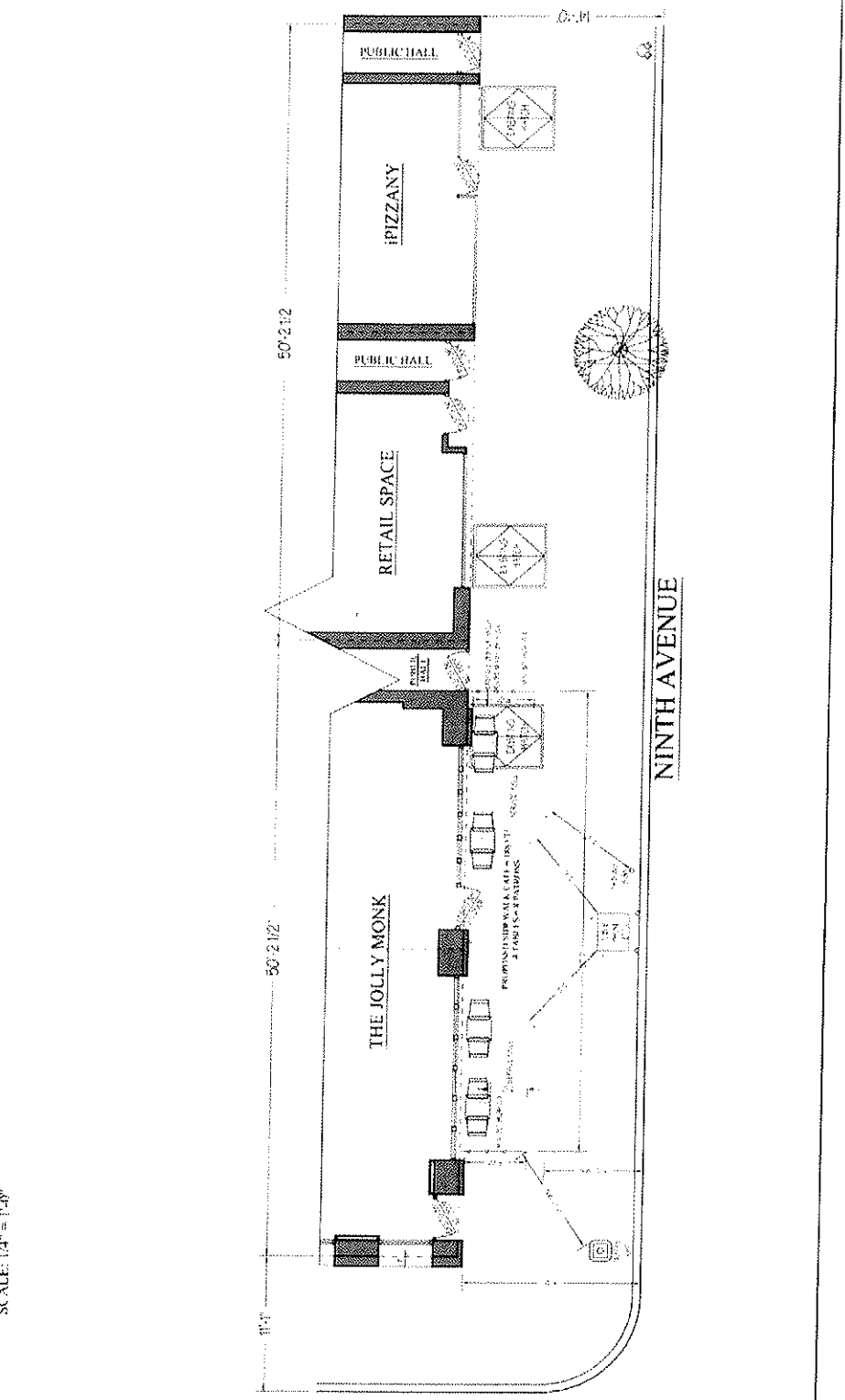
REVISIONS NO. DATE BY 1 06/12/2013 JG		CLIENT INFO NAME: THE JOLLY MONK ADDRESS: 100 9TH AVENUE NEW YORK, NY 10019	
ARCHITECT REGOLD & GREGORY - ARCHITECTS 200 WEST 11TH STREET NEW YORK, NY 10011 TEL: (212) 333-3333 FAX: (212) 333-3334 WWW: WWW.REGOLDGREGORY.COM		PROJECT NO.: A-00100 DATE: 06/12/2013 SCALE: 1/4" = 1'-0" SHEET NO.: 55ENWELC01F	

Revisions: 06-12-2013

100 9TH AVENUE
 NEW YORK, NY 10019
 4847 SEATTLE PLAZA
 55ENWELC01F



NINTH AVENUE ELEVATION (SIDEWALK CAFE)
 SCALE: 1/4" = 1'-0"



NINTH AVENUE



