

Manhattan Community Board 4
(All Fields Must Be Completed)

Liquor License Stipulations Application

CORPORATION NAME TAKE ANY RUG IN The House LLC		DOING BUSINESS AS (DBA) EATERY Restaurant	
STREET ADDRESS 788 NINTH AVENUE		CROSS STREETS 52 / 53	ZIP CODE 10019
OWNER <small>(Attach a list of all the people that will be associated/listed with the license)</small>	NAME: SEAN CONNOLLY	ATTORNEY/ REPRESENTATIVE	NAME: Robert Bookman
	PHONE: 917-763-6625		PHONE: 212-513-1988
	EMAIL: Sconnolly@eaterynyc.com		EMAIL: RBookman@PawdB/legal.com
MANAGER	NAME:	LANDLORD	NAME: Goldberg Group
	PHONE:		PHONE: 914-683-3600
	EMAIL:		EMAIL: mel@goldberggroup.net
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 and address of establishment?		EATERY 798 NINTH AVE.
	What were the dates applicant was involved with this former premise?		2000 - 2015
<input type="radio"/> Transfer	What is the prior license # and expiration date?		
	Is applicant making any alterations or operational changes?		<input type="radio"/> YES <input type="radio"/> NO
	If alterations or operational changes are being made, please describe/list all changes.		
<input type="radio"/> Alteration	What is the current license # and expiration date?		
	Please list/describe the nature of all the changes and attach the plans:		
METHOD OF OPERATION			
TYPE OF ALCOHOL	<input checked="" type="radio"/> Liquor/Wine/Beer <input type="radio"/> Beer <input type="radio"/> Wine & Beer		
ESTABLISHMENT TYPE	<input checked="" type="radio"/> Restaurant <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input type="radio"/> Bar/Tavern <input type="radio"/> Catering Establishment <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Club (Fraternal Organization - Members Only)		
Has applicant/owner filed with the SLA? If yes, when? If no, when do you plan to file?		<input type="radio"/> YES	<input checked="" type="radio"/> NO
Is the 500 Foot Rule applicable? If yes, please attach a diagram of the On-Premise liquor license establishments within a 500 ft. radius of your establishment and the Public Interest Statement.		<input checked="" type="radio"/> YES	<input type="radio"/> NO
Is the 200 Foot Rule applicable? If yes, please attach a diagram of the schools and houses of worship that trigger the rule.		<input type="radio"/> YES	<input checked="" type="radio"/> NO
Has applicant/owner(s) read MCB4 Policy Regarding Concentration and Location of Alcoholic-Serving Establishments?		<input checked="" type="radio"/> YES	<input type="radio"/> NO

OPERATIONAL DETAILS (*Closing time will be when establishment is vacated of all patrons)									
HOURS* (Indoor Only)		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY	
	Operation	11-12	11-12	11-12	11-12	11-12	9-1	9-11	
	Kitchen	11-12	11-12	11-12	11-12	11-12	9-1	9-11	
	Music	11-11	11-11	11-11	11-11	11-11	9-12	9-12	
If you plan to have music, what type(s)? (Circle all that apply)			<u>BACKGROUND</u>	LIVE MUSIC	DJ	JUKE BOX	KARAOKE		
OCCUPANCY									
	Capacity (Certificate of Occupancy)	Maximum # of Persons You Anticipate Occupying Premises (Including Employees)	Number of Tables	Number of Seats	Number of Service Only Bars	Number of Stand-Up Bars	Number of Seats at Stand-Up Bar		
INSIDE	274	45-50	17	38	1	1	3		
OUTSIDE (Other than sidewalk café)	N/A								
SIDEWALK CAFÉ	N/A								
How many floors are there? What is the capacity for each floor?					1 Floor (+ basement storage)				
How frequently will the owner(s) be at the establishment?					Daily				
Will you be applying or intending to apply for a cabaret license with DCA? If yes, will there be dancing?					YES	<input checked="" type="radio"/> NO			
Will applicant have bottle or table service for beverage alcohol?					YES	<input checked="" type="radio"/> NO			
Will you be hosting private, promotional or corporate events?					YES	<input checked="" type="radio"/> NO			
Will outside promoters be used on a regular basis? If yes please describe.					YES	<input checked="" type="radio"/> NO			
Will you have a security plan? If, yes please attach.					YES	<input checked="" type="radio"/> NO			
Will security plan be implemented?					YES	<input checked="" type="radio"/> NO			
Will State certified security personnel be used?					YES	<input checked="" type="radio"/> NO			
Will New York Nightlife Association and NYPD Best Practices be followed?					<input checked="" type="radio"/> YES	NO	N/A		
Will applicant be using delivery bicycles? If yes, how many?					<input checked="" type="radio"/> YES	NO			
Will delivery bicycles be clearly marked with the name of the restaurant and will staff wear attire clearly noting name as described by NYC Law?					<input checked="" type="radio"/> YES	NO			
Where will delivery bicycles be stored during the day when not in use?					Basement				

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

Community Notification/Relations		
NOTIFICATION: List all block associations; tenant associations, co-op boards or condo boards of residential buildings; and community groups that applicant has notified regarding its application. For each please list both the organization and individual you contacted	# 1	W 50/51 street Block Association
	# 2	W. 55 th St. Block Association
	# 3	300 W. 55 th St. Block Association
	# 4	OASIS Gardens I
	# 5	OASIS Gardens II
Please provide dates when applicant met with the groups listed above.	e-mailed ALL met NONE	
Who was your contact person at each group you met with?	JEFF Robbins, PAUL Loeb, christine German etc.	
When did applicant post the notice that was provided?	6/23/15	
Where did applicant post the notice that was provided?	FRONT GATE	
Will applicant provide owner cell phone number to neighbors and respond to complaints that arise? Please provide number in space provided.	<input checked="" type="radio"/> YES	NO 917 763 6625
Will applicant inform the Community Board office of its job openings and/or provide a hyperlink to applicants jobs webpage?	YES	<input checked="" type="radio"/> NO

BUILDING DESIGN			
State the name and type of business previously located in the space.	Q2 Thai Restaurant 900sq Feet		
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	Q2 Thai Restaurant
Do you plan any changes to the existing façade? If yes, please describe.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant have a vestibule within the establishment?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant use a storm enclosure?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant not place any items or obstructions on the sidewalk, for example, sandwich boards, sidewalk signs, freestanding menus and plants, as per the law?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant comply with the NYC noise code?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will the establishment have any of the following: (circle all that apply)	FRENCH DOORS	GARAGE DOORS	WINDOWS THAT CAN BE OPENED
Will applicant close all windows, French doors, garage doors when any music or amplified sound (including televisions) is played inside the establishment?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant close all windows, French doors, garage doors by 11 PM Friday and Saturday and 10 PM on all other days even if no music or amplified sound is played inside the establishment?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Has applicant obtained an acoustical report from a certified sound engineer to assess potential noise disturbance to the neighboring residents and buildings?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
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	<input type="radio"/> NO	
Will the kitchen exhaust system extend to the roof?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will the establishment have an illuminated sign?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will the establishment have a canopy extending over the sidewalk?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Where will the air conditioner be located? What type is it?	Roof, ?		
When was the air conditioner installed?	Currently in planning		

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

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

THERE WILL BE NO
FOUNT DECOR.

THERE WILL BE NO
OUTDOOR SPEAKERS
OR MUSIC/SOUND PLAYED
OUTDOOR,

WILL BEACH TO BE BOUND
OF 788 N. W. AVE PRIOR
TO 7/22/15.

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

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

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

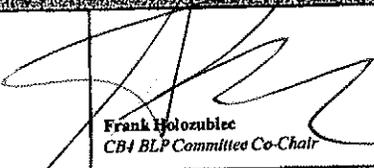
Manhattan Community Board 4 (MCB4) recommends:

Denial unless all stipulations agreed to by applicant/owner are part of the method of operation

Denial Approval

STIPULATIONS

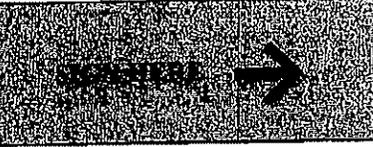

Nelly Gonzalez
CB4 Assistant District Manager

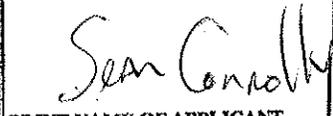

Frank Holozubec
CB4 BLP Committee Co-Chair


Burt Lazzari
CB4 BLP Committee Co-Chair

APPLICANT AGREEMENT WITH THE COMMUNITY

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




Sean Connolly

PRINT NAME OF APPLICANT



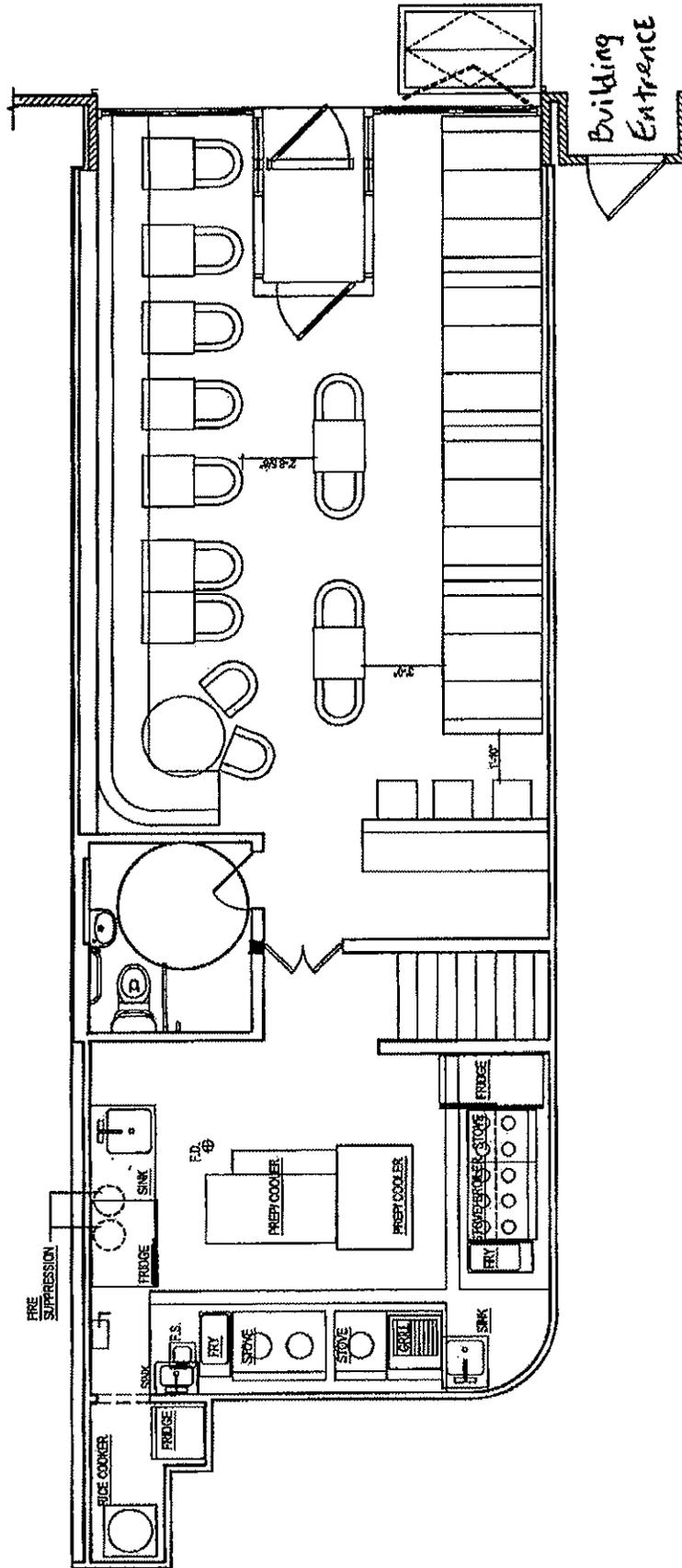
SIGNATURE OF APPLICANT

7/14/15

DATE

Sign at Meeting

Proposed New Eatery Restaurant



OPT 1 - 42 COVERS
SCALE: 1/4" = 1'-0"

EATERY RESTAURANT
SLOOPT. DIAGRAM

Georgio's Grill

9th
AVE

ALBE'S GRILL

53rd st.

eatery Restaurant Current Location



* NEW EATERY LOCATION

BRICKYARD RESTAURANT

FLAMING SADDLES

MI NIBITO MEXICAN

EL AZTECA MEXICAN

52nd Street

RENAISSANCE DINER

eatery

appetizers

- | | |
|---|-------|
| Ⓢ Tonight's Vegetarian Soup | 8.95 |
| Ⓢ Chicken Vegetable Soup - White, Red & Black Beans, with Fresh Herbs | 6.95 |
| Ⓢ Classic Hummus - Toasted Pine Nuts, Pomegranate Glaze & Whole Wheat Pita | 9.95 |
| Ⓢ Sweet Chili Grilled Shrimp - Jumbo Shrimp, Ginger Sesame Asian Slaw made of Jicama, Carrots & Red Cabbage | 12.95 |
| Tempura Calamari - Hijiki, Fresh Mango & White Ponzu Sauce | 11.95 |
| Eatery Quesadilla - Today's Preparation, Available WITH or WITHOUT MEAT | 10.95 |
| Ⓢ "Stacked" Seared Tuna - Grilled Portobello Mushroom, Vine Ripened Tomatoes, Pesto & Balsamic Glaze | 12.95 |
| Coconut Chicken Skewers - with Thai Dipping Sauce | 10.95 |
| Ⓢ Vegetable Empanadas - Zucchini, Sundried Tomatoes, Nicoise olives, Leeks and Fontina Cheese with Salsa Rojas | 9.95 |

entree salads

- | | |
|--|-------|
| Ⓢ Baby Greens - Cherry Tomatoes, Shredded Carrots & Sherry Vinaigrette.
Add: Grilled Chicken or Portobello Mushroom \$4. | 10.95 |
| Ⓢ Eggless Caesar - Garlic Croutons & Shaved Parmesan.
Add: Grilled Chicken or Portobello Mushroom \$4 | 11.95 |
| Grilled Asian Chicken Salad - Mixed Greens and Jicama Tossed with Lemon Ginger Vinaigrette, Crisp Wontons & Toasted Peanuts Dressed with Sweet Chili Vinaigrette | 15.95 |
| Ⓢ Adobe Salad - Grilled Chicken, Smoked Bacon, Jack Cheese, Blue Corn Tortillas, Black Beans, Buttermilk & Honey Chipotle Dressings | 15.95 |
| Ⓢ Grilled Salmon Salad - Red and Gold Beets, Arugula, Endive, Toasted Almonds, Herb Vinaigrette | 18.95 |
| Mediterranean Salad - Grilled Chicken, Tomatoes, Cucumber, Red Onions, Kalamata Olives, Capers, Peloponnese Feta Cheese, Red Wine Vinaigrette & Grilled Rosemary Focaccia | 15.95 |
| Ⓢ Organic Baby Kale Salad - Burrata Mozzarella Cheese, Honey Poached Peaches, Black & White Quinoa, Grilled Fennel, Mixed Baby Field Greens, Dried Cranberries, Candied Pecans, House Made Ranch Dressing | 15.95 |

Executive Chef John Terry and Staff

eatory

entrees

ⓄⓋ Mac & Jack - Eatory's Improvement on the Classic Macaroni & Cheese Topped with Frizzled Onions. Add: Chicken, Smoked Bacon or Portobello Mushroom \$4.	14.95
ⓄⓋ Tarragon Chicken Paillard - Grilled Free Range Chicken, Roasted Organic Baby Kale, Cauliflower and Baby Carrots with Red Pepper Coulis	18.95
Roasted Free Range Half Chicken - Marinated with Roasted Garlic and Fresh Herbs, Served with Mashed Sweet Potatoes and Three Pepper Mole Sauce	19.95
ⓄⓋ Herb Crusted Scottish Salmon - Over French Green Lentils with Fennel, Baby Parsnips & Carrots	21.95
ⓄⓋ Grilled Marinated Tofu Stir Fry - Kabocha Squash, Shiitake Mushrooms, Mock Duck, Snow Peas, Forbidden Black Rice & Curry Coconut Glaze	17.95
ⓄⓋ Farmers' Market Pasta - Today's Vegetarian Preparation. Add: Chicken, Bacon or Portobello \$4.	15.95
Pearl Crusted Yellow Fin Tuna - Stir-Fry Snow Peas, Bean Sprouts, Jasmine Rice Pilaf with Wasabi Aioli	24.95
Cheddar-Bacon Black Angus Meatloaf - Applewood Smoked Bacon & Vermont Cheddar Cheese Served with Chive Mashed Potatoes, Creamed Spinach & Bourbon Gravy	19.95
Mahi-Mahi Soft Tacos - Grilled Flour Tortilla, Guacamole, Crisp Blue Corn Tortilla Crisps, Chipotle Slaw, Black Bean Salad & Cilantro Sour Cream	21.85
ⓄⓋ Pan Seared 1/2 LB. Filet Mignon - Truffled Shoestring Potatoes & Wild Mushroom Sauce	23.95
ⓄⓋ Grilled Center Cut Pork Chop - Maple Brined Berkshire Pork Served with Pomegranate Roasted Brussels Sprouts and Apple-Mango Chutney	21.95
ⓄⓋ Sweet Pea & Oyster Mushroom Risotto - with Shaved Parmesan and Truffle Oil	17.95
Ⓥ House-Made Tofu Vegetarian Burger - Brioche Bun, Sweet Soy Mayonnaise, Garlic Pickles & Sweet Potato Fries	14.95
Eatory Sirloin Burger - Freshly Ground Black Angus Beef on Brioche Bun with House-Made Garlic Pickles and Hand-Cut Fries	13.95
Eatory's House Burger - Grilled Sirloin Burger with House Smoked Pulled Pork, Manchego Cheese and Carmalized Onions, Hand Cut Seasoned Fries	18.95

sides

ⓄⓋ Edamame Tossed with Sea Salt	6.95	ⓄⓋ Pomegranate Roasted Brussels Sprouts	5.95
ⓄⓋ Hand Cut Fries or Sweet Fries	5.95	ⓄⓋ Cauliflower & Baby Carrots	5.95
ⓄⓋ Chive Mashed Potatoes	5.95	ⓄⓋ Sautéed California Spinach or Broccoli Rabe with Garlic	5.95
Ⓥ Steamed Forbidden Black Rice	5.95		

ⓄⓋ - Gluten Free Item / Ovo-Lacto Vegetarian Item.
We Gladly Offer More Gluten Free Options Upon Request