



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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CHRISTINE BERTHET
Chair

JESSE R. BODINE
District Manager

July 28, 2015

Vincent G. Bradley
Chairman
New York State Liquor Authority
80 S. Swan Street, 9th Floor
Albany, New York 12210

Re: El Cid Restaurant Inc.
174 8th Avenue (btwn W18th & W19th Streets)
ALTERATION APPLICATION/LICENSE NO. 1245719

Dear Chairman Bradley:

Manhattan Community Board 4 (MCB4) recommends **denial** of the alteration application of El Cid Restaurant Inc. to extend its On-Premise license to its adjoining rooftop deck. Given its present illegal use of the roof deck, its failure to honor and abide by its previous agreement with MCB4, the history of complaints with respect to this establishment, and the disruption to the residential quality of life that would be caused by the requested alteration, allowing the alteration would not serve, and would be contrary to, the public interest.

Most significantly, El Cid already has been consistently serving alcohol on its outdoor roof deck despite the fact that, in the Establishment Questionnaire that El Cid submitted to the State Liquor Authority with its initial application, El Cid answered “no” to the question asking “Any outdoor area or sidewalk café used for the sale or consumption of alcoholic beverages? (such as roof, yard, deck).” Having consistently flouted this representation with its illegal alcohol service on its outdoor roof deck, El Cid should not now be permitted to legitimize this practice with the requested alteration to its liquor license -- particularly given the major disruption to reasonable residential quality of life that use of this roof deck has caused.

El Cid has been the subject of multiple complaints from its immediate neighbors and other members of the Chelsea community. It has appeared before MCB4’s Quality of Life (QoL) Committee in our attempts to address the community’s concerns. Neighbors of El Cid have documented consumption of alcohol on the roof deck on multiple occasions. When confronted with this fact at MCB4’s QoL Committee meeting on June 8, 2015, El Cid agreed to not use the roof deck, including previously scheduled events, unless and

until they obtained an alteration to their license. But even after this written agreement (a copy of which is enclosed), El Cid has continued to use the roof deck. As of the date of this letter, El Cid's website, <http://elcidnyc.com/>, continues to prominently advertise its "Private Roof Deck Upstairs." The impact of these actions blasts away any trust the community had remaining in the words of El Cid.

When El Cid presented its alteration application at the July 14, 2015 meeting of MCB4's BLP Committee, many individuals and representatives of nearby block associations spoke against El Cid's application. Others who could not be present sent emails to MCB4's office expressing their opposition. Upon hearing the opinions of the neighbors and confronted with the violations regarding the use of the roof, El Cid had no response, neither denying the activity nor offering any apology or explanation.

Given El Cid's willingness to allow the illegal alcohol consumption on its roof deck, its refusal to adhere to its recent agreement to cease using the roof, and the demonstrated disruption to the community caused by use of the roof, MCB4 believes that any use of the roof would have a serious negative impact on numerous community residents and recommends that the alteration application be denied in its entirety. MCB4 does not believe that the issues with the roof use could be solved by stipulations setting conditions for use of the roof, both because of the demonstrated disruption and problems caused by any use of the roof and because, given its track record, MCB4 has no confidence that El Cid would adhere to any parameters attached to the use of the roof. We conclude that it would not be in the interest of the community to alter El Cid's liquor license.

Thank you for your attention to this application and MCB4's concerns.

Sincerely,



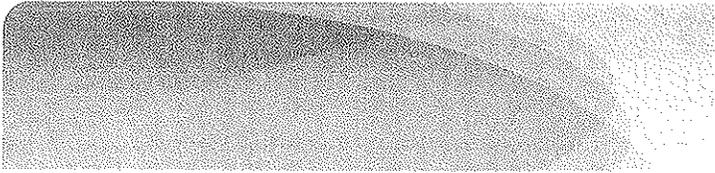
Christine Berthet
Chair

[signed 7/28/15]

Burt Lazarin
Co-Chair
Business License & Permits
Committee



Frank Holozubiec
Co-Chair
Business License & Permits
Committee



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June 9, 2015

El Cid
174 Eight Ave.
New York, N.Y. 10011

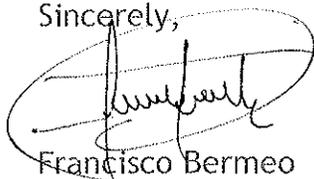
Cease and Desist from use of the rooftop at El Cid 174 Eight Ave.

Dear Jesse Bodine Community Board 4,

I, Francisco Bermeo, writing you this letter to document cease and desist use of the rooftop are of El Cid 174 Eight Ave. El Cid will hold off on the previous scheduled events on the rooftop before the BLP meeting on July 14th, 2015.

This letter is to confirm that the owner of El Cid understands and agrees to halt all activity on the roof until the State Liquor Authority makes approval for the alterations.

Sincerely,



Francisco Bermeo