

1 Quality of Life Committee

Item#: 39

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July 22, 2015

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Tyler Morse

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Re: Venue: The Refectory

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Liquor License No.: _____

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Dear Mr Morse

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We write to confirm that The Highline Hotel, is currently not operating in compliance with the Noise Laws of the City of New York, and possibly with the current stipulations of your Liquor License.

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While we have received documentation of the original Liquor License showing that amplified “live” music is allowed in The Refectory venue, it is unfortunate that none of the renewal applications filed with the SLA that the Community board reviewed since 2007 mentioned that live music would be preformed. It is also disconcerting that the stipulations of your 2013 alteration application agreed to with MCB4 and the State Liquor Authority specifically spelled out “background music only”, calling into question which stipulations are actually in force.

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We note for the record that the Highline Hotel worked closely with MCB4 over the years to remediate quality of life issues that have arisen due to their operation of the Refectory. MCB4 appreciates your efforts in undertaking rigorous sound testing that was conducted in the homes of nearby residences, which resulted in the remediation of illegal sound levels that were emitted by way of recorded music. However it is disheartening that the issue of live music is still not resolved after two years of nuisances to the neighbors.

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MCB4 requests that you fully comply with the Noise Code of New York and you immediately cease all “live” music in The Refectory until this matter is permanently resolved. An additional sound test of “live” music should be conducted to demonstrate that any sound, be it “live” or “recorded” emanating from The Refectory venue, is compliant with all New York City noise codes and ordinances.

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It has also come to our attention that the current Temporary Certificate of Occupancy for the Refectory shows occupancy of 74 persons while your events accommodate up to 200 guests, staff and musicians. We are concerned that this historic structure with wooden floors and stairs meets the proper fire guidelines for larger crowds. Please provide us with the Assembly Permit and the final COO for the capacity currently used.

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In addition, we continue to request that – as a gesture of neighborly courtesy, you provide fifteen (15) day written notice via email to MCB4 and nearby community members (the list will be provided by our office) of all upcoming events that utilize any type of amplified music in The Refectory.

1 Thank you for your time and immediate attention to these important
2 matters. We look forward to your response within the next 30 days on what measures
3 have been/will be taken to address these issues, a timeline for resolution and a
4 confirmation that no live music events will take place until it is proven resolved. Please
5 contact us at your earliest convenience if you have any comments or questions regarding
6 this issue. We look forward to hearing from you at your absolute earliest convenience.

7 Signed by: Christine, David and Tina

8 cc.: Reverend Dunkle, Theological Seminary

9 400 Block Association

10 SLA

11 DEP

12 all local elected, resident groups, etc.

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DRAFT