

1 **Business License & Permits Committee**

Item #: 3

2  
3 March 5, 2014

4  
5 Dennis Rosen  
6 Chairman  
7 New York State Liquor Authority  
8 80 S. Swan Street, 9<sup>th</sup> Floor  
9 Albany, New York 12210

10  
11 **Re: West 37<sup>th</sup> Street Operator LLC**  
12 **d/b/a Homewood Suites by Hilton NY Midtown Manhattan Time Square - South**  
13 *312 W 37<sup>th</sup> Street (8/9)*

14  
15 Dear Chairman Rosen:

16  
17 Manhattan Community Board 4 (MCB4) recommends denial of a Hotel Wine & Beer License for West  
18 37<sup>th</sup> Street Operator LLC d/b/a Homewood Suites by Hilton NY Midtown Manhattan Time Square -  
19 South – 312 W 37<sup>th</sup> Street (8/9), unless the following stipulations, agreed to by the applicant, are part of  
20 the method of operation for this establishment with a capacity of 897 people, with 46 tables with 95  
21 seats, and 0 stand-up bar.

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23  
24 A signed copy of the questionnaire and stipulations are enclosed.

25  
26 Sincerely,

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30  
Christine Berthet  
Chair

Paul Seres  
Co-Chair  
Business License & Permits  
Committee

Frank Holozubiec  
Co-Chair  
Business License & Permits  
Committee

31

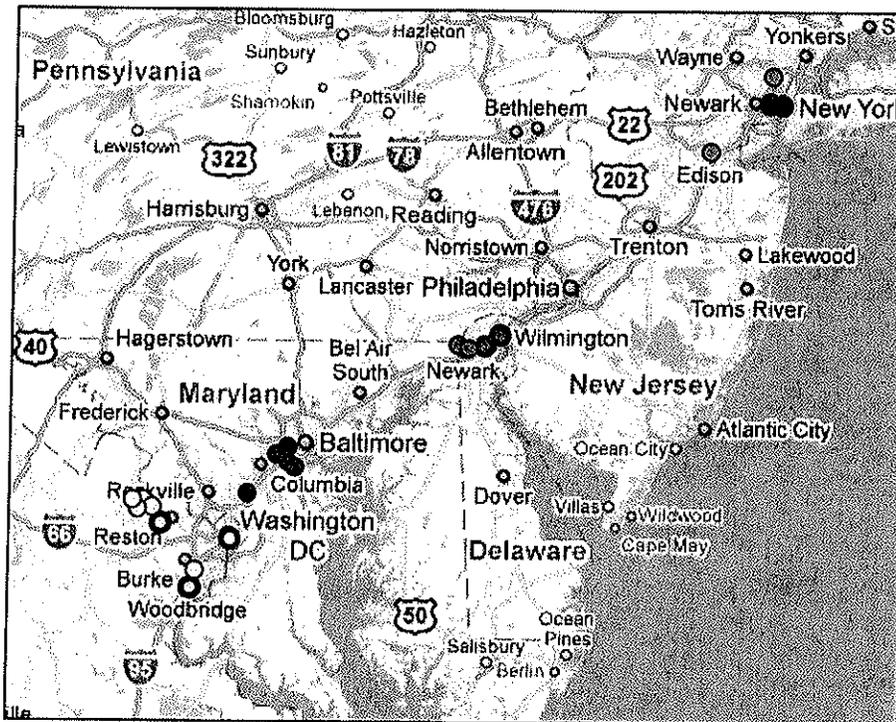
# Manhattan Community Board 4

(All Fields Must Be Completed)

## Liquor License Stipulations Application

<b>APPLICANT</b>		<b>DOING BUSINESS AS (DBA)</b>	
West 37 <sup>th</sup> Street Operator LLC		Homewood Suites by Hilton New York Midtown Manhattan Times Square - South	
<b>STREET ADDRESS</b>		<b>CROSS STREETS</b>	
312 West 37 <sup>th</sup> Street, New York, NY 10018		8 <sup>th</sup> Avenue & 9 <sup>th</sup> Avenue	
<b>OWNER</b>	<b>NAME:</b> West 37 <sup>th</sup> Street Operator LLC <i>Principals:</i> David B. Pollin Robert E. Buccini	<b>REPRESENTATIVE</b>	<b>NAME:</b> Keven Danow/Tania Rodriguez
	<b>PHONE:</b> 202-835-1400		<b>PHONE:</b> 212-370-3744
	<b>FAX:</b> 202-835-1037		<b>FAX:</b> 212-370-4996
<b>MANAGER</b>	<b>NAME:</b> Karl E. Baugher (General Manager)	<b>LANDLORD</b>	<b>NAME:</b> West 37 <sup>th</sup> Street Partners LLC <i>Principals:</i> David B. Pollin Robert E. Buccini
	<b>PHONE:</b> 212-244-0644 / 917-374-0982		<b>PHONE:</b> 202-835-1400
	<b>FAX:</b> 212-216-9721		<b>FAX:</b> 202-835-1037
<b>DESCRIPTION OF BUSINESS</b>			
<b>Establishment Type:</b>	<input type="radio"/> Bar/Tavern <input type="radio"/> Bed & Breakfast <input type="radio"/> Eating Place Beer <input type="radio"/> Cabaret <input type="radio"/> Night Club <input checked="" type="radio"/> Hotel <input type="radio"/> Restaurant <input type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization – Members Only) <input type="radio"/> Other (Explain):		
<b>Method of Operation:</b>	<input type="radio"/> Restaurant <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Pizzeria <input type="radio"/> Cafe <input checked="" type="radio"/> Other (Explain): Hotel Beer and Wine		
<b>License Type:</b>	<input type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input checked="" type="radio"/> Wine & Beer		
<b>APPLICATION TYPE</b> (check one)	<input checked="" type="radio"/> New	Has applicant owned or managed a similar business?	<b>YES – affiliates of Applicant</b>
		What is/was the name of establishment?	See enclosed list of hotels
		What is/was the address of the establishment?	See enclosed list of hotels
		What were the dates the applicant was involved with this former premise?	Affiliates of Applicant have been in business of managing hotels since 1996.
		What is the prior license #?	

**Our Hotels:**



**District of Columbia**

- Hampton Inn & Suites Navy Yard  
(under development)  
1st & N Street SE,  
Washington, DC

**Virginia**

- Embassy Suites  
Dulles-North  
44610 Waxpool Road  
Dulles, Virginia  
(703) 723-5300
- Homewood Suites  
Dulles-North  
44620 Waxpool Road  
Dulles, Virginia  
(703) 723-7500
- Aloft by W Hotels  
Dulles-North  
22390 Flagstaff Plaza  
Dulles, Virginia  
(703) 723-6969
- Hilton Garden Inn  
Dulles-North  
22400 Flagstaff Plaza  
Dulles, Virginia  
(703) 723-8989

- Comfort Inn Gunston Corner  
8180 Silverbrook Road  
Lorton, Virginia  
(703) 643-3100

- Hampton Inn Potomac Mills /  
Woodbridge  
(management only)  
1240 Annapolis Way,  
Woodbridge, Virginia  
(703) 490-2300

- Fairfield Inn & Suites Dulles  
Airport Chantilly  
(management only)  
3960 Corsair Court  
Chantilly, Virginia  
(703) 435-1111

**Maryland**

- Hilton Baltimore BWI Airport  
1739 West Nursery Road  
Linthicum, Maryland  
(410) 694-0808
- Aloft by W Hotels  
Baltimore BWI Airport  
1741 West Nursery Road  
Linthicum, Maryland  
(410) 691-6969

- Hilton Garden Inn  
Baltimore/Arundel Mills  
7491-A New Ridge Road  
Hanover, Maryland  
(410) 878-7200

- Homewood Suites  
Baltimore/Arundel Mills  
7491-B New Ridge Road  
Hanover, Maryland  
(410) 878-7201

- Comfort Inn Capital Beltway  
4050 Powder Mill Road  
Beltsville, Maryland  
(301) 572-7100

**Delaware**

- Embassy Suites Newark-  
Wilmington/South  
654 South College Avenue  
Newark, Delaware  
(302) 368-8000
- Homewood Suites Newark-  
Wilmington/South  
640 South College Avenue  
Newark, Delaware  
(302) 453-9700
- Westin Wilmington Riverfront  
(under construction)  
South Justison Street  
Wilmington, Delaware

- Hampton Inn & Suites Christiana  
(under development)  
Old Churchmans Road  
Newark, Delaware

**New Jersey**

- Sheraton Edison Hotel Raritan  
Center  
125 Raritan Center Parkway  
Edison, New Jersey  
(732) 225-8300
- Sheraton Meadowlands Hotel &  
Conference Center  
2 Meadowlands Plaza  
East Rutherford, New Jersey  
(201) 896-0500

**New York**

- Homewood Suites New York  
Midtown Manhattan Times  
Square South  
(under construction)  
312 West 37th Street  
New York, New York
- Embassy Suites New York  
Midtown Manhattan  
(under development)  
62 West 37th Street  
New York, New York



<input type="radio"/> Alteration	What is the expiration date on the prior license?			
	Are you making any alterations or operational changes?		YES	NO
	If alterations or operational changes are being made, please attach the plans to this form.			
	What is the current license #?			
	What is the expiration date on the current license?			
	Please describe the nature of the alterations and attach the plans			

**OPERATIONAL ISSUES**

HOURS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
	Operation	6pm - 11pm 24 Hours	12pm - 11pm 24 Hours	12pm - 11pm 24 Hours	12pm - 11pm 24 Hours	6pm - 11pm 24 Hours	12pm - 11pm 24 Hours	12pm - 11pm 24 Hours
	Music	Recorded	Recorded	Recorded	Recorded	Recorded	Recorded	Recorded
	Kitchen	6AM to 11AM 5PM to 7PM	6AM to 11AM	6AM to 11AM				

OCCUPANCY	INDOOR				BAR			OUTSIDE	
	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 Bars	Number of Seats	Number of Tables
	897 Entire Building	897	(40+6) 46	(71+24) 95	0	0	0	15	3

How many floors are there? What is the capacity for each floor? (please respond in space provided)					5+	21 Story Hotel + Cellar Cellar = 51 PP First Floor = 254 PP 2 <sup>nd</sup> Floor = 32 PP 3 <sup>rd</sup> thru 7 <sup>th</sup> Floor = 34PP Per Floor 8 <sup>th</sup> thru 16 <sup>th</sup> Floor = 32 PP Per Floor 17 <sup>th</sup> thru 20 <sup>th</sup> Floor = 24 PP Per Floor 21 <sup>st</sup> Floor = 6 PP PP = People
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Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)	No		
Will applicant have bottle service?	No		
Will you be hosting private parties and promotional events?	YES		
Will outside promoters be used?	No		
Will the security plan submitted be implemented?			
Will State certified security personnel be used?	YES		
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?	YES		
Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided)		N/A	We do not deliver.

Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)			<input type="checkbox"/> No		
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)				<input type="checkbox"/> N/A	Our hotel will not have a sidewalk café area.
Will applicant provide contact information to neighbors and respond to complaints that arise?		<input checked="" type="checkbox"/> YES			Yes, we are a 24 hour business and there is a staff member on duty 24/7.
If you plan to have music, what type(s)?	BACKGROUND				DMX Music System
<b>BUILDING DESIGN</b>					
Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.		<input checked="" type="checkbox"/> YES			There will be no amplified sound.
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="checkbox"/> YES			
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.)		<input checked="" type="checkbox"/> YES			
<b>OUTDOOR ITEMS</b>					
Will applicant use the rooftop, rear yard or any outdoor space?		<input checked="" type="checkbox"/> YES			Roof Top and Ground Level Rear Garden Space to be used.
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.		<input checked="" type="checkbox"/> YES			
The service and consumption of alcohol in the rear yard, on the rooftop, or in any other outdoor space will be only via seated food service.		<input checked="" type="checkbox"/> YES			
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.		<input checked="" type="checkbox"/> YES			
Applicant will 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.).		<input checked="" type="checkbox"/> YES			
Applicant will 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="checkbox"/> YES			
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?		<input checked="" type="checkbox"/> YES			

<b>LOCATION &amp; ZONING</b>					
Primary Zoning District:	Garment Center GCP#2	Overlay (If Applicable):			
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	<input checked="" type="checkbox"/> YES			Clinton	
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?		<input type="checkbox"/> No		TCO is being applied for	

Is the 500 Foot Rule or 200 Foot Rule Triggered? If yes, which? Please attach a diagram of the establishments that triggers the rule.		<input checked="" type="checkbox"/> YES			<b>500 Ft. Rule</b>
Is a Public Assembly permit required?		<input checked="" type="checkbox"/> YES			
Are your plans filed with DOB?		<input checked="" type="checkbox"/> YES			
Building Type	<input type="checkbox"/> Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Mixed Use <input checked="" type="checkbox"/> Other, describe: <u>Hotel</u>				
Adjacent Buildings	<input type="checkbox"/> Residential <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Mixed Use <input type="checkbox"/> Other, describe: _____				
<b>NOTIFICATION:</b> What organizations / community groups have you notified regarding your application?	# 1	N/A			
	# 2	N/A			
	# 3	N/A			
<b>ADDITIONAL INFORMATION: (Applicant Use)</b>					
<p>This Building is a hotel and open 24 hours a day, 7 days a week. Breakfast is served 7 days a week while there is an evening reception to include dinner &amp; drinks Monday thru Thursday evening between the hours of 5PM and 7PM.</p> <p>The Homewood Suites Midtown Manhattan is a Hilton branded hotel managed by PMHS (Pollin/Miller Hospitality Strategies, Inc.) based out of Washington DC. PMHS is a professional management company in the hospitality industry and currently manages a portfolio of various limited service and full service hotels. Phone: 202-835-1000 Fax: 202-835-1036</p>					
<b>ADDITIONAL NOTES: (Office Use Only)</b>					
<p>Use of outdoor space is not a part of this application </p>					

1 **Business License & Permits Committee**

**Item #: 4**

2

3 March 5, 2014

4

5 Dennis Rosen

6 Chairman

7 New York State Liquor Authority

8 80 S. Swan Street, 9<sup>th</sup> Floor

9 Albany, New York 12210

10

11 **Re: La Cola 1 Inc.**

12 **d/b/a COLA'S cucina e vino**

13 *148 8<sup>th</sup> Avenue (17/18)*

14

15 Dear Chairman Rosen:

16

17 Manhattan Community Board 4 (MCB4) recommends denial of a Wine & Beer License for La Cola 1  
18 Inc. d/b/a d/b/a COLA'S cucina e vino – 148 8<sup>th</sup> Avenue (17/18), unless the following stipulations,  
19 agreed to by the applicant, are part of the method of operation for this establishment with a capacity of  
20 35 people, with 10 tables with 2-4 seats per table, and 0 stand-up bar.

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23 A signed copy of the questionnaire and stipulations are enclosed.

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25 Sincerely,

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Christine Berthet  
Chair

Paul Seres  
Co-Chair  
Business License & Permits  
Committee

Frank Holozubiec  
Co-Chair  
Business License & Permits  
Committee

30

# Manhattan Community Board 4

(All Fields Must Be Completed)

## Liquor License Stipulations Application

<b>APPLICANT</b> La Cola I Inc		<b>DOING BUSINESS AS (DBA)</b> COLA'S cucina e vino		
<b>STREET ADDRESS</b> 148 8th Avenue New York, NY 10011		<b>CROSS STREETS</b> 8th Avenue between W. 17th & 18th Street		
<b>OWNER</b>	<b>NAME:</b> Thomas Dugal	<b>ATTORNEY</b>	<b>NAME:</b> Gen Ceballos Rezzonator Services Representative	
	<b>PHONE:</b> 917.509.6669		<b>PHONE:</b> 347.642.5077 email info@rezzonatorservices.com	
	<b>FAX:</b> Please fax representative		<b>FAX:</b> 888.502.5620	
<b>MANAGER</b>	<b>NAME:</b> Thomas, info above	<b>LANDLORD</b>	<b>NAME:</b> St. Francis of the Poor Rev John Felice	
	<b>PHONE:</b>		<b>PHONE:</b> 212.206.1466	
	<b>FAX:</b>		<b>FAX:</b> N/A	
<b>DESCRIPTION OF BUSINESS</b>				
<b>Establishment Type:</b>		<input type="radio"/> Bar/Tavern <input type="radio"/> Bed & Breakfast <input type="radio"/> Eating Place Beer <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input checked="" type="radio"/> Restaurant <input type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization - Members Only) <input type="radio"/> Other (Explain): Bar/Arcade		
<b>Method of Operation:</b>		<input checked="" type="radio"/> Restaurant <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Pizzeria <input type="radio"/> Cafe <input type="radio"/> Other (Explain): Bar/Arcade		
<b>License Type:</b>		<input type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input checked="" type="radio"/> Wine & Beer		
<b>APPLICATION TYPE</b> <i>(check one)</i>	<input checked="" type="radio"/> <b>New</b>	Has applicant owned or managed a similar business?	YES      NO	
		What is/was the name of establishment?	Thomas Dugal Catering Inc. Private function catering company	
		What is/was the address of the establishment?	Used Kitchen at 74 Trinity Place New York, NY 10006	
		What were the dates the applicant was involved with this former premise?	Used Kitchen as needed since 2004	
	<input type="radio"/> <b>Transfer</b>	What is the prior license #?	N/A - New Applicant	
		What is the expiration date on the prior license?	N/A - New Applicant	
		Are you making any alterations or operational changes?	YES      NO	
		If alterations or operational changes are being made, please attach the plans to this form.		N/A - New Applicant
	<input type="radio"/> <b>Alteration</b>	What is the current license #?		
		What is the expiration date on the current license?		
Please describe the nature of the alterations and attach the plans				

810

**OPERATIONAL ISSUES**

HOURS	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
	Operation 7am - 11pm proposed hours will be the same on all days Monday - Sunday						
	Music Same as hours of operation above						
	Kitchen 6am - 11pm on all days Monday - Sunday						

OCCUPANCY	INDOOR				BAR			OUTSIDE	
	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 Bars	Number of Seats	Number of Tables
	137 (occupancy for multiple units)	35 Persons Total	10 Tables	2 or 4 per table	None	None	None	None	None

How many floors are there? What is the capacity for each floor? (please respond in space provided)	1-2	3-4	5+	6 floors in building. 5 floors are apartments. applicant will occupy 1st floor only		
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)	YES	NO	N/A	No		
Will applicant have bottle service?	YES	NO	N/A	No		
Will you be hosting private parties and promotional events?	YES	NO	N/A	possibly small scale private parties if booked by patrons		
Will outside promoters be used?	YES	NO	N/A	No		
Will the security plan submitted be implemented?	YES	NO	N/A	Yes		
Will State certified security personnel be used?	YES	NO	N/A	Not necessary. small space dine in only		
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?	YES	NO	N/A	N/A		
Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided)	YES	NO	N/A	No		
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)	YES	NO	N/A	No		
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)	YES	NO	N/A	N/A		
Will applicant provide contact information to neighbors and respond to complaints that arise?	YES	NO	N/A	Yes		
Will you inform the Community Board office of your job openings and/or provide a hyperlink to your jobs webpage?	YES	NO	N/A	Yes		

If you plan to have music, what type(s)?	BACKGROUND	LIVE MUSIC	DJ	Background/Ambiance only
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**BUILDING DESIGN**

Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.	YES	NO	N/A	N/A Background musing only
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?	YES	NO	N/A	N/A Background musing only
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.)	YES	NO	N/A	N/A No outdoor area to be used

## OUTDOOR ITEMS

Will applicant use the rooftop, rear yard or any outdoor space?	YES	NO	N/A	No
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	YES	NO	N/A	N/A
The service and consumption of alcohol in the rear yard, on the rooftop, or in any other outdoor space will be only via seated food service.	YES	NO	N/A	N/A
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	YES	NO	N/A	N/A
Applicant will 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	N/A	N/A
Applicant will 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.	YES	NO	N/A	N/A
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	N/A	N/A

## LOCATION & ZONING

Primary Zoning District:	C1-6A	Overlay (If Applicable):	None
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	NO	N/A
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	YES	NO	N/A
Is the 500 Foot Rule or 200 Foot Rule Triggered? If yes, which? Please attach a diagram of the establishments that triggers the rule.	YES	NO	N/A
Is a Public Assembly permit required?	YES	NO	N/A
Are your plans filed with DOB?	YES	NO	N/A
Building Type	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe:		
Adjacent Buildings	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe:		
<b>NOTIFICATION:</b> What organizations / community groups have you notified regarding your application?	# 1		
	# 2		
	# 3		

1 **Business License & Permits Committee**

**Item #: 5**

2

3 March 5, 2014

4

5 Dennis Rosen

6 Chairman

7 New York State Liquor Authority

8 80 S. Swan Street, 9<sup>th</sup> Floor

9 Albany, New York 12210

10

11 **Re: BK 19 Inc.**

12 *400 W 43<sup>rd</sup> Street (9<sup>th</sup> Ave)*

13

14 Dear Chairman Rosen:

15

16 Manhattan Community Board 4 (MCB4) recommends denial of a Wine & Beer License for Bk 19 Inc. –  
17 400 W 43<sup>rd</sup> Street (9<sup>th</sup> Ave), unless the following stipulations, agreed to by the applicant, are part of the  
18 method of operation for this establishment with a capacity of 30-40 people, with 11 tables with 28 seats,  
19 1 service bar and 1 stand-up bar with 9 seats.

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22 A signed copy of the questionnaire and stipulations are enclosed.

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24 Sincerely,

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Christine Berthet  
Chair

Paul Seres  
Co-Chair  
Business License & Permits  
Committee

Frank Holozubiec  
Co-Chair  
Business License & Permits  
Committee

29

# Manhattan Community Board 4

(All Fields Must Be Completed)

## Liquor License Stipulations Application

<b>APPLICANT</b>		<b>DOING BUSINESS AS (DBA)</b>		
BK 19 Inc.		To be determined		
<b>STREET ADDRESS</b>		<b>CROSS STREETS</b>		
400 West 43 <sup>rd</sup> Street, New York, NY 10036		9 <sup>th</sup> Ave		
<b>OWNER</b>	<b>NAME:</b> Babak Khorrami	<b>ATTORNEY</b>	<b>NAME:</b> Carreras & McCallen PLLC	
	<b>PHONE:</b> 212-470-0931		<b>PHONE:</b> 212-732-3640	
	<b>FAX:</b>		<b>FAX:</b> 212-732-3640	
<b>MANAGER</b>	<b>NAME:</b> Babak Khorrami	<b>LANDLORD</b>	<b>NAME:</b> M Plaza – c/o Related Companies	
	<b>PHONE:</b> 212-470-0931		<b>PHONE:</b>	
	<b>FAX:</b>		<b>FAX:</b>	
<b>DESCRIPTION OF BUSINESS</b>				
<b>Establishment Type:</b>		<input type="radio"/> Bar/Tavern <input type="radio"/> Bed & Breakfast <input type="radio"/> Eating Place Beer <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input checked="" type="radio"/> Restaurant <input type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization – Members Only) <input type="radio"/> Other (Explain): _____		
<b>Method of Operation:</b>		<input checked="" type="radio"/> Restaurant <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Pizzeria <input type="radio"/> Cafe <input type="radio"/> Other (Explain): _____		
<b>License Type:</b>		<input type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input checked="" type="radio"/> Wine & Beer		
<b>APPLICATION TYPE</b> (check one)	<input checked="" type="radio"/> <b>New</b>	Has applicant owned or managed a similar business?	<input type="radio"/> YES <input checked="" type="radio"/> NO	
		What is/was the name of establishment?	PB Empire Inc. and PB Empire II Corp.	
		What is/was the address of the establishment?	48 Carmines St./635 Amsterdam Ave	
		What were the dates the applicant was involved with this former premise?	Inactive since 12/31/2010/Inactive since 12/31/2011	
	<input type="radio"/> <b>Transfer</b>	What is the prior license #?		
		What is the expiration date on the prior license?		
		Are you making any alterations or operational changes?	<input type="radio"/> YES <input checked="" type="radio"/> NO	
	<i>If alterations or operational changes are being made, please attach the plans to this form.</i>			
	<input type="radio"/> <b>Alteration</b>	What is the current license #?		
		What is the expiration date on the current license?		
<i>Please describe the nature of the alterations and attach the plans</i>				

12 a.m. 12 a.m. 12 a.m.

**OPERATIONAL ISSUES**

HOURS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
	Operation	12pm- 12am	12 p.m. - 12 a.m.	12 p.m. - 12 a.m.	12 p.m. - 1 a.m.	12 p.m. - 1 a.m.	12 p.m. - 1a.m.	12 p.m. - 12 a.m.
	Music	Ambient	Music all	Through	Operating days			
	Kitchen	Food/Dinner	Served all	Through	Operating Times			

OCCUPANCY	INDOOR				BAR			OUTSIDE	
	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 Bars	Number of Seats	Number of Tables
		30-40	11	28	1	1	9		

How many floors are there? What is the capacity for each floor? (please respond in space provided)	1-2	3-4	5+	Ground Floor (74 persons) and no basement
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)	YES	NO	N/A	
Will applicant have bottle service?	YES	NO	N/A	
Will you be hosting private parties and promotional events?	YES	NO	N/A	Occasional
Will outside promoters be used?	YES	NO	N/A	
Will the security plan submitted be implemented?	YES	NO	N/A	
Will State certified security personnel be used?	YES	NO	N/A	
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?	YES	NO	N/A	
Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided)	YES	NO	N/A	
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)	YES	NO	N/A	Possible Future Venture
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)	YES	NO	N/A	
Will applicant provide contact information to neighbors and respond to complaints that arise?	YES	NO	N/A	
Will you inform the Community Board office of your job openings and/or provide a hyperlink to your jobs webpage?	YES	NO	N/A	

If you plan to have music, what type(s)?	BACKGROUND	LIVE MUSIC	DJ
--	------------	------------	----

**BUILDING DESIGN**

Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.	YES	NO	N/A	Doors and windows always closed
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?	YES	NO	N/A	
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.)	YES	NO	N/A	As needed

**OUTDOOR ITEMS**

Will applicant use the rooftop, rear yard or any outdoor space?	YES	<input checked="" type="radio"/> NO	N/A	
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	YES	NO	<input checked="" type="radio"/> N/A	
The service and consumption of alcohol in the rear yard, on the rooftop, or in any other outdoor space will be only via seated food service.	YES	NO	<input checked="" type="radio"/> N/A	
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	YES	NO	N/A	
Applicant will 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.).	<input checked="" type="radio"/> YES	NO	N/A	
Applicant will 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	
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	<input checked="" type="radio"/> N/A	

**LOCATION & ZONING**

Primary Zoning District:	<b>M-2-4</b>	Overlay (If Applicable):	
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	NO	N/A
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input checked="" type="radio"/> YES	NO	N/A
Is the 500 Foot Rule or 200 Foot Rule Triggered? If yes, which? Please attach a diagram of the establishments that triggers the rule.	YES	<input checked="" type="radio"/> NO	N/A
Is a Public Assembly permit required?	YES	NO	<input checked="" type="radio"/> N/A
Are your plans filed with DOB?	<input checked="" type="radio"/> YES	NO	N/A
Building Type	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____		
Adjacent Buildings	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: Buuilding occupies the entire block		

<b>NOTIFICATION:</b> What organizations / community groups have you notified regarding your application?	# 1	<b>Manhattan Community Board 4</b>
	# 2	
	# 3	

**ADDITIONAL INFORMATION: (Applicant Use)**

ADDITIONAL STIPULATIONS: (Office Use Only)

NO USE OF OUTDOOR  
SPACE.

WILL SUBMIT ~~ASAP~~  
SOUND REPORT FROM A  
THIRD-PARTY ACOUSTICAL  
~~ENGINEER~~ ENGINEER TO  
CITY IN ADVANCE OF  
3/5/14 BOARD MEETING.

NO GAS COOKING.

1 **Business License & Permits Committee**

Item #: 6

2  
3 March 5, 2014

4  
5 Dennis Rosen  
6 Chairman  
7 New York State Liquor Authority  
8 80 S. Swan Street, 9<sup>th</sup> Floor  
9 Albany, New York 12210

10  
11 **Re: Darduro LLC.**  
12 **d/b/a Beer Culture**  
13 *328 W 45<sup>th</sup> Street (8/9)*

14  
15 Dear Chairman Rosen:

16  
17 Manhattan Community Board 4 (MCB4) recommends denial of an On-Premise Liquor License for  
18 Darduro LLC. d/b/a Beer Culture – 328 W 45<sup>th</sup> Street (8/9), unless the following stipulations, agreed to  
19 by the applicant, are part of the method of operation for this establishment with a capacity of 50 people,  
20 with 5 tables with 15 seats, and 1 stand-up bar with 15 seats.

21  
22  
23 A signed copy of the questionnaire and stipulations are enclosed.

24  
25 Sincerely,

26  
27  
28  
29  
Christine Berthet  
Chair

Paul Seres  
Co-Chair  
Business License & Permits  
Committee

Frank Holozubiec  
Co-Chair  
Business License & Permits  
Committee

30

# Manhattan Community Board 4

(All Fields Must Be Completed)

## Liquor License Stipulations Application

<b>APPLICANT</b> Darduro LLC		<b>DOING BUSINESS AS (DBA)</b> Beer Culture		
<b>STREET ADDRESS</b> 328 W 45th Street		<b>CROSS STREETS</b> 8th & 9th Avenues		
<b>OWNER</b>	<b>NAME:</b> Matthew Gebhard	<b>ATTORNEY</b>	<b>NAME:</b> Elke A. Hofmann Esq.	
	<b>PHONE:</b> 917-494-5846		<b>PHONE:</b> 212-487-9100	
	<b>FAX:</b> 212-487-9131		<b>FAX:</b> 212-487-9131	
<b>MANAGER</b>	<b>NAME:</b>	<b>LANDLORD:</b>	<b>NAME:</b> Parag Sawhney	
	<b>PHONE:</b>		<b>PHONE:</b> 646-287-5157	
	<b>FAX:</b>		<b>FAX:</b> 212-504-3139	
<b>DESCRIPTION OF BUSINESS</b>				
<b>Establishment Type:</b>	<input checked="" type="radio"/> Bar/Tavern <input type="radio"/> Bed & Breakfast <input type="radio"/> Eating Place Beer <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input type="radio"/> Restaurant <input type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization – Members Only) <input checked="" type="radio"/> Other (Explain): <u>Beer Store &amp; Bar</u>			
<b>Method of Operation:</b>	<input type="radio"/> Restaurant <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Pizzeria <input type="radio"/> Cafe <input checked="" type="radio"/> Other (Explain): <u>Beer Bar</u>			
<b>License Type:</b>	<input checked="" type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input type="radio"/> Wine & Beer			
<b>APPLICATION TYPE</b> (check one)	<input type="radio"/> New	Has applicant owned or managed a similar business?	<b>YES</b>	<b>NO</b>
		What is/was the name of establishment?		
		What is/was the address of the establishment?		
		What were the dates the applicant was involved with this former premise?		
	<input type="radio"/> Transfer	What is the prior license #?		
		What is the expiration date on the prior license?		
		Are you making any alterations or operational changes?	<b>YES</b>	<b>NO</b>
		<i>If alterations or operational changes are being made, please attach the plans to this form.</i>		
	<input checked="" type="radio"/> Alteration <b>**Method of Operation Change - Extension of operating hours</b>	What is the current license #?	1270551	
		What is the expiration date on the current license?	06/30/2015	
<i>Please describe the nature of the alterations and attach the plans</i>				

OPERATIONAL ISSUES									
HOURS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY	
	Operation	12am -2am	12am -2am	12am -2am	12am - 2am	12am - 2am	12am - 2am	12am - 2am	12am - 2am
	Music	12am -2am	12am -2am	12am -2am	12am -2am	12am -2am	12am - 2am	12am - 2 am	
	Kitchen	All hours	All hours	All hours	All hours	All hours	All hours	All hours	
OCCUPANCY	INDOOR				BAR			OUTSIDE	
	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 Bars	Number of Seats	Number of Tables
	50	40	5	15	0	1	15	0	0
How many floors are there? What is the capacity for each floor? (please respond in space provided)					<input checked="" type="radio"/> 1-2	<input type="radio"/> 3-4	<input type="radio"/> 5+	1	
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)					YES	<input checked="" type="radio"/> NO	N/A		
Will applicant have bottle service?					YES	NO	<input checked="" type="radio"/> N/A		
Will you be hosting private parties and promotional events?					YES	NO	<input checked="" type="radio"/> N/A		
Will outside promoters be used?					YES	NO	<input checked="" type="radio"/> N/A		
Will the security plan submitted be implemented?					YES	NO	<input checked="" type="radio"/> N/A		
Will State certified security personnel be used?					YES	NO	<input checked="" type="radio"/> N/A		
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?					YES	NO	<input checked="" type="radio"/> N/A		
Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided)					YES	NO	<input checked="" type="radio"/> N/A		
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)					YES	<input checked="" type="radio"/> NO	N/A		
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)					YES	NO	<input checked="" type="radio"/> N/A		
Will applicant provide contact information to neighbors and respond to complaints that arise?					<input checked="" type="radio"/> YES	NO	N/A		
If you plan to have music, what type(s)?			<input checked="" type="radio"/> BACKGROUND	<input type="radio"/> LIVE MUSIC	<input type="radio"/> DJ				
BUILDING DESIGN									
Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.					<input checked="" type="radio"/> YES	NO	N/A		
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?					YES	NO	<input checked="" type="radio"/> N/A	sound proofing installed	
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.)					YES	NO	<input checked="" type="radio"/> N/A		

OUTDOOR ITEMS			
Will applicant use the rooftop, rear yard or any outdoor space?	YES	<input checked="" type="radio"/> NO	N/A
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	YES	NO	<input checked="" type="radio"/> N/A
The service and consumption of alcohol in the rear yard, on the rooftop, or in any other outdoor space will be only via seated food service.	YES	NO	<input checked="" type="radio"/> N/A
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	YES	NO	<input checked="" type="radio"/> N/A
Applicant will 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
Applicant will 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.	YES	NO	<input checked="" type="radio"/> N/A
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	<input checked="" type="radio"/> N/A

LOCATION & ZONING			
Primary Zoning District:	C6-2	Overlay (If Applicable):	N/A
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	<input checked="" type="radio"/> NO	N/A
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input checked="" type="radio"/> YES	NO	N/A
Is the 500 Foot Rule or 200 Foot Rule Triggered? If yes, which? Please attach a diagram of the establishments that triggers the rule.	YES	NO	<input checked="" type="radio"/> N/A
Is a Public Assembly permit required?	YES	<input checked="" type="radio"/> NO	N/A
Are your plans filed with DOB?	YES	NO	<input checked="" type="radio"/> N/A
Building Type	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____		
Adjacent Buildings	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____		
NOTIFICATION: What organizations / community groups have you notified regarding your application?	# 1		
	# 2		
	# 3		

1 **Business License & Permits Committee**

**Item #: 7**

2

3 March 5, 2014

4

5 Dennis Rosen

6 Chairman

7 New York State Liquor Authority

8 80 S. Swan Street, 9<sup>th</sup> Floor

9 Albany, New York 12210

10

11 **Re: Fonda Chelsea LLC**

12 **d/b/a Fonda**

13 *189 9<sup>th</sup> Avenue (21/22)*

14

15 Dear Chairman Rosen:

16

17 Manhattan Community Board 4 (MCB4) recommends denial of an On-Premise Liquor License for  
18 Fonda Chelsea LLC. d/b/a Fonda – 189 9<sup>th</sup> Avenue (21/22), unless the following stipulations, agreed to  
19 by the applicant, are part of the method of operation for this establishment with a capacity of 74 people,  
20 with 53 seats, and 1 stand-up bar with 12 seats.

21

22

23 A signed copy of the questionnaire and stipulations are enclosed.

24

25 Sincerely,

26

27

28

29

Christine Berthet  
Chair

Paul Seres  
Co-Chair  
Business License & Permits  
Committee

Frank Holozubiec  
Co-Chair  
Business License & Permits  
Committee

30

# Manhattan Community Board 4

(All Fields Must Be Completed)

## Liquor License Stipulations Application

<b>APPLICANT</b>		<b>DOING BUSINESS AS (DBA)</b>		
Fonda Chelsea LLC		Fonda		
<b>STREET ADDRESS</b>		<b>CROSS STREETS</b>		
189 9th Avenue, New York, NY 10011		21st & 22nd Street		
<b>OWNER</b>	<b>NAME:</b>	Roberto Santibanez	<b>ATTORNEY</b>	
	<b>PHONE:</b>	917-476-1950		
	<b>FAX:</b>	212-677-4099		
<b>MANAGER</b>	<b>NAME:</b>	Roberto Santibanez	<b>LANDLORD</b>	
	<b>PHONE:</b>	917-476-1950		
	<b>FAX:</b>	212-677-4099		
		<b>NAME:</b>	Elke A. Hofmann, Esq.	
		<b>PHONE:</b>	212-487-9100	
		<b>FAX:</b>	212-487-9131	
		<b>NAME:</b>	189 9th Avenue Corp. c/o Harry Langer	
		<b>PHONE:</b>		
		<b>FAX:</b>		
<b>DESCRIPTION OF BUSINESS</b>				
<b>Establishment Type:</b>	<input type="radio"/> Bar/Tavern <input type="radio"/> Bed & Breakfast <input type="radio"/> Eating Place Beer <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input checked="" type="radio"/> Restaurant <input type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization – Members Only) <input type="radio"/> Other (Explain): _____			
<b>Method of Operation:</b>	<input checked="" type="radio"/> Restaurant <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Pizzeria <input type="radio"/> Cafe <input type="radio"/> Other (Explain): _____			
<b>License Type:</b>	<input checked="" type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input type="radio"/> Wine & Beer			
<b>APPLICATION TYPE</b> <i>(check one)</i>	<input checked="" type="radio"/> <b>New</b>	Has applicant owned or managed a similar business?	<input checked="" type="radio"/> YES	<input type="radio"/> NO
		What is/was the name of establishment?	Venadito & La Botaneria	Fonda Avenue D LLC
		What is/was the address of the establishment?	40 Avenue B, NY, NY 10009	
		What were the dates the applicant was involved with this former premise?	1/24/2012 to present	
	<input type="radio"/> <b>Transfer</b>	What is the prior license #?		
		What is the expiration date on the prior license?		
		Are you making any alterations or operational changes?	<input type="radio"/> YES	<input type="radio"/> NO
		<i>If alterations or operational changes are being made, please attach the plans to this form.</i>		
	<input type="radio"/> <b>Alteration</b>	What is the current license #?		
		What is the expiration date on the current license?		
<i>Please describe the nature of the alterations and attach the plans</i>				

*Hours represent closing time*

OPERATIONAL ISSUES										
HOURS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY		
	Operation	11am-11pm <sup>12am</sup>	11am-11pm <sup>12am</sup>	11am-12am <sup>12am</sup>	11am-12am <sup>12am</sup>	11am-12am <sup>12am</sup>	11am-12am <sup>10pm</sup>	11am-12am <sup>12am</sup>	11am-11pm <sup>12am</sup>	
	Music	11am-11pm	11am-11pm	11am-12am	11am-12am	11am-12am	11am-12am	11am-12am	11am-11pm	
	Kitchen	11am-11pm	11am-11pm	11am-12am	11am-12am	11am-12am	11am-12am	11am-12am	11am-11pm	
OCCUPANCY	INDOOR				BAR			OUTSIDE		
	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 Bars	Number of Seats	Number of Tables	
	74	74		53	0	1	12	N/A	N/A	
How many floors are there? What is the capacity for each floor? (please respond in space provided)					<input checked="" type="radio"/> 1-2	<input type="radio"/> 3-4	<input type="radio"/> 5+			
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)					YES	<input checked="" type="radio"/> NO	N/A			
Will applicant have bottle service?					YES	<input checked="" type="radio"/> NO	N/A			
Will you be hosting private parties and promotional events?					<input checked="" type="radio"/> YES	NO	N/A	Birthdays, etc...		
Will outside promoters be used?					YES	<input checked="" type="radio"/> NO	N/A			
Will the security plan submitted be implemented?					YES	NO	<input checked="" type="radio"/> N/A	Full service restaurant		
Will State certified security personnel be used?					YES	NO	<input checked="" type="radio"/> N/A			
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?					YES	NO	<input checked="" type="radio"/> N/A			
Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided)					<input checked="" type="radio"/> YES	NO	N/A			
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)					YES	<input checked="" type="radio"/> NO	N/A			
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)					YES	NO	<input checked="" type="radio"/> N/A			
Will applicant provide contact information to neighbors and respond to complaints that arise?					<input checked="" type="radio"/> YES	NO	N/A			
If you plan to have music, what type(s)?			<input checked="" type="radio"/> BACKGROUND	<input type="radio"/> LIVE MUSIC	<input type="radio"/> DJ					
BUILDING DESIGN										
Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.					YES	NO	<input checked="" type="radio"/> N/A	Fixed Facade		
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?					YES	NO	<input checked="" type="radio"/> N/A	No Change to existing soundproofing		
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.)					<input checked="" type="radio"/> YES	NO	N/A			

OUTDOOR ITEMS			
Will applicant use the rooftop, rear yard or any outdoor space?	YES	NO	<input type="radio"/> N/A
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	YES	NO	<input type="radio"/> N/A
The service and consumption of alcohol in the rear yard, on the rooftop, or in any other outdoor space will be only via seated food service.	YES	NO	<input type="radio"/> N/A
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	YES	NO	<input type="radio"/> N/A
Applicant will 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 type="radio"/> N/A
Applicant will 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.	YES	NO	<input type="radio"/> N/A
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	<input type="radio"/> N/A

LOCATION & ZONING			
Primary Zoning District:	R7B	Overlay (If Applicable):	
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	<input checked="" type="radio"/> NO	N/A
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input checked="" type="radio"/> YES	NO	N/A
Is the 500 Foot Rule or 200 Foot Rule Triggered? If yes, which? Please attach a diagram of the establishments that triggers the rule.	<input checked="" type="radio"/> YES	NO	N/A
Is a Public Assembly permit required?	YES	<input checked="" type="radio"/> NO	N/A
Are your plans filed with DOB?	YES	<input checked="" type="radio"/> NO	N/A
Building Type	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____		
Adjacent Buildings	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____		
NOTIFICATION: What organizations / community groups have you notified regarding your application?	# 1		
	# 2		
	# 3		

ADDITIONAL STIPULATIONS: (Office Use Only)

= WILL POST JOB OPENINGS  
WITH CP4.

= ONLY ONE BICYCLE WILL  
BE USED FOR DELIVERIES.



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

330 West 42<sup>nd</sup> Street, 26<sup>th</sup> floor New York, NY 10036  
tel: 212-736-4536 fax: 212-947-9512  
www.nyc.gov/mcb4

3  
CHRISTINE BERTHET  
Chair 4

5  
ROBERT J. BENFATTO, JR.  
District Manager

7 **Business License & Permits Committee**

**Item #: 8 RATIFICATION**

8  
9 February 14, 2014

10  
11 Dennis Rosen  
12 Chairman  
13 New York State Liquor Authority  
14 80 S. Swan Street, 9<sup>th</sup> Floor  
15 Albany, New York 12210

16  
17 **Re: New Applicant: Aura 3 LLC d/b/a TBD, 642 10<sup>th</sup> Avenue (45/46)**  
18 **Current OP License at this Address: Lux Bar & Lounge LLC d/b/a Bartini Ultra**  
19 **Lounge Serial number 1224178, expires August 31, 2015**

20  
21 Dear Chairman Rosen:

22  
23 Manhattan Community Board 4 (MCB4) writes with respect to the application for an On-Premise  
24 Liquor License by Aura 3 LLC at 642 Tenth Avenue, New York, NY 10036. Because of on-going  
25 litigation including a court-issued preliminary injunction relating to the establishment currently  
26 operating at this address and its present OP license holders/owners, MCB4 does not believe it is  
27 appropriate or timely for it to take a position on the application of Aura 3 LLC for a new OP  
28 license at this address to commence at some future date.

29  
30 As outlined below, MCB4 and the community have had a host of issues with the establishment  
31 currently operating at this address and would need Aura 3 LLC to agree to a number of stipulations  
32 before MCB4 and the community could support its application. This establishment falls within the  
33 500 foot rule as there are over ten OP liquor licenses within 500 feet of this address, and, given the  
34 past history at this address, MCB4 would need to give serious consideration to whether a new  
35 license at this address would serve the public interest. MCB4 believes that it would have a better  
36 understanding of the issues surrounding this address after the legal disputes between the present  
37 license holders/owners have been resolved and that consideration of the Aura 3 LLC application  
38 should be deferred until that time. In the event that the State Liquor Authority decides to proceed  
39 with this application at this time, MCB4 will submit its position in connection with the required  
40 500-foot-rule hearing.

41  
42 At present, an OP license for this address -- serial number 1224178, with an expiration date of  
43 August 31, 2015 -- is active and has been issued to three individuals, Theodore Arenas, Joanne  
44 Puc, and Joseph Puc, for Lux Bar & Lounge LLC d/b/a Bartini Ultra Lounge (Bartini). Bartini  
45 remains open and operating. Based on copies of court papers submitted to MCB4, we understand  
46 that there is ongoing litigation involving the three individuals listed on Bartini's OP license  
47 regarding their ownership interests in Bartini. See *Joanne Puc & Joseph Puc v. Theodore Arenas*,  
48 N.Y. Sup. Ct., Index No. 653336/2011. We are in receipt of a preliminary injunction dated January  
49 28, 2014, issued by the court in that lawsuit, ordering that Joanne Puc and Joseph Puc (and those

50 acting on their behalf) are “enjoined and restrained . . . from transferring, encumbering, assigning  
51 or dissipating any ownership interests in or assets of Lux Bar & Lounge LLC, including but not  
52 limited to the lease and liquor license of said LLC, except in the ordinary course of business . . . .”  
53

54 MCB4 understands that the present Bartini OP license may not be “transferred” to new operators  
55 except under limited circumstances and with the SLA’s approval, and Aura 3 LLC has revised its  
56 submission to MCB4 to indicate that it is seeking a new OP license at this address rather than a  
57 “transfer.” Nonetheless, the court’s preliminary injunction appears designed to preserve the status  
58 quo at Bartini until the rights of the involved parties can be determined by the court. MCB4 is  
59 concerned about taking a position on a new applicant at this address (which court papers indicate  
60 may be purchasing the assets of Bartini) without having a full understanding of the issues  
61 surrounding the present license holders/owners or a final judicial determination for guidance.  
62 Accordingly, we believe it is most appropriate to defer consideration of the present application  
63 until after the legal issues involving Bartini have been resolved.  
64

65 MCB4 is particularly concerned about proceeding without a full understanding of the facts because  
66 Bartini has a troubled history, with persistent community complaints about such issues as  
67 excessively loud music, sidewalk congestion and inadequate security/crowd control, dancing  
68 without a cabaret license, and use of adjacent outdoor space. Accordingly, MCB4 likely would  
69 consider supporting a new OP license at this address only if the applicant agreed to a series of  
70 stipulations in such areas as music and noise levels, sound-proofing and acoustical design,  
71 operating hours, security and crowd control, ventilation, no use of outdoor space, and enforcement  
72 of a “no dancing” policy.  
73

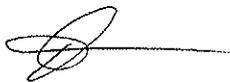
74 If the SLA decides to proceed with this application at this time, MCB4 would like the opportunity  
75 to discuss these concerns and proposed stipulations with Aura 3 LLC. Otherwise, MCB4 will  
76 submit its views on this application in connection with the required 500-foot-rule hearing.  
77

78 Thank you for your attention and cooperation with this application.  
79

80 Sincerely,

81 

Christine Berthet  
Chair



Paul Seres  
Co-Chair  
Business License & Permits  
Committee



Frank Holozubiec  
Co-Chair  
Business License & Permits  
Committee

82

1 **Business License & Permits Committee**

Item #: 9

2  
3 March 5, 2014

4  
5 Dennis Rosen  
6 Chairman  
7 New York State Liquor Authority  
8 80 S. Swan Street, 9<sup>th</sup> Floor  
9 Albany, New York 12210

10  
11 **Re: One One Domestic Corp.**  
12 **d/b/a Basta Pasta**  
13 *84 7<sup>th</sup> Avenue (15/16)*

14  
15 Dear Chairman Rosen:

16  
17 Manhattan Community Board 4 (MCB4) recommends denial of a Wine & Beer License for One One  
18 Domestic Corp. d/b/a Basta Pasta – 84 7<sup>th</sup> Avenue (15/16), unless the following stipulations, agreed to  
19 by the applicant, are part of the method of operation for this establishment with 16 service bars, and 16  
20 stand-up bars.

21  
22  
23 A signed copy of the questionnaire and stipulations are enclosed.

24  
25 Sincerely,

26  
27  
28  
29  
30  
Christine Berthet  
Chair

Paul Seres  
Co-Chair  
Business License & Permits  
Committee

Frank Holozubiec  
Co-Chair  
Business License & Permits  
Committee

# Manhattan Community Board 4

(All Fields Must Be Completed)

## Liquor License Stipulations Application

<b>APPLICANT</b> ONE ONE DOMESTIC CORPORATION		<b>DOING BUSINESS AS (DBA)</b> BASTA PASTA	
<b>STREET ADDRESS</b> 84 7th Avenue NY NY 10011		<b>CROSS STREETS</b> Btwn 15th and 16th Street	
<b>OWNER</b>	<b>NAME:</b> Toshihiko Suzuki	<b>ATTORNEY</b>	<b>NAME:</b> Leonard M. Fogelman
	<b>PHONE:</b> 917 476 0485		<b>PHONE:</b> 212 370 1530
	<b>FAX:</b>		<b>FAX:</b> 212 370 2851
<b>MANAGER</b>	<b>NAME:</b> Mariko Higami	<b>LANDLORD</b>	<b>NAME:</b> Joan Price Rahav
	<b>PHONE:</b> 646 821 6174		<b>PHONE:</b> 212 924 7991
	<b>FAX:</b>		<b>FAX:</b> 212 727 7284

**DESCRIPTION OF BUSINESS**

Establishment Type:

Bar/Tavern
  Bed & Breakfast
  Eating Place Beer
  Cabaret
  Night Club
  Hotel
  Restaurant

Catering Establishment
  Club (Fraternal Organization – Members Only)

Other (Explain): Bar/Arcade

Method of Operation:

Restaurant
  Dance Club
  Sports Bar
  Adult Entertainment
  Wine Bar
  Pizzeria
  Cafe

Other (Explain): Bar/Arcade

License Type:

On-Premise
  Wine
  Beer
  Wine & Beer

<b>APPLICATION TYPE</b> (check one)	<input checked="" type="radio"/> <b>New</b>	Has applicant owned or managed a similar business?	<input checked="" type="radio"/> YES	<input type="radio"/> NO
		What is/was the name of establishment?	BASTA PASTA	
		What is/was the address of the establishment?	37-39 West 17th St, NYC	
		What were the dates the applicant was involved with this former premise?	Nov, 1st 1990	
	<input type="radio"/> <b>Transfer</b>	What is the prior license #?		
		What is the expiration date on the prior license?		
		Are you making any alterations or operational changes?	<input type="radio"/> YES	<input type="radio"/> NO
		If alterations or operational changes are being made, please attach the plans to this form.		
	<input type="radio"/> <b>Alteration</b>	What is the current license #?		
		What is the expiration date on the current license?		
Please describe the nature of the alterations and attach the plans				

**OPERATIONAL ISSUES**

HOURS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
	Operation	11am-12AM	SAME	SAME	SAME	SAME	SAME	closed
	Music							
	Kitchen	11am-12AM	SAME	SAME	SAME	SAME	SAME	closed

OCCUPANCY	INDOOR				BAR			OUTSIDE	
	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 Bars	Number of Seats	Number of Tables
					16	16	0	0	0

How many floors are there? What is the capacity for each floor? (please respond in space provided)	<input checked="" type="radio"/> 1-2	<input type="radio"/> 3-4	<input type="radio"/> 5+	425 59. F
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)	YES	<input checked="" type="radio"/> NO	N/A	
Will applicant have bottle service?	<input checked="" type="radio"/> YES	NO	N/A	
Will you be hosting private parties and promotional events?	YES	<input checked="" type="radio"/> NO	N/A	
Will outside promoters be used?	YES	<input checked="" type="radio"/> NO	N/A	
Will the security plan submitted be implemented?	YES	NO	<input checked="" type="radio"/> N/A	
Will State certified security personnel be used?	YES	<input checked="" type="radio"/> NO	N/A	
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?	YES	<input checked="" type="radio"/> NO	N/A	
Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided)	YES	<input checked="" type="radio"/> NO	N/A	
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)	YES	<input checked="" type="radio"/> NO	N/A	
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)	YES	<input checked="" type="radio"/> NO	N/A	
Will applicant provide contact information to neighbors and respond to complaints that arise?	<input checked="" type="radio"/> YES	NO	N/A	
Will you inform the Community Board office of your job openings and/or provide a hyperlink to your jobs webpage?	YES	NO	<input checked="" type="radio"/> N/A	

If you plan to have music, what type(s)?	<input checked="" type="checkbox"/> BACKGROUND	<input type="checkbox"/> LIVE MUSIC	<input type="checkbox"/> DJ
--	--	-------------------------------------	-----------------------------

**BUILDING DESIGN**

Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.	<input checked="" type="radio"/> YES	NO	N/A
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	NO	N/A
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.)	<input checked="" type="radio"/> YES	NO	N/A

OUTDOOR ITEMS			
Will applicant use the rooftop, rear yard or any outdoor space?	YES	<input checked="" type="radio"/> NO	N/A
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	YES	<input checked="" type="radio"/> NO	N/A
The service and consumption of alcohol in the rear yard, on the rooftop, or in any other outdoor space will be only via seated food service.	YES	<input checked="" type="radio"/> NO	N/A
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	YES	<input checked="" type="radio"/> NO	N/A
Applicant will 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	<input checked="" type="radio"/> NO	N/A
Applicant will 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.	YES	<input checked="" type="radio"/> NO	N/A
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	<input checked="" type="radio"/> NO	N/A

LOCATION & ZONING			
Primary Zoning District:	8d		Overlay (If Applicable):
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	<input checked="" type="radio"/> NO	N/A
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	YES	NO	<input checked="" type="radio"/> N/A
Is the 500 Foot Rule or 200 Foot Rule Triggered? If yes, which? Please attach a diagram of the establishments that triggers the rule.	YES	<input checked="" type="radio"/> NO	N/A
Is a Public Assembly permit required?	YES	<input checked="" type="radio"/> NO	N/A
Are your plans filed with DOB?	<input checked="" type="radio"/> YES	NO	N/A
Building Type	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____		
Adjacent Buildings	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____		
NOTIFICATION: What organizations / community groups have you notified regarding your application?	# 1		
	# 2		
	# 3		

1 **Business License & Permits Committee**

Item #: 10

2

3 March 5, 2014

4

5 Dennis Rosen

6 Chairman

7 New York State Liquor Authority

8 80 S. Swan Street, 9<sup>th</sup> Floor

9 Albany, New York 12210

10

11 **Re: VEGG 58th LLC**

12 *887-889 Ninth Avenue (57/58)*

13

14 Dear Chairman Rosen:

15

16 Manhattan Community Board 4 (MCB4) recommends denial of an On-Premise Liquor License for  
17 VEGG 58th LLC – 887-889 Ninth Avenue (57/58), unless the following stipulations, agreed to by the  
18 applicant, are part of the method of operation for this establishment with a capacity of 120 with 40  
19 tables, 105 seats, 1 service bar, and 1 stand-up bar with 15 seats.

20

21

22 A signed copy of the questionnaire and stipulations are enclosed.

23

24 Sincerely,

25

26

27

28

Christine Berthet  
Chair

Paul Seres  
Co-Chair  
Business License & Permits  
Committee

Frank Holozubiec  
Co-Chair  
Business License & Permits  
Committee

29

# Manhattan Community Board 4

# Liquor License Stipulations Application

(All Fields Must Be Completed)

<b>APPLICANT</b>		<b>DOING BUSINESS AS (DBA)</b>			
VEGG 58th LLC		Not determined as yet			
<b>STREET ADDRESS</b>		<b>CROSS STREETS</b>			
887-889 Ninth Avenue		57th and 58th Streets			
<b>OWNER</b>	<b>NAME:</b> Giuseppe Coladonato	<b>ATTORNEY</b>	<b>NAME:</b> Reid A. Rosen		
	<b>PHONE:</b> 212-582-2111		<b>PHONE:</b> 914-235-3626		
	<b>FAX:</b> 212-582-2420		<b>FAX:</b> 240-235-3620		
<b>MANAGER</b>	<b>NAME:</b> Giuseppe Coladonato	<b>LANDLORD</b>	<b>NAME:</b> 400 West 58th Street Properties Corp.		
	<b>PHONE:</b> 212-582-2111		<b>PHONE:</b> 718-423-4545		
	<b>FAX:</b> 212-582-2420		<b>FAX:</b> n/a		
<b>DESCRIPTION OF BUSINESS</b>					
Establishment Type:	<input type="radio"/> Bar/Tavern <input type="radio"/> Bed & Breakfast <input type="radio"/> Eating Place Beer <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input checked="" type="radio"/> Restaurant <input type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization – Members Only) <input type="radio"/> Other (Explain): Bar/Arcade				
Method of Operation:	<input checked="" type="radio"/> Restaurant <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Pizzeria <input type="radio"/> Cafe <input type="radio"/> Other (Explain): Bar/Arcade				
License Type:	<input checked="" type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input type="radio"/> Wine & Beer				
<b>APPLICATION TYPE</b> (check one)	<input checked="" type="radio"/> <b>New</b>	Has applicant owned or managed a similar business?	<input checked="" type="radio"/> <b>YES</b>	<input type="radio"/> <b>NO</b>	
		What is/was the name of establishment?	LA MASSERIA		
		What is/was the address of the establishment?	236-7 WEST 48th ST JMCB		
		What were the dates the applicant was involved with this former premise?	11/1/04 - PRESENT		
	<input type="radio"/> <b>Transfer</b>	What is the prior license #?			
		What is the expiration date on the prior license?			
		Are you making any alterations or operational changes?	<input type="radio"/> <b>YES</b>	<input type="radio"/> <b>NO</b>	
		<i>If alterations or operational changes are being made, please attach the plans to this form.</i>			
	<input type="radio"/> <b>Alteration</b>	What is the current license #?			
		What is the expiration date on the current license?			
<i>Please describe the nature of the alterations and attach the plans</i>					

\* CLIENT REQUESTS LIGHT TO CLOSE AT 1<sup>00</sup> AM ON WEEKENDS  
 DEPENDENT ON CUSTOMERS.

OPERATIONAL ISSUES										
HOURS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY		
	Operation	11-12 <sup>00 AM</sup>	11 AM - 12 AM	11 AM - 12 AM	11-12	11-12	11-12	11-12	11-12	
	Music	u	u	u	u	u	u	u	u	
	Kitchen	u	u	u	u	u	u	u	u	
OCCUPANCY	INDOOR				BAR			OUTSIDE		
	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 Bars	Number of Seats	Number of Tables	
	120	120	40	105	1	1	15	0	0	
How many floors are there? What is the capacity for each floor? (please respond in space provided)					1-2	3-4	5+	ONE		
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)					YES	NO	N/A			
Will applicant have bottle service?					YES	NO	N/A			
Will you be hosting private parties and promotional events?					YES	NO	N/A			
Will outside promoters be used?					YES	NO	N/A			
Will the security plan submitted be implemented?					YES	NO	N/A			
Will State certified security personnel be used?					YES	NO	N/A			
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?					YES	NO	N/A			
Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided)					YES	NO	N/A			
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)					YES	NO	N/A	NOT NOW MAYBE IN FUTURE		
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)					YES	NO	N/A			
Will applicant provide contact information to neighbors and respond to complaints that arise?					YES	NO	N/A			
Will you inform the Community Board office of your job openings and/or provide a hyperlink to your jobs webpage?					YES	NO	N/A			
If you plan to have music, what type(s)?			BACKGROUND	LIVE MUSIC	DJ					
BUILDING DESIGN										
Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.					YES	NO	N/A			
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?					YES	NO	N/A			
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.)					YES	NO	N/A			

OUTDOOR ITEMS				
Will applicant use the rooftop, rear yard or any outdoor space?	YES	NO	N/A	POSSIBLE SIDEWALK CAFE
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	<input checked="" type="radio"/> YES	NO	N/A	
The service and consumption of alcohol in the rear yard, on the rooftop, or in any other outdoor space will be only via seated food service.	<input checked="" type="radio"/> YES	NO	N/A	
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	<input checked="" type="radio"/> YES	NO	N/A	
Applicant will 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	
Applicant will 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	
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	<input checked="" type="radio"/> YES	NO	N/A	

LOCATION & ZONING				
Primary Zoning District:	C1-6		Overlay (If Applicable):	N/A
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	<input checked="" type="radio"/> YES	NO	N/A	CLINTON
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input checked="" type="radio"/> YES	NO	N/A	
Is the 500 Foot Rule or 200 Foot Rule Triggerred? If yes, which? Please attach a diagram of the establishments that triggers the rule.	<input checked="" type="radio"/> YES	NO	N/A	
Is a Public Assembly permit required?	<input checked="" type="radio"/> YES	NO	N/A	
Are your plans filed with DOB?	YES	<input checked="" type="radio"/> NO	N/A	
Building Type	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe:			
Adjacent Buildings	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____			
<b>NOTIFICATION:</b> What organizations / community groups have you notified regarding your application?	# 1			
	# 2			
	# 3			

1 **Business License & Permits Committee**

Item #: 11

2  
3 March 5, 2014

4  
5 Dennis Rosen  
6 Chairman  
7 New York State Liquor Authority  
8 80 S. Swan Street, 9<sup>th</sup> Floor  
9 Albany, New York 12210

10  
11 **Re: IPPUDO Westside LLC**  
12 *321-323 W 51st Street (8/9)*

13  
14 Dear Chairman Rosen:

15  
16 Manhattan Community Board 4 (MCB4) recommends denial of an On-Premise Liquor License for  
17 IPPIDO Westside LLC – 321-323 W 51st Street (8/9), unless the following stipulations, agreed to by the  
18 applicant, are part of the method of operation for this establishment with a capacity of 107 with 24  
19 tables, 64 seats, 1 service bar, and 1 stand-up bar with 9 seats.

20  
21  
22 A signed copy of the questionnaire and stipulations are enclosed.

23  
24 Sincerely,

25  
26  
27  
28 Christine Berthet  
Chair

Paul Seres  
Co-Chair  
Business License & Permits  
Committee

Frank Holozubiec  
Co-Chair  
Business License & Permits  
Committee

29

# Manhattan Community Board 4

(All Fields Must Be Completed)

## Liquor License Stipulations Application

APPLICANT		DOING BUSINESS AS (DBA)		
JPPUDO WESTSIDE LLC		N/A		
STREET ADDRESS		CROSS STREETS		
321-323 West 51st St. New York NY 10019		8th and 9th Avenues		
OWNER	NAME:	ATTORNEY	NAME:	
	JPPUDO WESTSIDE LLC		Arthur Ievine	
	PHONE:		PHONE:	
917-363-5879	212-808-4270			
FAX:	N/A	FAX:	212-687-6856	
MANAGER	NAME:	LANDLORD	NAME:	
	N/A		321 West 51 Street Corp.	
	PHONE:		PHONE:	
		914-494-3901		
FAX:		FAX:	N/A	
DESCRIPTION OF BUSINESS				
Establishment Type:	<input type="radio"/> Bar/Tavern <input type="radio"/> Bed & Breakfast <input type="radio"/> Eating Place Beer <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input checked="" type="radio"/> Restaurant <input type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization – Members Only) <input type="radio"/> Other (Explain): Bar/Arcade			
Method of Operation:	<input checked="" type="radio"/> Restaurant <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Pizzeria <input type="radio"/> Cafe <input type="radio"/> Other (Explain): Bar/Arcade			
License Type:	<input checked="" type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input type="radio"/> Wine & Beer			
APPLICATION TYPE <i>(check one)</i>	<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 of establishment?	JPPUDO WESTSIDE INC.	
		What is/was the address of the establishment?	321-323 West 51th St	
		What were the dates the applicant was involved with this former premise?	2011 to Date	
	<input checked="" type="radio"/> Transfer	What is the prior license #?	1258601	
		What is the expiration date on the prior license?	03/31/2015	
		Are you making any alterations or operational changes?	<input type="radio"/> YES	<input checked="" type="radio"/> NO
		<i>If alterations or operational changes are being made, please attach the plans to this form.</i>		
	<input type="radio"/> Alteration	What is the current license #?	N/A	
		What is the expiration date on the current license?	N/A	
Please describe the nature of the alterations and attach the plans		N/A		

OPERATIONAL ISSUES									
HOURS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY	
	Operation	11am-12am	11am-12am	11am-12am	11am-12am	11am-2am	11am-2am	11am-11pm	
	Music								
	Kitchen	closes one hour before closing time							
OCCUPANCY	INDOOR				BAR			OUTSIDE	
	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 Bars	Number of Seats	Number of Tables
	107	85	24	64	1	1	9	N/A	N/A
How many floors are there? What is the capacity for each floor? (please respond in space provided)					1-2	3-4	5+	Basement 107	
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)					YES	NO	N/A	NO	
Will applicant have bottle service?					YES	NO	N/A	NO	
Will you be hosting private parties and promotional events?					YES	NO	N/A	NO	
Will outside promoters be used?					YES	NO	N/A	NO	
Will the security plan submitted be implemented?					YES	NO	N/A	N/A	
Will State certified security personnel be used?					YES	NO	N/A	N/A	
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?					YES	NO	N/A	N/A	
Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided)					YES	NO	N/A	N/A	
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)					YES	NO	N/A	NO	
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)					YES	NO	N/A	N/A	
Will applicant provide contact information to neighbors and respond to complaints that arise?					YES	NO	N/A	YES	
Will you inform the Community Board office of your job openings and/or provide a hyperlink to your jobs webpage?					YES	NO	N/A	YES	
If you plan to have music, what type(s)?			BACKGROUND	LIVE MUSIC	DJ	Background			
BUILDING DESIGN									
Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.					YES	NO	N/A	YES	
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?					YES	NO	N/A	N/A	
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.)					YES	NO	N/A	YES	

OUTDOOR ITEMS				
Will applicant use the rooftop, rear yard or any outdoor space?	YES	NO	N/A	NO
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	YES	NO	N/A	N/A
The service and consumption of alcohol in the rear yard, on the rooftop, or in any other outdoor space will be only via seated food service.	YES	NO	N/A	N/A
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	YES	NO	N/A	N/A
Applicant will 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	N/A	N/A
Applicant will 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.	YES	NO	N/A	N/A
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	N/A	N/A

**LOCATION & ZONING**

Primary Zoning District:	R8	Overlay (If Applicable):	
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	NO	N/A
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	YES	NO	N/A
Is the 500 Foot Rule or 200 Foot Rule Triggered? If yes, which? Please attach a diagram of the establishments that triggers the rule.	YES	NO	N/A
Is a Public Assembly permit required?	YES	NO	N/A
Are your plans filed with DOB?	YES	NO	N/A

Building Type	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____
Adjacent Buildings	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____

<b>NOTIFICATION:</b> What organizations / community groups have you notified regarding your application?	# 1	Block Association, West 50/51 Street, BA, Stgve Belida
	# 2	at hk5051@gmail.com
	# 3	

No changes to  
method of operation

1 **Business License & Permits Committee**

Item #: 12

2  
3 March 5, 2014

4  
5 Dennis Rosen  
6 Chairman  
7 New York State Liquor Authority  
8 80 S. Swan Street, 9<sup>th</sup> Floor  
9 Albany, New York 12210

10  
11 **Re: Mamma Ristorante Corp.**  
12 **d/b/a Guantanamo**  
13 *939 8th Avenue (55/56)*

14  
15 Dear Chairman Rosen:

16  
17 Manhattan Community Board 4 (MCB4) recommends denial of a transfers (corporate change) of an On-  
18 Premise Liquor License for Mamma Ristorante Corp. d/b/a Guantanamo – 939 8th Avenue (55/56),  
19 unless the following stipulations, agreed to by the applicant, are part of the method of operation for this  
20 establishment with a capacity of 117 with 27 tables, 95 seats, and 2 stand-up bar with 16 seats.

21  
22  
23 A signed copy of the questionnaire and stipulations are enclosed.

24  
25 Sincerely,

26  
27  
28  
29  
30  
Christine Berthet  
Chair

Paul Seres  
Co-Chair  
Business License & Permits  
Committee

Frank Holozubiec  
Co-Chair  
Business License & Permits  
Committee

# Manhattan Community Board 4

(All Fields Must Be Completed)

## Liquor License Stipulations Application

<b>APPLICANT</b>		<b>DOING BUSINESS AS (DBA)</b>			
Mamma RISTORANTE CORP.		GUANTANAMERA			
<b>STREET ADDRESS</b>		<b>CROSS STREETS</b>			
939 8TH AVE - NY, NY 10019		8TH AVE BET 55TH & 56TH STREETS			
<b>OWNER</b>	NAME:	RAMON MARIO ZARATE	NAME:		
	PHONE:	212-262-5354	NAME:		
	FAX:		PHONE:		
<b>ATTORNEY</b>	NAME:	JAVIER DOURAL	PHONE:		
	PHONE:	718-263-3700	FAX:		
	FAX:	718-263-3707	NAME:		
<b>MANAGER</b>	NAME:		NAME:		
	PHONE:		PHONE:		
	FAX:		FAX:		
<b>LANDLORD</b>	NAME:	EIGHTH & 56TH ASSOCIATES	PHONE:		
	PHONE:	212-582-9080	FAX:		
	FAX:	212-977-9190			
<b>DESCRIPTION OF BUSINESS</b>					
Establishment Type:	<input type="radio"/> Bar/Tavern <input type="radio"/> Bed & Breakfast <input type="radio"/> Eating Place Beer <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input checked="" type="radio"/> Restaurant <input type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization -- Members Only) <input type="radio"/> Other (Explain): Bar/Arcade				
Method of Operation:	<input checked="" type="radio"/> Restaurant <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Pizzeria <input type="radio"/> Cafe <input type="radio"/> Other (Explain): Bar/Arcade				
License Type:	<input checked="" type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input type="radio"/> Wine & Beer				
<b>APPLICATION TYPE</b> <i>(check one)</i>	<input type="radio"/> New	Has applicant owned or managed a similar business?	YES	NO	
		What is/was the name of establishment?			
		What is/was the address of the establishment?			
		What were the dates the applicant was involved with this former premise?			
	<input checked="" type="radio"/> Transfer	What is the prior license #?	Corporate Change	1211855	
		What is the expiration date on the prior license?		11/20/2014	
		Are you making any alterations or operational changes?	YES	NO	
		<i>If alterations or operational changes are being made, please attach the plans to this form.</i>			
	<input type="radio"/> Alteration	What is the current license #?			
		What is the expiration date on the current license?			
<i>Please describe the nature of the alterations and attach the plans</i>					

**OPERATIONAL ISSUES**

HOURS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
	Operation	12-3:30 PM	12 PM-3:30 AM					
	Music	8:30 PM-12A	8:30 PM-12AM	8:30 PM-12AM	8:30 PM-12AM	8:30 PM-1AM	8:30 PM-1AM	8:30 PM-12A
	Kitchen	12-12	12-12	12-12	12-12	12-1	12-1	12-12

OCCUPANCY	INDOOR				BAR			OUTSIDE	
	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 Bars	Number of Seats	Number of Tables
	117	117	27	95	0	2	16	0	0

How many floors are there? What is the capacity for each floor? (please respond in space provided)	<input checked="" type="radio"/> 1-2	<input type="radio"/> 3-4	<input type="radio"/> 5+	117
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)	YES	<input checked="" type="radio"/> NO	N/A	
Will applicant have bottle service?	YES	<input checked="" type="radio"/> NO	N/A	
Will you be hosting private parties and promotional events?	<input checked="" type="radio"/> YES	NO	N/A	Occasionally
Will outside promoters be used?	YES	<input checked="" type="radio"/> NO	N/A	
Will the security plan submitted be implemented?	YES	NO	<input checked="" type="radio"/> N/A	
Will State certified security personnel be used?	YES	NO	<input checked="" type="radio"/> N/A	
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?	YES	NO	<input checked="" type="radio"/> N/A	
Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided)	<input checked="" type="radio"/> YES	NO	N/A	No Rack. Not left in street
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)	YES	<input checked="" type="radio"/> NO	N/A	
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)	YES	NO	<input checked="" type="radio"/> N/A	
Will applicant provide contact information to neighbors and respond to complaints that arise?	<input checked="" type="radio"/> YES	NO	N/A	
Will you inform the Community Board office of your job openings and/or provide a hyperlink to your jobs webpage?	<input checked="" type="radio"/> YES	NO	N/A	
If you plan to have music, what type(s)?	<input checked="" type="radio"/> BACKGROUND	<input checked="" type="radio"/> LIVE MUSIC	<input type="radio"/> DJ	

**BUILDING DESIGN**

Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.	<input checked="" type="radio"/> YES	NO	N/A
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	NO	N/A
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.)	YES	NO	<input checked="" type="radio"/> N/A

OUTDOOR ITEMS			
Will applicant use the rooftop, rear yard or any outdoor space?	YES	<input checked="" type="radio"/> NO	N/A
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	YES	NO	<input checked="" type="radio"/> N/A
The service and consumption of alcohol in the rear yard, on the rooftop, or in any other outdoor space will be only via seated food service.	YES	NO	<input checked="" type="radio"/> N/A
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	YES	NO	<input checked="" type="radio"/> N/A
Applicant will 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
Applicant will 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.	YES	NO	<input checked="" type="radio"/> N/A
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	<input checked="" type="radio"/> N/A

LOCATION & ZONING				
Primary Zoning District:	C 6-4 Commercial		Overlay (If Applicable):	C6-4
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	<input checked="" type="radio"/> YES	NO	N/A	Clinton
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input checked="" type="radio"/> YES	NO	N/A	
Is the 500 Foot Rule or 200 Foot Rule Triggered? If yes, which? Please attach a diagram of the establishments that triggers the rule.	<input checked="" type="radio"/> YES	NO	N/A	
Is a Public Assembly permit required?	<input checked="" type="radio"/> YES	NO	N/A	
Are your plans filed with DOB?	<input checked="" type="radio"/> YES	NO	N/A	
Building Type	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe:			
Adjacent Buildings	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe:			
<b>NOTIFICATION:</b> What organizations / community groups have you notified regarding your application?	# 1	CB4		
	# 2	Notice Displayed per CB4 requirements		
	# 3			

1 **Business License & Permits Committee**

Item #: 13

2  
3 March 5, 2014

4  
5 Dennis Rosen  
6 Chairman  
7 New York State Liquor Authority  
8 80 S. Swan Street, 9<sup>th</sup> Floor  
9 Albany, New York 12210

10  
11 **Re: Fillips Catering Inc.**  
12 **d/b/a Champignon**  
13 *200 7th Avenue (21/22)*

14  
15 Dear Chairman Rosen:

16  
17 Manhattan Community Board 4 (MCB4) recommends denial of an alteration to relocate the bar for  
18 Fillips Catering Inc. d/b/a Champignon – 200 7th Avenue (21/22), unless the following stipulations,  
19 agreed to by the applicant, are part of the method of operation for this establishment with a capacity of  
20 55 with 36 tables, 72 seats, and 4 service bars with 6 seats.

21  
22  
23 A signed copy of the questionnaire and stipulations are enclosed.

24  
25 Sincerely,

26  
27  
28  
29  
Christine Berthet  
Chair

Paul Seres  
Co-Chair  
Business License & Permits  
Committee

Frank Holozubiec  
Co-Chair  
Business License & Permits  
Committee

30

# Manhattan Community Board 4

## Liquor License Stipulations Application

(All Fields Must Be Completed)

<b>APPLICANT</b> Phillips Catering Inc.		<b>DOING BUSINESS AS (DBA)</b> Champignon			
<b>STREET ADDRESS</b> 200 7 Ave		<b>CROSS STREETS</b> 21 - 22			
<b>OWNER</b>	<b>NAME:</b> Amer Billou	<b>ATTORNEY</b>	<b>NAME:</b>		
	<b>PHONE:</b> 347-612-2896		<b>PHONE:</b>		
	<b>FAX:</b> 212 929-6002		<b>FAX:</b>		
<b>MANAGER</b>	<b>NAME:</b> Sylvia	<b>LANDLORD</b>	<b>NAME:</b>		
	<b>PHONE:</b>		<b>PHONE:</b>		
	<b>FAX:</b> 212-929-6002		<b>FAX:</b>		
<b>Establishment Type:</b>					
<input type="radio"/> Bar/Tavern <input type="radio"/> Bed & Breakfast <input type="radio"/> Eating Place Beer <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input checked="" type="radio"/> Restaurant <input type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization - Members Only) <input type="radio"/> Other (Explain): Bar/Arcade					
<b>Method of Operation:</b>					
<input type="radio"/> Restaurant <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Pizzeria <input checked="" type="radio"/> Cafe <input type="radio"/> Other (Explain): Bar/Arcade					
<b>License Type:</b>					
<input type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input checked="" type="radio"/> Wine & Beer					
<b>APPLICATION TYPE</b> (check one)	<input type="radio"/> <b>New</b>	Has applicant owned or managed a similar business?	YES	<input checked="" type="radio"/> NO	
		What is/was the name of establishment?			
		What is/was the address of the establishment?			
		What were the dates the applicant was involved with this former premise?			
	<input type="radio"/> <b>Transfer</b>	What is the prior license #?			
		What is the expiration date on the prior license?			
		Are you making any alterations or operational changes?	YES	NO	
		If alterations or operational changes are being made, please attach the plans to this form.			
	<input checked="" type="radio"/> <b>Alteration</b>	What is the current license #?	1272226		
		What is the expiration date on the current license?	08/31/2015		
Please describe the nature of the alterations and attach the plans		Relocate Bar area.			

HOURS	MONDAY		TUESDAY		WEDNESDAY		THURSDAY		FRIDAY		SATURDAY		SUNDAY		
	9 AM - 11 PM		9 AM - 11 PM		9 AM - 11 PM		9 AM - 11 PM		9 AM - 11 PM		10 AM - 11 PM		10 AM - 10 PM		
	Soft		Soft		Soft		Soft		Soft		Soft		Soft		
Kitchen		9 AM - 10 PM		9 AM - 11 PM		9 AM - 11 PM		9 AM - 11 PM		9 AM - 11 PM		10 AM - 11 PM		10 AM - 10 PM	
OCCUPANCY	Capacity (Certificate of Occupancy)	45	Maximum # of Persons You Anticipate Occupying Premises (Including Employees)	55	Number of Tables	3	Number of Seats	24	Number of Service Only Bars	4	Number of Stand-Up Bars	None	Number of Seated Bars	6	
	How many floors are there? What is the capacity for each floor? (please respond in space provided)														
one floor															
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)									YES	<input checked="" type="radio"/> NO	N/A				
Will applicant have bottle service?									YES	<input checked="" type="radio"/> NO	N/A				
Will you be hosting private parties and promotional events?									YES	<input checked="" type="radio"/> NO	N/A				
Will outside promoters be used?									YES	<input checked="" type="radio"/> NO	N/A				
Will the security plan submitted be implemented?									<input checked="" type="radio"/> YES	<input type="radio"/> NO	N/A				
Will State certified security personnel be used?									YES	<input checked="" type="radio"/> NO	N/A				
Will New York Nightlife Association (NYNLA) standards and NYPD Best Practices be followed?									<input checked="" type="radio"/> YES	<input type="radio"/> NO	N/A				
Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided)									<input checked="" type="radio"/> YES	<input type="radio"/> NO	N/A				
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)									YES	NO	N/A	Sidewalk Cafe Available			
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)									YES	NO	N/A	8 tables / 16 seats			
Will applicant provide contact information to neighbors and respond to complaints that arise?									<input checked="" type="radio"/> YES	<input type="radio"/> NO	N/A				
Will you inform the Community Board of your job openings and/or provide a hyperlink to job openings webpage?									<input checked="" type="radio"/> YES	<input type="radio"/> NO	N/A				
If you plan to have music, what type(s)?									<input checked="" type="radio"/> BACKGROUND	<input type="radio"/> LIVE MUSIC	<input type="radio"/> DJ	quiet, soft			
Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.									YES	NO	<input checked="" type="radio"/> N/A	No low d			
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?									YES	NO	<input checked="" type="radio"/> N/A	music will be played			
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT protect more than 10 square feet from the street level.									<input checked="" type="radio"/> YES	<input type="radio"/> NO	N/A				

*[Handwritten signature]*

Will applicant use the rooftop, rear yard or any outdoor space?	YES	NO	N/A
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	YES	NO	N/A
The service and consumption of alcohol in the rear yard, on the rooftop, or in any other outdoor space will be only via sealed food service.	YES	NO	N/A
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	YES	NO	N/A
Applicant will 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	N/A
Applicant will 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.	YES	NO	N/A
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	N/A

Primary Zoning District:	Overlay (If Applicable):						
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES NO N/A						
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	YES NO N/A						
Is the 600 Foot Rule or 200 Foot Rule Triggered? If yes, which? Please attach a diagram of the establishments that triggers the rule.	YES NO N/A						
Is a Public Assembly permit required?	YES NO N/A						
Are your plans filed with DOB?	Yes NO N/A						
Building Type	<input checked="" type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe:						
Adjacent Buildings	<input checked="" type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____						
<b>NOTIFICATION:</b> What organizations / community groups have you notified regarding your application?	<table border="1"> <tr> <td># 1</td> <td></td> </tr> <tr> <td># 2</td> <td></td> </tr> <tr> <td># 3</td> <td></td> </tr> </table>	# 1		# 2		# 3	
# 1							
# 2							
# 3							

1 **Business License & Permits Committee**

**Item #: 14**

2

3 March 5, 2014

4

5 Ana Reyneso

6 Assistant Director of Licensing

7 Department of Consumer Affairs

8 42 Broadway

9 New York, NY 10004

10

11 **Re: Highlanders 756 Inc. d/b/a Vynl**  
12 **Sidewalk Café License 785-2014-ASWC**  
13 **756 Ninth Avenue (51<sup>st</sup> Street)**

14

15 Dear Ms. Reyneso:

16

17 Manhattan Community Board 4 (MCB4) recommends denial of an unenclosed sidewalk café permit for  
18 Highlanders 756 Inc. d/b/a Vynl unless the following stipulations are agreed to by the applicant:

19

- 20 • The elimination of the two tables nearest the corner (of Ninth Avenue and West 51 St.). (We  
21 marked these on the floor plan in the file.)
- 22
- 23 • Always keeping an 8-foot clear path on the sidewalk including, if there is construction on Ninth  
24 Avenue, an 8-foot clear path between the outer limit of the sidewalk café and any obstructions  
25 caused by the construction.

26

27 Sincerely,

28

29

Christine Berthet  
Chair

Paul Seres  
Co-Chair  
Business License & Permits  
Committee

Frank Holozubiec  
Co-Chair  
Business License & Permits  
Committee

30

1 **Business Licenses & Permits Committee**

**Item #: 15**

2

3 March 5, 2014

4

5 Danielle L. Crawford

6 Special Applications Unit

7 Department of Consumer Affairs

8 42 Broadway, 5<sup>th</sup> floor

9 New York, NY 10004

10

11 **Re: Barcade New York LLC**

12 **Amusement Arcade License 791-2014-AARC**

13 **148 W 24<sup>th</sup> Street (6/7)**

14

15 Dear Ms. Crawford:

16

17 At its February 11, 2014 meeting, the Business Licenses and Permits Committee of Manhattan  
18 Community Board 4 voted to **recommend approval of an amusement arcade license** for the above-  
19 named establishment. No one from the community spoke out against the applicant.

20

21 At its full board meeting on March 5, 2014, Manhattan Community Board 4 voted to approve this  
22 recommendation.

23

24 Sincerely,

25

26

27

Christine Berthet  
Chair

Paul Seres  
Co-Chair  
Business License & Permits  
Committee

Frank Holozubiec  
Co-Chair  
Business License & Permits  
Committee

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