



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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JOHN WEIS
Chair

ROBERT J. BENFATTO, JR., ESQ.
District Manager

March 4, 2011

Dennis Rosen
Chairman
New York State Liquor Authority
80 S. Swan Street, 9th Floor
Albany, New York 12210

Re: TM 701 Corp d/b/a Smith's Bar
701 Eighth Avenue (44th / 45th)

Dear Chairman Rosen:

Manhattan Community Board 4 (MCB4) recommends denial of a new full on premise liquor license for **TM 701 Corp d/b/a Smith's Bar** unless the following stipulations, agreed to by the applicant, are part of the method of operation for this establishment:

- Hours of operation will be no earlier than 8 am and no later than 4:00 am, seven days per week.
- The applicant is not applying for a cabaret license with this current application.
- The applicant agrees to never use outside promoters.
- There will be no use of any outdoor spaces (rooftop, patio or sidewalk café) at this time for the sale or consumption of alcoholic beverages.
- The applicant stated they will have background music, DJ and live music playing in the restaurant/bar.
- There will be French doors and/or windows that open to the street front. Applicant has agreed to close them by 10:00 pm Sunday through Thursday and 11:00 pm on Friday and Saturday. They will also be closed whenever amplified sound is played inside, as per law.
- There will be no use of delivery bicycles.
- Applicant will not install a storm vestibule enclosure that will project more than 18 inches as per DOB code (office to add). Storm enclosures can only be used between November 15th and April 15th.

- Kitchen exhaust will exit through ventilation above the highest floor of surrounding buildings and be constructed in a manner to not disturb neighboring residents or offices. Additionally it will be compliant with NY DOB code.

A signed copy of the stipulations agreed to by the applicant is enclosed. This is a restaurant/bar establishment and will have a capacity of no more than 184 with 30 tables. There will be two stand up bars. There will be no service bars. This application is for a transfer from a previous establishment.

Sincerely,



John Weis
Chair
Manhattan Community
Board 4

[Signed 3/4/11]

Lisa Daglian
Co-Chair
Business License & Permits
Committee – North

[Signed 3/4/11]

Chuck Spence
Co-Chair
Business License & Permits
Committee –North