

May 6, 2004

Commissioner Edward Kelly  
New York State Liquor Authority  
84 Holland Avenue  
Albany, NY 12208

**Re: Harmic III LLC d/b/a Comix, 315-353 West 14<sup>th</sup> Street**

Dear Commissioner Kelly,

At its meeting on April 13<sup>th</sup>, 2004, the Business Licenses and Permits Committee of Manhattan Community Board No. 4 heard the application of Harmic III LLC, d/b/a Comix, for an on-premises liquor license. The Committee voted unanimously to recommend approval, provided that the following stipulations are included in the liquor license.

1. Comix agrees not to rent or otherwise turn over control of its premises to any outside promoter or any other third party.
2. Comix agrees to implement all the recommendations of its soundproofing consultant, Alan Fierstein (Acoustilog) in its renovation of the premises. This shall include, but not be limited to, adding a second, suspended ceiling to prevent sound and/or vibrations from being perceptible in the residences above.
3. Comix agrees not to allow patron queuing on the sidewalk and to make its best efforts to dissipate patron congregations outside the premises before and after shows.
4. Comix agrees to implement a traffic-management system that will prevent cabs, limousines, and other vehicles used by patrons from standing, queuing, double-parking, and/or honking their horns outside or in the vicinity of the venue.
5. Comix agrees not to distribute or hire anyone to distribute flyers or other promotional materials on the street outside or in the vicinity of the venue.
6. Comix agrees to have at least one security person - and more if necessary - on the sidewalk outside the premises during hours of operation to direct departing patrons to transportation and neutralize any commotion.

7. Comix agrees to have not less than three employees certified as licensed fire guards.
8. Comix agrees to arrange its schedule of deliveries to and pick-ups from the venue so as not to disturb its neighbors. Comix also agrees to respond to valid complaints that may arise despite its best efforts and to implement prompt remedies.
9. Under the direction of Community Board 4, Comix agrees to establish and maintain a liaison with its neighboring community, to maintain easy and open communication, and to resolve community complaints quickly and effectively.
10. Comix agrees to make reasonable efforts to employ people from the local community in its establishment.
11. If Comix desires to amend its original liquor license, it agrees to notify Community Board 4 in writing of its intention to do so. If Comix desires to change its method of operation materially, it agrees to notify the Community Board 45 days prior to such a change.
12. Comix understands and agrees that these stipulations are binding, and that any disregard or abrogation of them will result in a comprehensive investigation and follow-up by this Board.
13. Further, Comix agrees to write the Method of Operation section of its State Liquor Authority application such that it incorporates all of these agreed upon stipulations.

At its full Board meeting, Manhattan Community Board 4 voted to approve this application with the stipulations above attached.

Thank you for your attention in this matter.

Sincerely yours,



Walter Mankoff

Chair

Manhattan Community Board No. 4



Cheryl Kupper

Co-Chair

Business License & Permits Committee

Kevin Kossi

Co-Chair

Business Licenses & Permits Committee

cc: Local Elected Officials  
Applicant  
Fred Gioffre