

November 8, 2004

Commissioner Edward Kelly  
New York State Liquor Authority  
84 Holland Avenue, 2nd floor, A-Wing  
Albany, NY 12208

**Re: Jade on Seventh Inc. d/b/a Viscaya, 191 Seventh Avenue (21<sup>st</sup>/22<sup>nd</sup>)**

Dear Commissioner Kelly,

At its October 12<sup>th</sup>, 2004 meeting, the Business Licenses and Permits Committee of Manhattan Community Board No. 4 voted unanimously to recommend denial of the liquor license alteration application of Jade on Seventh Inc. The alteration would allow an additional full service bar.

Further, the Committee voted unanimously to request the State Liquor Authority revoke the liquor license under which Jade on Seventh Inc. now operates. With this letter, we are also requesting the assistance and support of the New York Police Department and the Office of the Mayor in seeing that this is done.

In October of 2002, Jade on Seventh Inc. appeared at a meeting of the Board's Business Licenses & Permits Committee. At that meeting, the owners presented the establishment as a small local bar/lounge that would occasionally use a back room for private parties. Based on this representation, the Board had no objection to the license.

Jade on Seventh Inc. instead operates as a rowdy, loud dance club. The applicant routinely hands out flyers and places advertisements on the Internet advertising itself as a dance club, yet it has no cabaret license. According to neighbors of the club, who have appeared repeatedly at Board meetings to complain, the patrons cause havoc on the street outside the club, screaming, honking, playing loud music, urinating on sidewalks and buildings, engaging in sexual activity, littering, and vomiting. There are also reports that Jade on Seventh Inc. has been serving alcohol to minors.

Jade on Seventh Inc. has been completely unable to provide adequate security on the street and its business has therefore destroyed the quality of life in this residential neighborhood. We have a thick file full of noise and disturbance complaints from local residents. In addition, the club was poorly designed and constructed allowing music and vibration to disturb neighbors that share a wall with the club.

Had this business plan been presented to us, we would **never** have approved of it. We believe that the plans described to us were misrepresentations at best, and we believe that the same misrepresentations were made to the SLA.

**E. Kelly**  
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It is abundantly clear that this operator is a scofflaw. The common good can only be served by shutting down this operation as quickly as the law allows.

Sincerely yours,



Walter Mankoff  
Chair  
Manhattan Community Board No. 4

Kevin Kossi  
Co-Chair  
Business Licenses & Permits Committee

John Weis  
Co-Chair  
Business Licenses & Permits Committee

cc: Applicant  
Fred Gioffre  
Elected Officials  
NYPD, 13<sup>th</sup> Precinct  
Mayor's Office of Midtown Enforcement  
Mayor's Community Assistance Unit  
Chelsea Council of Block Associations  
23<sup>rd</sup> Street Association