



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD No. 4

330 West 42nd Street, 26th floor New York, NY 10036
Tel: 212-736-4536 Fax: 212-947-9512
www.ManhattanCB4.org

WALTER MANKOFF
Chair

ANTHONY M. BORELLI
District Manager

March 7, 2005

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

Re: BD Stanhope LLC and Maritime F&B LLC d/b/a Maritime Hotel

Dear Commissioner Kelly,

At its February 8, 2005 meeting, the Business Licenses & Permits Committee of Manhattan Community Board No. 4 voted to oppose liquor license alteration applications by BD Stanhope LLC and Maritime F&B LLC, which both operate venues within the Maritime Hotel at 369 West 16th Street.

The alteration plan submitted by the hotel is complicated and may be an attempt to evade the City's cabaret law.

The applicants told us that the Japanese restaurant known as Matsuri and the late night bar/lounge known as Hiro currently share one liquor license. The hotel's ballroom currently utilizes a separate liquor license. They would instead like Hiro (the bar) and the ballroom to share one liquor license and Matsuri (the restaurant) to operate under a separate license. Presumably this would separate their nightlife business from their dining business.

During discussion at the February 8 meeting, it became clear that after the liquor license is altered, the hotel plans to apply for a long-term catering license for the Hiro and ballroom spaces, which they contend will allow patron dancing at private parties. In a subsequent conversation, their attorney defined a private party as any event that required an invitation or a name on a guest list to attend, even if the guest has to pay a cover charge. The applicant said that under these circumstances they did not need to apply for a cabaret license, and that they would not be operating a nightclub with dancing for the general public.

Community members have complained to the Board that Hiro is already being operated as an unlicensed cabaret, therefore we are concerned that the catering license will be used to host public dance parties. It is also unclear to us exactly what constitutes a private party, and what the catering license would allow. We have asked the Department of Consumer Affairs to clarify this matter. In the interim, we cannot support this application.

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: Fred Gioffre, Applicant, DCA, Elected Officials