



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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JEAN-DANIEL NOLAND
Chair

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

May 11, 2009

Commissioner Daniel Boyle
New York State Liquor Authority
80 South Swan Street
Albany, NY 12210

Re: Lux Bar & Lounge d/b/a Bartini – 642 Tenth Avenue-New OP

Dear Commissioner Boyle:

Manhattan Community Board 4 (CB4) recommends denial of a new full liquor license for Lux Bar & Lounge d/b/a Bartini – 642 Tenth Avenue unless the following stipulations are part of the method of operation for this establishment:

- The applicants are in complete agreement to no use of the rear yard patio for any patron use or food/alcohol service at anytime. No patron access to the space is permitted except for emergency ingress/egress. Because of the close proximity of dozens of apartments and bedroom windows, this stipulation must be a clear component of the method of operation for this establishment. At the full board meeting of CB4 on May 6th, the applicants agreed to this stipulation and also acknowledged that violation of this stipulation could result in the complete loss of their license to serve alcohol.
- A certified sound engineer designs and implements necessary sound insulation measures to minimize the noise impact on neighboring residents and businesses.
- If open flame cooking is included in the operation of the kitchen, the applicant will install and/or maintain a kitchen exhaust system that is compliant with current building codes and be designed to exit well above the highest apartment or business in the immediate surroundings of this establishment, so it does not disturb nearby workers or residents.
- The applicants will employ adequate security to control patrons of this establishment as per the best practices put forth by the Nightlife Taskforce,

with a minimum of 1 licensed security guard per 75 patrons during hours of operation.

- The applicant will not apply for a cabaret license.
- The applicant or their representatives will regularly attend community meetings (CB4, Block Association, and Precinct Council) to be aware of and resolve issues that result in complaints from neighboring residences and businesses.

Lux Bar & Lounge is a bar and lounge with a live DJ, a full bar and a mini-kitchen to serve 'finger' or bar food with a total capacity of 75.

Sincerely,



Jean-Daniel Noland
Chair
Manhattan
Community Board
Four

Lisa Daglian
Co-Chair
Business License &
Permits Committee



Chuck Spence
Co-Chair
Business License &
Permits Committee

cc: Applicant
Fred Gioffre
Elected Officials