

1 **Business License & Permits Committee**

Item #: 9

2
3 May 7, 2014

4
5 Ana Reyneso
6 Assistant Director of Licensing
7 Department of Consumer Affairs
8 42 Broadway
9 New York, NY 10004

10
11 **Re: 7 Washington Lane Corp.**
12 **d/b/a Xai Xai**
13 **Sidewalk Café License 2507-2014-ASWC**
14 **369 West 51st Street (8/9)**

15
16 Dear Ms. Reyneso:

17
18 Manhattan Community Board 4 (MCB4) recommends denial of an unenclosed sidewalk café permit for
19 7 Washington Lane Corp. d/b/a Xai Xai unless the following stipulation is agreed to by the applicant:

- 20
21 • To close and vacate the sidewalk café no later than 10:00 p.m. Sunday through Thursday and
22 11:00 p.m. Friday & Saturday.

23
24 Sincerely,

25
26 Christine Berthet
Chair

Paul Seres
Co-Chair
Business License & Permits
Committee

Frank Holozubiec
Co-Chair
Business License & Permits
Committee

27

1 **Business License & Permits Committee**

Item #: 10

2
3 May 7, 2014

4
5 Ana Reyneso
6 Assistant Director of Licensing
7 Department of Consumer Affairs
8 42 Broadway
9 New York, NY 10004

10
11 **Re: Hot Bread of 58th Street Inc.**
12 **d/b/a European Bakery Cafe**
13 **Sidewalk Café License 2296-2014-ASWC**
14 **370 West 58th Street (8/9)**

15
16 Dear Ms. Reyneso:

17
18 Manhattan Community Board 4 (MCB4) recommends denial of an unenclosed sidewalk café permit for
19 Hot Bread of 58th Street Inc. d/b/a European Bakery Café for the following reasons:

- 20
- 21 • The community opposed the propose unenclosed sidewalk café due to the over saturation of the
22 sidewalk in that particular portion of the district
 - 23
24 • The committee was unable to reach a compromise with the applicant on the appropriate size for a
25 sidewalk café at this particular site
- 26
27
28

29 Sincerely,

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31
Christine Berthet
Chair

Paul Seres
Co-Chair
Business License & Permits
Committee

Frank Holozubiec
Co-Chair
Business License & Permits
Committee

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1 **Business License & Permits Committee**

Item #: 11

2

3 May 7, 2014

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5 Dennis Rosen

6 Chairman

7 New York State Liquor Authority

8 80 S. Swan Street, 9th Floor

9 Albany, New York 12210

10

11 **Re: Daebak Shinhwa Inc.**

12 *301 W 45th Street (8/9)*

13

14 Dear Chairman Rosen:

15

16 Manhattan Community Board 4 (MCB4) recommends denial of a transfer of an On-Premise Liquor
17 License for Daebak Shinhwa Inc. – 301 W 45th Street (8/9), unless the following stipulations, agreed to
18 by the applicant, are part of the method of operation for this establishment with a capacity of 103 people,
19 with 15 tables with 58 seats, 1 service bar, 1 stand-up bars with 9 seats.

20

21

22 A signed copy of the questionnaire and stipulations are enclosed.

23

24 Sincerely,

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28

Christine Berthet
Chair

Paul Seres
Co-Chair
Business License & Permits
Committee

Frank Holozubiec
Co-Chair
Business License & Permits
Committee

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Manhattan Community Board 4

(All Fields Must Be Completed)

Liquor License Stipulations Application

APPLICANT Daebak Shinhwa Inc		DOING BUSINESS AS (DBA) n/a		
STREET ADDRESS 301 West 45th Street		CROSS STREETS 8th Avenue & 9th Avenue		
OWNER	NAME: Suyeol Lee	ATTORNEY	NAME: Jae Yu	
	PHONE: 646-853-7083		PHONE: 718-445-5050	
	FAX: n/a		FAX: 718-445-4195	
MANAGER	NAME:	LANDLORD	NAME: 301 West 45th Street LLC	
	PHONE:		PHONE: 212-787-2500	
	FAX:		FAX: n/a	
DESCRIPTION OF BUSINESS				
Establishment Type:	<input type="radio"/> Bar/Tavern <input type="radio"/> Bed & Breakfast <input type="radio"/> Eating Place Bar <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input checked="" type="radio"/> Restaurant <input type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization – Members Only) <input type="radio"/> Other (Explain): Bar/Arcade			
Method of Operation:	<input checked="" type="radio"/> Restaurant <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Pizzeria <input type="radio"/> Cafe <input type="radio"/> Other (Explain): Bar/Arcade			
License Type:	<input checked="" type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input type="radio"/> Wine & Beer			
APPLICATION TYPE (check one)	<input type="radio"/> New	Has applicant owned or managed a similar business?	YES	NO
		What is/was the name of establishment?		
		What is/was the address of the establishment?		
		What were the dates the applicant was involved with this former premise?		
	<input checked="" type="radio"/> Transfer	What is the prior license #?	1027836	
		What is the expiration date on the prior license?	02/28/2015	
		Are you making any alterations or operational changes?	<input checked="" type="radio"/> YES	<input type="radio"/> NO
		If alterations or operational changes are being made, please attach the plans to this form.		
	<input type="radio"/> Alteration	What is the current license #?		
		What is the expiration date on the current license?		
Please describe the nature of the alterations and attach the plans				

Handwritten notes:
 11am - 12:00am OPEN
 12am - 1:00am CLOSE

OPERATIONAL ISSUES										
HOURS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY		
	Operation	12pm-10:30pm	12pm-10:30pm	12pm-10:30pm	12pm-10:30pm	12pm-10:30pm	12pm-10:30pm	4:30pm-10:30pm	5pm-10pm	
	Music	12pm-10:30pm	12pm-10:30pm	12pm-10:30pm	12pm-10:30pm	12pm-10:30pm	4:30pm-10:30pm	5pm-10pm		
	Kitchen	12pm-10:30pm	12pm-10:30pm	12pm-10:30pm	12pm-10:30pm	12pm-10:30pm	4:30pm-10:30pm	5pm-10pm		
OCCUPANCY	INDOOR				BAR			OUTSIDE		
	Capacity (Certificate of Occupancy)	Maximum # of Persons You Anticipate Occupying Premises (Including Employees)	Number of Tables	Number of Seats	Number of Service Only Bars	Number of Stand-Up Bars	Number of Seats at Bars	Number of Seats	Number of Tables	
	103	65	15	58	1	1	9	0	0	
How many floors are there? What is the capacity for each floor? (please respond in space provided)					<input checked="" type="radio"/> 1-2	<input type="radio"/> 3-4	<input type="radio"/> 5+	103 persons on 1st floor		
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)					YES	<input checked="" type="radio"/> NO	N/A			
Will applicant have bottle service?					YES	<input checked="" type="radio"/> NO	N/A			
Will you be hosting private parties and promotional events?					YES	<input checked="" type="radio"/> NO	N/A			
Will outside promoters be used?					YES	<input checked="" type="radio"/> NO	N/A			
Will the security plan submitted be implemented?					YES	<input checked="" type="radio"/> NO	N/A			
Will State certified security personnel be used?					YES	<input checked="" type="radio"/> NO	N/A			
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?					YES	NO	<input checked="" type="radio"/> N/A			
Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided)					<input checked="" type="radio"/> YES	NO	N/A	No, has not applied for bicycle rack.		
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)					YES	<input checked="" type="radio"/> NO	N/A			
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)					YES	NO	<input checked="" type="radio"/> N/A			
Will applicant provide contact information to neighbors and respond to complaints that arise?					<input checked="" type="radio"/> YES	NO	N/A			
Will you inform the Community Board office of your job openings and/or provide a hyperlink to your jobs webpage?					YES	NO	<input checked="" type="radio"/> N/A			
If you plan to have music, what type(s)?			<input checked="" type="radio"/> BACKGROUND	<input type="radio"/> LIVE MUSIC	<input type="radio"/> DJ					
BUILDING DESIGN										
Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.					<input checked="" type="radio"/> YES	NO	N/A			
Will applicant follow the recommendations of a certified sound engineer to mitigate potential noise disturbance to the neighboring residents and buildings, including placing speakers on the floor of the establishment?					YES	NO	<input checked="" type="radio"/> N/A			
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.)					<input checked="" type="radio"/> YES	NO	N/A			

OUTDOOR ITEMS			
Will applicant use the rooftop, rear yard or any outdoor space?	YES	<input checked="" type="radio"/> NO	<input type="radio"/> N/A
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	YES	<input type="radio"/> NO	<input checked="" type="radio"/> N/A
The service and consumption of alcohol in the rear yard, on the rooftop, or in any other outdoor space will be only via seated food service	YES	<input type="radio"/> NO	<input checked="" type="radio"/> N/A
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	YES	<input type="radio"/> NO	<input checked="" type="radio"/> N/A
Applicant will do everything in their power to provide an effective sound baffling or sound controlled environment through landscaping or some type of enclosure, where possible; provided they do not violate any fire or building code regulations? This includes possibly working with landlords for soundproofing tenants apartments (such as installing soundproofing windows, acoustical tiles, etc.)	YES	<input type="radio"/> NO	<input checked="" type="radio"/> N/A
Applicant will enforce a quiet environment in the outdoor space, so as not to disturb nearby residents (e.g. there will be no amplified music, as per the law, and windows and doors to areas that play amplified music shall be closed). The applicant will make every effort possible to limit the noise emanating from diners by posting signs outside and also on menus asking for respect of the neighbor's privacy and peace. The staff will also encourage a peaceful environment amongst the outdoor diners.	YES	<input type="radio"/> NO	<input checked="" type="radio"/> N/A
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	<input type="radio"/> NO	<input checked="" type="radio"/> N/A

LOCATION & ZONING			
Primary Zoning District:	Commercial	Overlay (If Applicable)	n/a
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A
Is the 500 Foot Rule or 200 Foot Rule Triggered? If yes, which? Please attach a diagram of the establishments that triggers the rule.	YES	<input checked="" type="radio"/> NO	<input type="radio"/> N/A
Is a Public Assembly permit required?	YES	<input checked="" type="radio"/> NO	<input type="radio"/> N/A
Are your plans filed with DOB?	YES	<input type="radio"/> NO	<input checked="" type="radio"/> N/A
Building Type	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____		
Adjacent Buildings	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____		
NOTIFICATION: What organizations / community groups have you notified regarding your application?	# 1	Manhattan Community Board 4	
	# 2		
	# 3		

ADDITIONAL STIPULATIONS: (Office Use Only)

- Applicant agrees to Hours of Operation 11AM - 12AM
Seven days a week.

1 **Business License & Permits Committee**

Item #: 12

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May 7, 2014

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

Re: Phillips Food 35 LLC.
d/b/a Holly Grove
450 10th Avenue (35/36)

Dear Chairman Rosen:

Manhattan Community Board 4 (MCB4) recommends denial of a new On-Premise Liquor License for Phillips Food 35 LLC. d/b/a Holly Grove – *450 10th Avenue (35/36)*, unless the following stipulations, agreed to by the applicant, are part of the method of operation for this establishment with a capacity of 70 people, with 13 tables with 59 seats, 1 service bar with 5 seats.

A signed copy of the questionnaire and stipulations are enclosed.

Sincerely,

Christine Berthet
Chair

Paul Seres
Co-Chair
Business License & Permits
Committee

Frank Holozubiec
Co-Chair
Business License & Permits
Committee

30

Manhattan Community Board 4

(All Fields Must Be Completed)

Liquor License Stipulations Application

APPLICANT Phillips Food 35, LLC		DOING BUSINESS AS (DBA) Holly Grove		
STREET ADDRESS 450 10th Avenue		CROSS STREETS West 35th Street and West 36th Street		
OWNER	NAME: Alan Phillips	ATTORNEY	NAME: Rosa M. Sanchez (representative)	
	PHONE: 212.362.4166		PHONE: 646.619.1166	
	FAX:		FAX: 646.365.8233	
MANAGER	NAME: Justin Brunwasser	LANDLORD	NAME: Clinton Housing	
	PHONE: 917.295.4002		PHONE: 212.564.6915	
	FAX:		FAX:	
DESCRIPTION OF BUSINESS				
Establishment Type:	<input type="radio"/> Bar/Tavern <input type="radio"/> Bed & Breakfast <input type="radio"/> Eating Place Beer <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input checked="" type="radio"/> Restaurant <input type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization – Members Only) <input type="radio"/> Other (Explain): Bar/Arcade			
Method of Operation:	<input checked="" type="radio"/> Restaurant <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Pizzeria <input type="radio"/> Cafe <input type="radio"/> Other (Explain): Bar/Arcade			
License Type:	<input checked="" type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input type="radio"/> Wine & Beer			
APPLICATION TYPE (check one)	<input checked="" type="radio"/> New	Has applicant owned or managed a similar business?	<input checked="" type="radio"/> YES	<input type="radio"/> NO
		What is/was the name of establishment?	please see attached	
		What is/was the address of the establishment?		
		What were the dates the applicant was involved with this former premise?		
	<input type="radio"/> Transfer	What is the prior license #?		
		What is the expiration date on the prior license?		
		Are you making any alterations or operational changes?	<input type="radio"/> YES	<input type="radio"/> NO
		<i>If alterations or operational changes are being made, please attach the plans to this form.</i>		
	<input type="radio"/> Alteration	What is the current license #?		
		What is the expiration date on the current license?		
<i>Please describe the nature of the alterations and attach the plans</i>				

OPERATIONAL ISSUES

HOURS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
	Operation	11a.m.- 11 p.m.	11a.m.-11p.m.	11a.m.-11p.m.	11a.m.-11p.m.	11a.m.-11p.m.	9 a.m.-11p.m.	9 a.m. - 10p.m.
	Music	Same						
	Kitchen	Same						

OCCUPANCY	INDOOR				BAR			OUTSIDE	
	Capacity (Certificate of Occupancy)	Maximum # of Persons You Anticipate Occupying Premises (Including Employees)	Number of Tables	Number of Seats	Number of Service Only Bars	Number of Stand-Up Bars	Number of Seats at Bars	Number of Seats	Number of Tables
		70	13	59	1	0	5		

How many floors are there? What is the capacity for each floor? (please respond in space provided)	<input checked="" type="radio"/> 1-2	<input type="radio"/> 3-4	<input type="radio"/> 5+	
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)	YES	<input checked="" type="radio"/> NO	N/A	
Will applicant have bottle service?	YES	<input checked="" type="radio"/> NO	N/A	
Will you be hosting private parties and promotional events?	<input checked="" type="radio"/> YES	NO	N/A	upon request for special occasions ie - corporate, wedding, etc.
Will outside promoters be used?	YES	<input checked="" type="radio"/> NO	N/A	
Will the security plan submitted be implemented?	YES	NO	<input checked="" type="radio"/> N/A	
Will State certified security personnel be used?	YES	NO	<input checked="" type="radio"/> N/A	
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?	YES	NO	<input checked="" type="radio"/> N/A	
Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided)	<input checked="" type="radio"/> YES	NO	N/A	
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)	<input checked="" type="radio"/> YES	NO	N/A	
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)	YES	<input checked="" type="radio"/> NO	N/A	
Will applicant provide contact information to neighbors and respond to complaints that arise?	<input checked="" type="radio"/> YES	NO	N/A	
Will you inform the Community Board office of your job openings and/or provide a hyperlink to your jobs webpage?	<input checked="" type="radio"/> YES	NO	N/A	

If you plan to have music, what type(s)? **BACKGROUND** LIVE MUSIC DJ

BUILDING DESIGN

Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.	<input checked="" type="radio"/> YES	NO	N/A
Will applicant follow the recommendations of a certified sound engineer to mitigate potential noise disturbance to the neighboring residents and buildings, including placing speakers on the floor of the establishment?	YES	NO	<input checked="" type="radio"/> N/A
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.)	<input checked="" type="radio"/> YES	NO	N/A

OUTDOOR ITEMS				
Will applicant use the rooftop, rear yard or any outdoor space?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	N/A	sidewalk cafe
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	N/A	food
The service and consumption of alcohol in the rear yard, on the rooftop, or in any other outdoor space will be only via seated food service.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	N/A	
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	N/A	
Applicant will do everything in their power to provide an effective sound baffling or sound controlled environment through landscaping or some type of enclosure, where possible; provided they do not violate any fire or building code regulations? This includes possibly working with landlords for soundproofing tenants apartments (such as installing soundproofing windows, acoustical tiles, etc.).	<input checked="" type="radio"/> YES	<input type="radio"/> NO	N/A	
Applicant will enforce a quiet environment in the outdoor space, so as not to disturb nearby residents (e.g. there will be no amplified music, as per the law, and windows and doors to areas that play amplified music shall be closed). The applicant will make every effort possible to limit the noise emanating from diners by posting signs outside and also on menus asking for respect of the neighbor's privacy and peace. The staff will also encourage a peaceful environment amongst the outdoor diners.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	N/A	
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	N/A	

LOCATION & ZONING				
Primary Zoning District:	C2-8	Overlay (If Applicable):		
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	N/A	Hudson Yards
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	YES	<input checked="" type="radio"/> NO	N/A	letter of no objection to be applied for
Is the 500 Foot Rule or 200 Foot Rule Triggered? If yes, which? Please attach a diagram of the establishments that triggers the rule.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	N/A	
Is a Public Assembly permit required?	YES	<input checked="" type="radio"/> NO	N/A	
Are your plans filed with DOB?	YES	NO	<input checked="" type="radio"/> N/A	
Building Type	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe:			
Adjacent Buildings	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe:			
NOTIFICATION: What organizations / community groups have you notified regarding your application?	# 1	no block associations are located within this area		
	# 2			
	# 3			

ADDITIONAL INFORMATION: (Applicant Use)

ADDITIONAL NOTES: (Office Use Only)

THERE WILL BE NO
SIDEWALK CAFE.

ADDITIONAL STIPULATIONS: (Office Use Only)

THERE WILL BE NO
SIDEWALK CAFE.



CITY OF NEW YORK
MANHATTAN COMMUNITY BOARD FOUR
330 West 42nd Street, 26th floor New York, NY 10036
tel: 212-736-4536 fax: 212-947-9512
www.nyc.gov/mcb4

CHRISTINE BERTHET
Chair

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

8

9 April 11, 2014

Item #: 13 RATIFICATION

10

11 Dennis Rosen

12 Chairman

13 New York State Liquor Authority

14 80 S. Swan Street, 9th Floor

15 Albany, New York 12210

16

17 **Re: BKUK 2 Corp. d/b/a Limon Jungle**

18 *803 Ninth Avenue (53rd/54th Streets)*

19 *License # 1195004*

20

21 Dear Chairman Rosen:

22

23 Manhattan Community Board 4 (MCB4) recommends denial of a transfer of and an alteration to
24 the On-Premise Liquor License for BKUK 2 Corp. d/b/a Limon Jungle because the rear yard
25 alcohol service and extended operating hours sought in this application would not serve, and
26 would be contrary to, the public interest.

27

28 This establishment falls within the 500 foot rule as there are **20 (twenty)** OP liquor licenses
29 within 500 feet of this address, including Mexican restaurants similar to this applicant. In our
30 experience, extending the license to this establishment's rear yard (where the applicant seeks to
31 have 15 tables and 30 seats) would seriously disturb the hundreds of community residents whose
32 windows (often bedroom windows) face the large courtyard of which the applicant's rear yard is
33 one part. Similarly, the extended hours sought in the application present a serious risk of
34 increased vehicular and pedestrian traffic and gatherings outside to smoke, generating excessive
35 street noise in the early morning hours and causing significant disruption to surrounding
36 residents.

37

38 Despite the community's legitimate and serious concerns about the applicant's use of its rear
39 yard -- expressed most recently to the applicant at a meeting of MCB4's Business Licenses and
40 Permits (BLP) Committee earlier this week -- we have been informed that the applicant was
41 seating customers in its rear yard last night, April 10. The applicant's complete disregard of the
42 community's concerns and the alteration application process is unfortunately representative of
43 the problems the community has had with this establishment, as outlined below.

44

45 The applicant presented this transfer/alteration application to MCB4's BLP Committee at both its
46 February 11, 2014 and April 8, 2014 meetings, and, at each meeting, multiple community

47 residents -- several speaking on behalf of the condominium boards of entire buildings -- spoke
48 against the application, citing the concerns outlined above. No one (other than the applicant)
49 spoke in favor of the application. Community members whose windows faced the courtyard
50 containing the applicant's rear yard explained that noise travels readily through the courtyard and
51 that any kind of eating and drinking in the applicant's rear yard would be heard in their
52 apartments (as well as hundreds of other apartments) and would seriously compromise their
53 quality of live. These residents noted that typically it is the bedrooms of their apartments -- often
54 occupied by small children -- that face the courtyard and would bear the brunt of the noise from
55 the applicant's rear yard.

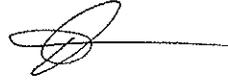
56
57 MCB4 and the community are particularly concerned about this application because the
58 establishment has repeatedly failed to abide by its stipulations with MCB4 (and thus the terms of
59 its liquor license) and to behave as a responsible member of the community. One of the
60 principals on the current license for this establishment, serial number 1195004 -- Mr. Besim
61 Kukaj -- is the same individual listed as the manager on the present transfer/alteration application
62 and is the individual who appeared on behalf of the present applicant at the MCB4 meetings .
63 The current liquor license for this establishment allows it to operate until midnight daily. At the
64 MCB4 meetings, however, community members reported that this establishment regularly stays
65 open until 2:00 and 3:00 a.m. When this fact was called to the applicant's attention at the
66 February 11, 2014 MCB4 meeting, the applicant responded that he was unaware of the stipulated
67 closing time, but would abide by it going forward. At our April 8, 2014 meeting, community
68 members reported that post-midnight operations continued well after the February meeting and
69 that it was only in the past few weeks -- *i.e.*, in the period immediately preceding the applicant's
70 most recent appearance before MCB4 -- that the establishment began closing at the required time
71 of midnight. Community members also reported that the establishment ignored the fact that its
72 noisy, intoxicated patrons congregate out in front late at night and failed to properly dispose of
73 its trash, contributing to a rodent problem in this area.

74
75 Given that the establishment's present operation has proven significantly detrimental to its
76 neighbors, MCB4 and the community believe that granting the alteration application -- to permit
77 the applicant to serve alcohol even later into the early morning hours and in its rear yard
78 surrounded by multiple residential buildings -- would multiply the problems that the community
79 has had with this establishment and would be contrary to the public interest and the well-being of
80 local residents. MCB4 accordingly urges denial of the present application.

81
82 Thank you for your attention and cooperation with this application.

83
84 Sincerely,

85 
Christine Berthet
Chair


Paul Seres
Co-Chair
Business License & Permits
Committee


Frank Holozubiec
Co-Chair
Business License & Permits
Committee

1 **Business License & Permits Committee**

Item #: 14

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3 May 7, 2014

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5 Dennis Rosen

6 Chairman

7 New York State Liquor Authority

8 80 S. Swan Street, 9th Floor

9 Albany, New York 12210

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11 **Re: Fika 824 10th Avenue, LLC.**

12 **d/b/a Fika**

13 **824 10th Avenue (54/55)**

14

15 Dear Chairman Rosen:

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17 Manhattan Community Board 4 (MCB4) recommends denial of a new On-Premise Liquor License for
18 Fika 824 10th Avenue, LLC. d/b/a Fika – **824 10th Avenue (54/55)**, unless the following stipulations,
19 agreed to by the applicant, are part of the method of operation for this establishment with a capacity of
20 74 people, with 25 tables with 64 seats, 1 stand-up bar, rear terrace: 6 tables with 12 seats.

21

22

23 A signed copy of the questionnaire and stipulations are enclosed.

24

25 Sincerely,

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Christine Berthet
Chair

Paul Seres
Co-Chair
Business License & Permits
Committee

Frank Holozubiec
Co-Chair
Business License & Permits
Committee

30

Manhattan Community Board 4

(All Fields Must Be Completed)

Liquor License Stipulations Application

APPLICANT		DOING BUSINESS AS (DBA)			
Fika 824 10th Avenue, LLC		Fika			
STREET ADDRESS		CROSS STREETS			
824 10th Avenue, New York, NY		West 54th Street and West 55th Street			
OWNER	NAME	Lars Akerlund & Michaela Wey	ATTORNEY NAME	Stacy L. Weiss, Esq.	
	PHONE	646 837-6588	PHONE	212-521-0828	
	FAX	N/A	FAX	212-521-0828	
MANAGER	NAME	N/A	LANDLORD NAME	Kate Eustace & James Eustace	
	PHONE	N/A		PHONE	(212) 595-9590
	FAX	N/A		FAX	N/A
DESIGNATION OF BUSINESS					
Establishment Type:		<input type="radio"/> Bar/Tavern <input type="radio"/> Bed & Breakfast <input type="radio"/> Eating Place Beer <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input checked="" type="radio"/> Restaurant <input type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization -- Members Only) <input type="radio"/> Other (Explain): Cafe, Bakery			
Method of Operation:		<input checked="" type="radio"/> Restaurant <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Pizzeria <input type="radio"/> Cafe <input checked="" type="radio"/> Other (Explain): Cafe, Bakery			
License Type:		<input checked="" type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input type="radio"/> Wine & Beer			
APPLICATION TYPE (check one)	<input checked="" type="radio"/> New	Has applicant owned or managed a similar business?		<input checked="" type="radio"/> YES <input type="radio"/> NO	
		What is/was the name of establishment?		Fika	
		What is/was the address of the establishment?		450 Washington Street, NY, NY	
		What were the dates the applicant was involved with this former premise?		June 2012	
	<input type="radio"/> Transfer	What is the prior license #?		N/A	
		What is the expiration date on the prior license?		N/A	
		Are you making any alterations or operational changes?		<input checked="" type="radio"/> YES <input type="radio"/> NO	
		If alterations or operational changes are being made, please attach the plans to this form.			
	<input type="radio"/> Alteration	What is the current license #?		N/A	
		What is the expiration date on the current license?		N/A	
Please describe the nature of the alterations and attach the plans					

OPERATIONAL ISSUES

	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
HOURS Operation	6:30am-10pm						
Music	6:30am-10pm						
Kitchen	6:30am-10pm						

OCCUPANCY	INDOOR				BAR		OUTSIDE		
	Capacity (Certificate of Occupancy)	Maximum # of Persons You Anticipate Occupying Premises (Including Employees)	Number of Tables	Number of Seats	Number of Service Only Bars	Number of Stand-Up Bars	Number of Seats at Bars	Number of Seats	Number of Tables
	74	74	25	64	0	1	0	12	6

How many floors are there? What is the capacity for each floor? (please respond in space provided)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	1st fl, 2nd fl and basement		
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Will applicant have bottle service?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Will you be hosting private parties and promotional events?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Will outside promoters be used?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Will the security plan submitted be implemented?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Will State certified security personnel be used?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Will applicant provide contact information to neighbors and respond to complaints that arise?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Will you inform the Community Board office of your job openings and/or provide a hyperlink to your jobs webpage?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

If you plan to have music, what type(s)? BACKGROUND MUSIC LIVE MUSIC DJ

BUILDING DESIGN

Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Will applicant follow the recommendations of a certified sound engineer to mitigate potential noise disturbance to the neighboring residents and buildings, including placing speakers on the floor of the establishment?	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

OUTDOOR ITEMS				
Will applicant use the rooftop, rear yard or any outdoor space?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	Rear terrace
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	
The service and consumption of alcohol in the rear yard, on the rooftop, or in any other outdoor space will be only via seated food service.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	
Applicant will do everything in their power to provide an effective sound baffling or sound controlled environment through landscaping or some type of enclosure, where possible; provided they do not violate any fire or building code regulations? This includes possibly working with landlords for soundproofing tenants apartments (such as installing soundproofing windows, acoustical tiles, etc.).	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	
Applicant will enforce a quiet environment in the outdoor space, so as not to disturb nearby residents (e.g. there will be no amplified music, as per the law, and windows and doors to areas that play amplified music shall be closed). The applicant will make every effort possible to limit the noise emanating from diners by posting signs outside and also on menus asking for respect of the neighbor's privacy and peace. The staff will also encourage a peaceful environment amongst the outdoor diners.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	

LOCATION & ZONING				
Primary Zoning District:	C6-2	Overlay (If Applicable):	N/A	
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	Filing for letter of No Objection
Is the 500 Foot Rule or 200 Foot Rule Triggered? If yes, which? Please attach a diagram of the establishments that triggers the rule.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	
Is a Public Assembly permit required?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	
Are your plans filed with DOB?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	
Building Type	<input type="radio"/> Residential <input checked="" type="radio"/> Commercial <input type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____			
Adjacent Buildings	<input type="radio"/> Residential <input checked="" type="radio"/> Commercial <input type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____			
NOTIFICATION: What organizations / community groups have you notified regarding your application?	# 1	West 55th Street Block Association		
	# 2			
	# 3			

OUTDOOR TERRACE
WILL NOT OPEN
BEFORE 10:00 a.m.

OUTDOOR TERRACE WILL
BE CLOSED + VACATED
BY 8:00 p.m.

2
3
4 May __, 2014

5
6 Dennis Rosen
7 Chairman
8 New York State Liquor Authority
9 80 S. Swan Street, 9th Floor
10 Albany, New York 12210

11
12 **Re: Idealize Inc.**
13 **d/b/a Tori Shin**
14 *362 West 53rd Street (8th/9th Avenues)*

15
16 Dear Chairman Rosen:

17
18 Manhattan Community Board 4 (MCB4) recommends denial of the On-Premise license application of
19 Idealize Inc. d/b/a Tori Shin because the applicant insists on extending the license to the two rear
20 terraces at this location. Use of these terraces for eating and drinking would seriously disrupt the quality
21 of life for hundreds of residents in dozens of apartments whose windows overlook and share an internal
22 courtyard with these terraces. Any application that encompasses the rear terraces would not serve, and
23 would be contrary to, the public interest.

24
25 This establishment falls within the 500 foot rule as there are **22 (twenty-two)** OP liquor licenses within
26 500 feet of this address, including another Michelin-starred Asian restaurant (like this applicant).
27 Although MCB4 has other concerns about this application -- including that it seeks a full On-Premises
28 license for a location on a residential side street and seeks to operate until 1:00 a.m. on Fridays and
29 Saturdays -- MCB4's chief concern relates to the applicant's insistence that its license extend to the two
30 rear terraces at this location. In our experience, granting a license encompassing the location's rear
31 terraces (where the applicant seeks to have a total of 7 tables and 18 seats) would seriously disturb the
32 hundreds of community residents whose windows (often bedroom windows) face the courtyard in which
33 these terraces are located. No matter how conscientious the operator, the noise made by 18 people (plus
34 service staff) eating, drinking, and talking on the terraces up to 11-1/2 hours a day would be a constant
35 disturbance to the residents of apartments sharing the courtyard with these terraces.

36
37 Numerous community members have repeatedly objected to the use of these terraces for the reasons
38 stated above. To the best of MCB4's knowledge, no prior operator at this location has used these
39 terraces for eating and drinking. Accompanying this letter are four photos submitted to MCB4 by a
40 concerned community member, which show how near the terraces at issue are to residential windows
41 and hint at the number of apartments affected. Members of MCB4 have visited this location and report
42 that the use of the terraces could also affect residents in other buildings not captured in these photos,
43 including the residential building from which these photographs were taken.

44
45 At the April 8, 2014 meeting of MCB4's Business Licenses and Permits Committee, the committee
46 requested that the applicant agree not to use the rear terraces. The representatives of the applicant

1 stated, however, that they had no authority to agree to any changes to the application as submitted to
2 MCB4 and therefore could not agree to eliminate the terraces from the application.

3
4 Accordingly, MCB4 urges denial of this application. Were the applicant to agree not to use any outdoor
5 space (including the two terraces), MCB4 would not oppose the application *so long as* the applicant also
6 agreed to all of the other stipulations in its application to MCB4 (a copy of which is enclosed), including
7 ceasing operations at 11:30 p.m. on Sundays through Thursdays and at 1:00 a.m. on Fridays and
8 Saturdays and playing no music of any kind in the establishment.

9
10 Thank you for your attention and cooperation with this application.

11
12 Sincerely,

13
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16
Christine Berthet
Chair

Paul Seres
Co-Chair
Business License & Permits
Committee

Frank Holozubiec
Co-Chair
Business License & Permits
Committee

17

1 **Business License & Permits Committee**

Item #: 16

2
3 May 7, 2014

4
5 Dennis Rosen
6 Chairman
7 New York State Liquor Authority
8 80 S. Swan Street, 9th Floor
9 Albany, New York 12210

10
11 **Re: Rise Bar NYC LLC.**
12 **d/b/a Rise Bar & Lounge**
13 *859 9th Avenue (55/56)*
14

15 Dear Chairman Rosen:

16
17 Manhattan Community Board 4 (MCB4) recommends denial of a new On-Premise Liquor License for
18 Rise Bar NYC LLC.. d/b/a Rise Bar & Lounge – *859 9th Avenue (55/56)*, unless the following
19 stipulations, agreed to by the applicant, are part of the method of operation for this establishment with a
20 capacity of 74 people, with 8 tables with 30 seats, 1 stand-up bar with 14 seats.
21

22
23 A signed copy of the questionnaire and stipulations are enclosed.

24
25 Sincerely,

26
27
28
29
Christine Berthet
Chair

Paul Seres
Co-Chair
Business License & Permits
Committee

Frank Holozubiec
Co-Chair
Business License & Permits
Committee

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Manhattan Community Board 4

(All Fields Must Be Completed)

Liquor License Stipulations Application

APPLICANT Rise Bar NYC, LLC		DOING BUSINESS AS (DBA) Rise Bar & Lounge		
STREET ADDRESS 859 Ninth Avenue		CROSS STREETS West 55th and West 56th Streets		
OWNER	NAME: John Blair	ATTORNEY	NAME: Donald M. Bernstein	
	PHONE: 914-388-5139		PHONE: 212-486-6000	
	FAX: None		FAX: 212-486-8668	
MANAGER	NAME: Ted Arenas	LANDLORD	NAME: Trevi Retail	
	PHONE: 917-405-7905		PHONE: 646-937-5094	
	FAX: None		FAX:	
DESCRIPTION OF BUSINESS				
Establishment Type:	<input checked="" type="radio"/> Bar/Tavern <input type="radio"/> Bed & Breakfast <input type="radio"/> Eating Place Beer <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input type="radio"/> Restaurant <input type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization – Members Only) <input checked="" type="radio"/> Other (Explain): Bar/Tavern First Class Lounge			
Method of Operation:	<input type="radio"/> Restaurant <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Pizzeria <input type="radio"/> Cafe <input checked="" type="radio"/> Other (Explain): Bar/Tavern First Class Lounge			
License Type:	<input checked="" type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input type="radio"/> Wine & Beer			
APPLICATION TYPE (check one)	<input checked="" type="radio"/> New	Has applicant owned or managed a similar business?	<input checked="" type="radio"/> YES	<input type="radio"/> NO
		What is/was the name of establishment?	See attached	
		What is/was the address of the establishment?		
		What were the dates the applicant was involved with this former premise?		
	<input type="radio"/> Transfer	What is the prior license #?		
		What is the expiration date on the prior license?		
		Are you making any alterations or operational changes?	<input type="radio"/> YES	<input type="radio"/> NO
		<i>If alterations or operational changes are being made, please attach the plans to this form.</i>		
	<input type="radio"/> Alteration	What is the current license #?		
		What is the expiration date on the current license?		
<i>Please describe the nature of the alterations and attach the plans</i>				

OPERATIONAL ISSUES										
HOURS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY		
	Operation	4PM - 4AM	4PM - 4AM	4PM - 4AM	4PM - 4AM	4PM - 4AM	4PM - 4AM	4PM - 4AM	2PM - 4AM	
	Music	4PM - 4AM	4PM - 4AM	4PM - 4AM	4PM - 4AM	4PM - 4AM	4PM - 4AM	4PM - 4AM	2PM - 4AM	
	Kitchen	4PM - 3AM	4PM - 3AM	4PM - 3AM	4PM - 3AM	4PM - 3AM	4PM - 3AM	4PM - 3AM	2PM - 3AM	
OCCUPANCY	INDOOR				BAR			OUTSIDE		
	Capacity (Certificate of Occupancy)	Maximum # of Persons You Anticipate Occupying Premises (Including Employees)	Number of Tables	Number of Seats	Number of Service Only Bars	Number of Stand-Up Bars	Number of Seats at Bars	Number of Seats	Number of Tables	
	74	74	8	30	0	1	14	N/A	N/A	
How many floors are there? What is the capacity for each floor? (please respond in space provided)					<input checked="" type="radio"/> 1-2	<input type="radio"/> 3-4	<input type="radio"/> 5+	Ground Floor:		
								Basement:		
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)					<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A			
Will applicant have bottle service?					<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A			
Will you be hosting private parties and promotional events?					<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A			
Will outside promoters be used?					<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A			
Will the security plan submitted be implemented?					<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	See attached		
Will State certified security personnel be used?					<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A			
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?					<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A			
Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided)					<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A			
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)					<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A			
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)					<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A			
Will applicant provide contact information to neighbors and respond to complaints that arise?					<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A			
Will you inform the Community Board office of your job openings and/or provide a hyperlink to your jobs webpage?					<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A			
If you plan to have music, what type(s)?				<input checked="" type="radio"/> BACKGROUND	<input type="radio"/> LIVE MUSIC	<input type="radio"/> DJ				
BUILDING DESIGN										
Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.					<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A			
Will applicant follow the recommendations of a certified sound engineer to mitigate potential noise disturbance to the neighboring residents and buildings, including placing speakers on the floor of the establishment?					<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A			
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.)					<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A			

OUTDOOR ITEMS NO OUTDOOR SPACE			
Will applicant use the rooftop, rear yard or any outdoor space?	YES	NO	N/A
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	YES	NO	N/A
The service and consumption of alcohol in the rear yard, on the rooftop, or in any other outdoor space will be only via seated food service.	YES	NO	N/A
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	YES	NO	N/A
Applicant will do everything in their power to provide an effective sound baffling or sound controlled environment through landscaping or some type of enclosure, where possible; provided they do not violate any fire or building code regulations? This includes possibly working with landlords for soundproofing tenants apartments (such as installing soundproofing windows, acoustical tiles, etc.).	YES	NO	N/A
Applicant will enforce a quiet environment in the outdoor space, so as not to disturb nearby residents (e.g. there will be no amplified music, as per the law, and windows and doors to areas that play amplified music shall be closed). The applicant will make every effort possible to limit the noise emanating from diners by posting signs outside and also on menus asking for respect of the neighbor's privacy and peace. The staff will also encourage a peaceful environment amongst the outdoor diners.	YES	NO	N/A
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	N/A

LOCATION & ZONING			
Primary Zoning District:	R8	Overlay (If Applicable):	C1-5
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	NO	N/A
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	YES	NO	N/A
Is the 500 Foot Rule or 200 Foot Rule Triggered? If yes, which? Please attach a diagram of the establishments that triggers the rule.	YES	NO	N/A
Is a Public Assembly permit required?	YES	NO	N/A
Are your plans filed with DOB?	YES	NO	N/A
Building Type	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____		
Adjacent Buildings	<input checked="" type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____		
NOTIFICATION: What organizations / community groups have you notified regarding your application?	# 1		
	# 2		
	# 3		

ADDITIONAL INFORMATION: (Applicant Use)

ADDITIONAL NOTES: (Office Use Only)

- WINDOWS + DOORS WILL NOT BE OPEN AT ANY TIME.
- RECOMMENDATION OF ACOUSTICAL REPORT DATED 4/4/14 WILL BE ADOPTED + IMPLEMENTED.

✓

1 **Business License & Permits Committee**

Item #: 17

2

3 May 7, 2014

4

5 Dennis Rosen

6 Chairman

7 New York State Liquor Authority

8 80 S. Swan Street, 9th Floor

9 Albany, New York 12210

10

11 **Re: 287 Gallery LLC**

12 *287 10th Avenue (26/27)*

13

14 Dear Chairman Rosen:

15

16 Manhattan Community Board 4 (MCB4) recommends denial of a new On-Premise Liquor License for
17 287 Gallery LLC – *287 10th Avenue (26/27)*, unless the following stipulations, agreed to by the
18 applicant, are part of the method of operation for this establishment with a capacity of 74 people.

19

20

21 A signed copy of the questionnaire and stipulations are enclosed.

22

23

24 Sincerely,

25

26

27

Christine Berthet
Chair

Paul Seres
Co-Chair
Business License & Permits
Committee

Frank Holozubiec
Co-Chair
Business License & Permits
Committee

28

Manhattan Community Board 4

Liquor License Stipulations Application

(All Fields Must Be Completed)

APPLICANT		DOING BUSINESS AS (DBA)		
287 GALLERY, LLC				
STREET ADDRESS		CROSS STREETS		
287 TENTH AVENUE		26 TH & 27 TH STREETS		
OWNER	NAME:	287 TENTH AVENUE, LLC	ATTORNEY	
	PHONE:	908 745 9505	NAME:	
	FAX:		PHONE:	
			THOMAS Mc LAUREN	
			212 732 3640	
MANAGER	NAME:		LANDLORD	
	PHONE:		NAME:	
	FAX:		PHONE:	
DESCRIPTION OF BUSINESS				
Establishment Type:	<input type="radio"/> Bar/Tavern <input type="radio"/> Bed & Breakfast <input type="radio"/> Eating Place Beer <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input type="radio"/> Restaurant <input checked="" type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization - Members Only) <input type="radio"/> Other (Explain): Bar/Arcade			
Method of Operation:	<input type="radio"/> Restaurant <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Pizzeria <input type="radio"/> Cafe <input checked="" type="radio"/> Other (Explain): Bar/Arcade SPECIAL EVENTS			
License Type:	<input checked="" type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input type="radio"/> Wine & Beer			
APPLICATION TYPE <i>(check one)</i>	<input checked="" type="radio"/> New	Has applicant owned or managed a similar business?	<input checked="" type="radio"/> YES	<input type="radio"/> NO
		What is/was the name of establishment?	MARQUEE/ AVENUE	
		What is/was the address of the establishment?	289 TENTH AVE 116 TENTH AVE	
		What were the dates the applicant was involved with this former premise?	2003 - CURRENT	
	<input type="radio"/> Transfer	What is the prior license #?		
		What is the expiration date on the prior license?		
		Are you making any alterations or operational changes?	<input type="radio"/> YES	<input type="radio"/> NO
		<i>If alterations or operational changes are being made, please attach the plans to this form.</i>		
	<input type="radio"/> Alteration	What is the current license #?		
		What is the expiration date on the current license?		
<i>Please describe the nature of the alterations and attach the plans</i>				

OPERATIONAL ISSUES

HOURS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
	Operation							
	Music							
	Kitchen							

OCCUPANCY	INDOOR				BAR			OUTSIDE	
	Capacity (Certificate of Occupancy)	Maximum # of Persons You Anticipate Occupying Premises (Including Employees)	Number of Tables	Number of Seats	Number of Service Only Bars	Number of Stand-Up Bars	Number of Seats at Bars	Number of Seats	Number of Tables
	74	74							

How many floors are there? What is the capacity for each floor? (please respond in space provided)	<input checked="" type="radio"/> 1-2	<input type="radio"/> 3-4	<input type="radio"/> 5+	GROUND-71, BASEMENT-3					
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)	YES	<input checked="" type="radio"/> NO	N/A						
Will applicant have bottle service?	YES	<input checked="" type="radio"/> NO	N/A						
Will you be hosting private parties and promotional events?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	N/A						
Will outside promoters be used?	YES	<input checked="" type="radio"/> NO	N/A						
Will the security plan submitted be implemented?	YES	<input type="radio"/> NO	<input checked="" type="radio"/> N/A	A S R E Q U I R E D					
Will State certified security personnel be used?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	N/A						
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	N/A						
Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided)	YES	<input checked="" type="radio"/> NO	N/A						
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)	YES	<input checked="" type="radio"/> NO	N/A						
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)	YES	<input type="radio"/> NO	<input checked="" type="radio"/> N/A						
Will applicant provide contact information to neighbors and respond to complaints that arise?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	N/A						
Will you inform the Community Board office of your job openings and/or provide a hyperlink to your jobs webpage?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	N/A						

If you plan to have music, what type(s)? BACKGROUND LIVE MUSIC DJ TYPE T/R/D BY CLIENTS

BUILDING DESIGN

Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.	YES	<input type="radio"/> NO	<input checked="" type="radio"/> N/A
Will applicant follow the recommendations of a certified sound engineer to mitigate potential noise disturbance to the neighboring residents and buildings, including placing speakers on the floor of the establishment?	YES	<input type="radio"/> NO	<input checked="" type="radio"/> N/A
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.)	<input checked="" type="radio"/> YES	<input type="radio"/> NO	N/A

OUTDOOR ITEMS				
Will applicant use the rooftop, rear yard or any outdoor space?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	REAR YARD
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	<input type="radio"/> YES	<input checked="" type="radio"/> NO	<input type="radio"/> N/A	
The service and consumption of alcohol in the rear yard, on the rooftop, or in any other outdoor space will be only via seated food service.	<input type="radio"/> YES	<input checked="" type="radio"/> NO	<input type="radio"/> N/A	
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	<input type="radio"/> YES	<input checked="" type="radio"/> NO	<input type="radio"/> N/A	
Applicant will do everything in their power to provide an effective sound baffling or sound controlled environment through landscaping or some type of enclosure, where possible; provided they do not violate any fire or building code regulations? This includes possibly working with landlords for soundproofing tenants apartments (such as installing soundproofing windows, acoustical tiles, etc.).	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	
Applicant will enforce a quiet environment in the outdoor space, so as not to disturb nearby residents (e.g. there will be no amplified music, as per the law, and windows and doors to areas that play amplified music shall be closed). The applicant will make every effort possible to limit the noise emanating from diners by posting signs outside and also on menus asking for respect of the neighbor's privacy and peace. The staff will also encourage a peaceful environment amongst the outdoor diners.	<input type="radio"/> YES	<input type="radio"/> NO	<input checked="" type="radio"/> N/A	
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	

LOCATION & ZONING				
Primary Zoning District:	M1-6	Overlay (If Applicable):		
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	<input type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	
Is the 500 Foot Rule or 200 Foot Rule Triggered? If yes, which? Please attach a diagram of the establishments that triggers the rule.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	500
Is a Public Assembly permit required?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	<input type="radio"/> N/A	
Are your plans filed with DOB?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	IN REVIEW
Building Type	<input type="radio"/> Residential <input checked="" type="radio"/> Commercial <input type="radio"/> Mixed Use <input type="radio"/> Other, describe:			
Adjacent Buildings	<input type="radio"/> Residential <input checked="" type="radio"/> Commercial <input type="radio"/> Mixed Use <input type="radio"/> Other, describe:			
NOTIFICATION: What organizations / community groups have you notified regarding your application?	# 1			
	# 2			
	# 3			

No MUSIC OR AMPLIFIED
SOUND IN OUTDOOR SPACE.

CONNECTION AND DOOR BETWEEN
THIS SPACE + MARQUEE
(NEXT DOOR) WILL BE USED
ONLY BY STAFF.

No PATRONS OR CUSTOMERS
WILL BE ALLOWED TO
MOVE BETWEEN THIS SPACE
+ MARQUEE.

2
3 May 7, 2014

4
5 Dennis Rosen
6 Chairman
7 New York State Liquor Authority
8 80 S. Swan Street, 9th Floor
9 Albany, New York 12210

10
11 **Re: Three Brothers Baking Inc.**
12 **d/b/a Pierside Cafe**
13 *Pier 78 West 38th Street 12th Avenue*

14
15 Dear Chairman Rosen:

16
17 Manhattan Community Board 4 (MCB4) recommends denial of a new On-Premise Liquor License for
18 Three Brothers Baking Inc. d/b/a Pierside Café – Pier 78 West 38th Street 12th Avenue, unless the
19 following stipulations, agreed to by the applicant, are part of the method of operation for this
20 establishment with a capacity of 74 people, 12 tables, 36 seats, 1 service bar, 1 stand-up bar with 4 seats;
21 Outside Area: 8 tables, 26 seats.

22
23
24 A signed copy of the questionnaire and stipulations are enclosed.

25
26 Sincerely,

27
28
29
30
Christine Berthet
Chair

Paul Seres
Co-Chair
Business License & Permits
Committee

Frank Holozubiec
Co-Chair
Business License & Permits
Committee

Manhattan Community Board 4

(All Fields Must Be Completed)

Liquor License Stipulations Application

APPLICANT		DOING BUSINESS AS (DBA)		
THREE BROTHERS BAKING INC.		PIERSIDE CAFE		
STREET ADDRESS		CROSS STREETS		
Pier 78 West 38th Street 12th Avenue		WEST 38 & 12TH AVE		
OWNER	NAME:	SIRAJ B. HIMANI	ATTORNEY	
	PHONE:	718-524-0080		
	FAX:	718-524-0081		
MANAGER	NAME:	SALMAAN HIMANI	LANDLORD	
	PHONE:	917-536-3918		
	FAX:	718-524-0081		
OWNER	NAME:	JACOB T. FOGEL	ATTORNEY	
	PHONE:	917-974-2782		
	FAX:	718-228-9278		
MANAGER	NAME:	PORT IMPERIAL FERRY CORP	LANDLORD	
	PHONE:	201-902-8700		
	FAX:	201-223-5604		
DESCRIPTION OF BUSINESS				
Establishment Type:	<input checked="" type="radio"/> Bar/Tavern <input type="radio"/> Bed & Breakfast <input type="radio"/> Eating Place Beer <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input type="radio"/> Restaurant <input type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization – Members Only) <input type="radio"/> Other (Explain): _____			
Method of Operation:	<input type="radio"/> Restaurant <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Pizzeria <input checked="" type="radio"/> Cafe <input type="radio"/> Other (Explain): _____			
License Type:	<input checked="" type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input type="radio"/> Wine & Beer			
APPLICATION TYPE (check one)	<input checked="" type="radio"/> New	Has applicant owned or managed a similar business?	YES	NO
		What is/was the name of establishment?	THREE BROTHERS BAKING INC.	
		What is/was the address of the establishment?	451C W.39TH ST. &12TH AVE, PIER 79	
		What were the dates the applicant was involved with this former premise?	02/10-PRESENT	
	<input type="radio"/> Transfer	What is the prior license #?		
		What is the expiration date on the prior license?		
		Are you making any alterations or operational changes?	YES	NO
		<i>If alterations or operational changes are being made, please attach the plans to this form.</i>		
	<input type="radio"/> Alteration	What is the current license #?		
		What is the expiration date on the current license?		
<i>Please describe the nature of the alterations and attach the plans</i>				

OPERATIONAL ISSUES

HOURS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
	Operation	7AM-12AM	7AM-12AM	7AM-12AM	7AM-12AM	7AM-12AM	7AM-12AM	7AM-12AM
	Music	7AM-12AM	7AM-12AM	7AM-12AM	7AM-12AM	7AM-12AM	7AM-12AM	7AM-12AM
	Kitchen	7AM-12AM	7AM-12AM	7AM-12AM	7AM-12PM	7AM-12AM	7AM-12AM	7AM-12AM

OCCUPANCY	INDOOR				BAR			OUTSIDE	
	Capacity (Certificate of Occupancy)	Maximum # of Persons You Anticipate Occupying Premises (Including Employees)	Number of Tables	Number of Seats	Number of Service Only Bars	Number of Stand-Up Bars	Number of Seats at Bars	Number of Seats	Number of Tables
	74	74	12	36	1	1	4	26	8

How many floors are there? What is the capacity for each floor? (please respond in space provided)	1-2	3-4	5+	GROUND FLOOR			
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)	YES	NO	N/A	NO			
Will applicant have bottle service?	YES	NO	N/A	NO			
Will you be hosting private parties and promotional events?	YES	NO	N/A	YES NO			
Will outside promoters be used?	YES	NO	N/A	NO			
Will the security plan submitted be implemented?	YES	NO	N/A	YES			
Will State certified security personnel be used?	YES	NO	N/A	YES			
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?	YES	NO	N/A	YES			
Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided)	YES	NO	N/A	NO			
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)	YES	NO	N/A	NO			
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)	YES	NO	N/A	N/A			
Will applicant provide contact information to neighbors and respond to complaints that arise?	YES	NO	N/A	YES			
Will you inform the Community Board office of your job openings and/or provide a hyperlink to your jobs webpage?	YES	NO	N/A	YES			
If you plan to have music, what type(s)?	NO		BACKGROUND	LIVE MUSIC	DJ	BACKGROUND & DJ	

BUILDING DESIGN

Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.	YES	NO	N/A	N/A		
Will applicant follow the recommendations of a certified sound engineer to mitigate potential noise disturbance to the neighboring residents and buildings, including placing speakers on the floor of the establishment?	YES	NO	N/A	N/A		
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.)	YES	NO	N/A	N/A		

OUTDOOR ITEMS				
Will applicant use the rooftop, rear yard or any outdoor space?	YES	NO	N/A	YES
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	YES	NO	N/A	NO
The service and consumption of alcohol in the rear yard, on the rooftop, or in any other outdoor space will be only via seated food service.	YES	NO	N/A	YES, NO
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	YES	NO	N/A	NO, YES
Applicant will do everything in their power to provide an effective sound baffling or sound controlled environment through landscaping or some type of enclosure, where possible; provided they do not violate any fire or building code regulations? This includes possibly working with landlords for soundproofing tenants apartments (such as installing soundproofing windows, acoustical tiles, etc.).	YES	NO	N/A	YES
Applicant will enforce a quiet environment in the outdoor space, so as not to disturb nearby residents (e.g. there will be no amplified music, as per the law, and windows and doors to areas that play amplified music shall be closed). The applicant will make every effort possible to limit the noise emanating from diners by posting signs outside and also on menus asking for respect of the neighbor's privacy and peace. The staff will also encourage a peaceful environment amongst the outdoor diners.	YES	NO	N/A	YES
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	N/A	YES

LOCATION & ZONING				
Primary Zoning District:	M2-3		Overlay (If Applicable):	
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	NO	N/A	NO
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	YES	NO	N/A	LETTER OF NO OBJECTION
Is the 500 Foot Rule or 200 Foot Rule Triggered? If yes, which? Please attach a diagram of the establishments that triggers the rule.	YES	NO	N/A	NO
Is a Public Assembly permit required?	YES	NO	N/A	NO
Are your plans filed with DOB?	YES	NO	N/A	NO
Building Type	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____			
Adjacent Buildings	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____			
NOTIFICATION: What organizations / community groups have you notified regarding your application?	# 1			
	# 2			
	# 3			

ADDITIONAL INFORMATION: (Applicant Use)

Pier Side Café located at Pier 78 is a tavern has serving breakfast, lunch and dinner to the thousands of locals and tourists that take the Citysights Ferry Terminal Service in midtown Manhattan. Customers wait on an average of an hour to half hour either for the boats or parties to join them at the pier. We would like to provide patrons food and beverages to enjoy before reaching their destination. The café provides indoor seating and outdoor seating during the spring and summer season. The applicant would like to build a bar on the patio with seating so that the patrons can enjoy the outdoor seating and grabbing a bite while enjoying the warm weather.

ADDITIONAL NOTES: (Office Use Only)

1 **Business License & Permits Committee**

Item #: 19

2
3 May 7, 2014

4
5 Dennis Rosen
6 Chairman
7 New York State Liquor Authority
8 80 S. Swan Street, 9th Floor
9 Albany, New York 12210

10
11 **Re: Three Brothers Baking Inc.**
12 **d/b/a Docklands**
13 *459 12th Avenue*

14
15 Dear Chairman Rosen:

16
17 Manhattan Community Board 4 (MCB4) recommends denial of a new On-Premise Liquor License for
18 Three Brothers Baking Inc. d/b/a Docklands– 459 12th Avenue, unless the following stipulations, agreed
19 to by the applicant, are part of the method of operation for this establishment with a capacity of 200
20 people, 8 tables, 4 seats, 1 service bar, 2 stand-up bar with 29 seats; Outside Area: 18 tables, 128 seats.

21
22
23 A signed copy of the questionnaire and stipulations are enclosed.

24
25 Sincerely,

26
27
28
29 Christine Berthet
Chair

Paul Seres
Co-Chair
Business License & Permits
Committee

Frank Holozubiec
Co-Chair
Business License & Permits
Committee

30

Manhattan Community Board 4

(All Fields Must Be Completed)

Liquor License Stipulations Application

APPLICANT		DOING BUSINESS AS (DBA)		
THREE BROTHERS BAKING INC.		DOCKLANDS		
STREET ADDRESS 459 12 th Ave		CROSS STREETS		
451 WEST 39TH ST. STORE #1/ AKA PIER 79		WEST 38 & WEST 39TH STREET ON 12TH AVE		
OWNER	NAME:	SIRAJ B. HIMANI	ATTORNEY	
	PHONE:	718-524-0080		
	FAX:	718-524-0081		
MANAGER	NAME:	SALMAAN HIMANI	LANDLORD	
	PHONE:	917-536-3918		
	FAX:	718-524-0081		
		NAME:	JACOB T. FOGEL	
		PHONE:	917-974-2782	
		FAX:	718-228-9278	
		NAME:	PORT IMPERIAL FERRY CORP	
		PHONE:	201-902-8700	
		FAX:	201-223-5604	
DESCRIPTION OF BUSINESS				
Establishment Type:	<input type="radio"/> Bar/Tavern <input type="radio"/> Bed & Breakfast <input type="radio"/> Eating Place Beer <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input checked="" type="radio"/> Restaurant <input type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization – Members Only) <input type="radio"/> Other (Explain): _____			
Method of Operation:	<input checked="" type="radio"/> Restaurant <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Pizzeria <input type="radio"/> Cafe <input type="radio"/> Other (Explain): _____			
License Type:	<input checked="" type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input type="radio"/> Wine & Beer			
APPLICATION TYPE (check one)	<input type="radio"/> New	Has applicant owned or managed a similar business?	YES	NO
		What is/was the name of establishment?		
		What is/was the address of the establishment?		
		What were the dates the applicant was involved with this former premise?		
	<input type="radio"/> Transfer	What is the prior license #?		
		What is the expiration date on the prior license?		
		Are you making any alterations or operational changes?	YES	NO
		<i>If alterations or operational changes are being made, please attach the plans to this form.</i>		
	<input checked="" type="radio"/> Alteration	What is the current license #?	1263536	
		What is the expiration date on the current license?	06/30/14	
<i>Please describe the nature of the alterations and attach the plans</i> ADDITIONAL BAR				

OPERATIONAL ISSUES									
HOURS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY	
	Operation	6AM-1AM	6AM-1AM	6AM-1AM	6AM-1AM	6AM-3AM	6AM-3AM	6AM-3AM	
	Music	12PM-1AM	12PM-1AM	12PM-1AM	12PM-1AM	12PM-3AM	12PM-3AM	6AM-3AM	
	Kitchen	6AM-1AM	6AM-1AM	6AM-1AM	6AM-1AM	6AM-4AM	6AM-4AM	6AM-1AM	
OCCUPANCY	INDOOR				BAR			OUTSIDE	
	Capacity (Certificate of Occupancy)	Maximum # of Persons You Anticipate Occupying Premises (Including Employees)	Number of Tables	Number of Seats	Number of Service Only Bars	Number of Stand-Up Bars	Number of Seats at Bars	Number of Seats	Number of Tables
	200	130	8	4	1	2	29	128	18
How many floors are there? What is the capacity for each floor? (please respond in space provided)					1-2	3-4	5+	GROUND & MEZANINE	
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)					YES	NO	N/A	NO	
Will applicant have bottle service?					YES	NO	N/A	NO	
Will you be hosting private parties and promotional events?					YES	NO	N/A	YES	
Will outside promoters be used?					YES	NO	N/A	NO	
Will the security plan submitted be implemented?					YES	NO	N/A	YES	
Will State certified security personnel be used?					YES	NO	N/A	YES	
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?					YES	NO	N/A	YES	
Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided)					YES	NO	N/A	NO	
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)					YES	NO	N/A	NO	
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)					YES	NO	N/A	N/A	
Will applicant provide contact information to neighbors and respond to complaints that arise?					YES	NO	N/A	YES	
Will you inform the Community Board office of your job openings and/or provide a hyperlink to your jobs webpage?					YES	NO	N/A	YES	
If you plan to have music, what type(s)?			BACKGROUND	LIVE MUSIC	DJ	BACKGROUND & DJ			
BUILDING DESIGN									
Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.					YES	NO	N/A	N/A	
Will applicant follow the recommendations of a certified sound engineer to mitigate potential noise disturbance to the neighboring residents and buildings, including placing speakers on the floor of the establishment?					YES	NO	N/A	N/A	
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.)					YES	NO	N/A	N/A	

OUTDOOR ITEMS				
Will applicant use the rooftop, rear yard or any outdoor space?	YES	NO	N/A	YES
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	YES	NO	N/A	NO
The service and consumption of alcohol in the rear yard, on the rooftop, or in any other outdoor space will be only via seated food service.	YES	NO	N/A	YES
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	YES	NO	N/A	NO
Applicant will do everything in their power to provide an effective sound baffling or sound controlled environment through landscaping or some type of enclosure, where possible; provided they do not violate any fire or building code regulations? This includes possibly working with landlords for soundproofing tenants apartments (such as installing soundproofing windows, acoustical tiles, etc.).	YES	NO	N/A	YES
Applicant will enforce a quiet environment in the outdoor space, so as not to disturb nearby residents (e.g. there will be no amplified music, as per the law, and windows and doors to areas that play amplified music shall be closed). The applicant will make every effort possible to limit the noise emanating from diners by posting signs outside and also on menus asking for respect of the neighbor's privacy and peace. The staff will also encourage a peaceful environment amongst the outdoor diners.	YES	NO	N/A	YES
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	N/A	YES

LOCATION & ZONING				
Primary Zoning District:	M2-3		Overlay (If Applicable):	
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	NO	N/A	NO
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	YES	NO	N/A	LETTER OF NO OBJECTION
Is the 500 Foot Rule or 200 Foot Rule Triggered? If yes, which? Please attach a diagram of the establishments that triggers the rule.	YES	NO	N/A	NO
Is a Public Assembly permit required?	YES	NO	N/A	NO
Are your plans filed with DOB?	YES	NO	N/A	NO
Building Type	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____			
Adjacent Buildings	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____			
NOTIFICATION: What organizations / community groups have you notified regarding your application?	# 1			
	# 2			
	# 3			

ADDITIONAL INFORMATION: (Applicant Use)

The applicant's establishment is located in the New York Waterways Terminal. The restaurant has a seating area inside and an outdoor patio for the patrons. The premise currently holds an on premise license which allows the licensee to serve alcoholic beverages inside and outside on the patio. The outdoor seating is currently used during the spring and summer season. The licensee would like to build a bar on the patio with seating so that the patrons can enjoy the outdoor seating while dining.

ADDITIONAL NOTES: (Office Use Only)

ADDITIONAL STIPULATIONS: (Office Use Only)

WILL SUBMIT SECURITY
PLAN BY 5/7/14 FULL
BOARD MEETING.

1 **Business License & Permits Committee**

Item #: 20

2
3 May 7, 2014

4
5 Dennis Rosen
6 Chairman
7 New York State Liquor Authority
8 80 S. Swan Street, 9th Floor
9 Albany, New York 12210

10
11 **Re: De Armas Enterprises Corp.**
12 **d/b/a Coppelia**
13 *207 W 14th Street (6/7)*

14
15 Dear Chairman Rosen:

16
17 Manhattan Community Board 4 (MCB4) recommends denial of an alteration of its On-Premise Liquor
18 License for De Armas Enterprises Corp. d/b/a Coppelia – 207 W 14th Street, unless the following
19 stipulations, agreed to by the applicant, are part of the method of operation for this establishment with a
20 capacity of 74 people, 18 tables, 53 seats, 1 stand-up bar with 6 seats; Rear Yard: 4 tables, 8 seats;
21 Sidewalk Café: 2 tables, 8 seats.

22
23
24 A signed copy of the questionnaire and stipulations are enclosed.

25
26 Sincerely,

27
28
29
30
Christine Berthet
Chair

Paul Seres
Co-Chair
Business License & Permits
Committee

Frank Holozubiec
Co-Chair
Business License & Permits
Committee

31

Manhattan Community Board 4

Liquor License Stipulations Application

(All Fields Must Be Completed)

APPLICANT De Armas Enterprises Corp		DOING BUSINESS AS (DBA) Coppelia	
STREET ADDRESS 207 W 14 TH ST		CROSS STREETS Corner of West 14 TH ST & 7 TH AVE	
OWNER	NAME: Louis Skibar (917) 864-2204	ATTORNEY	NAME: Michael Kelly
	PHONE: (212) 858-5001		PHONE: (914) 740 3580
	FAX:		FAX: (914) 632-6034
MANAGER	NAME: Same	LANDLORD	NAME: 207 W 14 REALTY LLC
	PHONE:		PHONE: (212) 619-5800
	FAX:		FAX:

DESCRIPTION OF BUSINESS

Establishment Type:

Bar/Tavern
 Bed & Breakfast
 Eating Place Beer
 Cabaret
 Night Club
 Hotel
 Restaurant

Catering Establishment
 Club (Fraternal Organization -- Members Only)

Other (Explain): Bar/Arcade

Method of Operation:

Restaurant
 Dance Club
 Sports Bar
 Adult Entertainment
 Wine Bar
 Pizzeria
 Cafe

Other (Explain): Bar/Arcade **Diner**

License Type:

On-Premise
 Wine
 Beer
 Wine & Beer

APPLICATION TYPE (check one)	<input type="radio"/> New	Has applicant owned or managed a similar business?	YES	NO
		What is/was the name of establishment?		
		What is/was the address of the establishment?		
		What were the dates the applicant was involved with this former premise?		
	<input type="radio"/> Transfer	What is the prior license #?		
		What is the expiration date on the prior license?		
		Are you making any alterations or operational changes?	YES	NO
		If alterations or operational changes are being made, please attach the plans to this form.		
	<input checked="" type="radio"/> Alteration	What is the current license #?	1257497	
		What is the expiration date on the current license?	10/31/15	
Please describe the nature of the alterations and attach the plans				

add sidewalk cafe
& Backyard onto 1 of 7 license

OPERATIONAL ISSUES												
HOURS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY				
	Operation	24	Hours	—————							7	
	Music	Background		24 Hours	—————							
	Kitchen	24	Hours	—————								
OCCUPANCY <i>Sidewalk Cafe NOT included in inside seating</i>	INDOOR				BAR			OUTSIDE				
	Capacity (Certificate of Occupancy)	Maximum # of Persons You Anticipate Occupying Premises (Including Employees)	Number of Tables	Number of Seats	Number of Service Only Bars	Number of Stand-Up Bars	Number of Seats at Bars	Number of Seats	Number of Tables			
	74	74	18	53	0	1	6	8	8	4 yard 2 Sidewalk		
How many floors are there? What is the capacity for each floor? (please respond in space provided)					1-2	3-4	5+	59 on 1st Floor 8 in yard 8 in SWC.				
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)					YES	<input checked="" type="radio"/> NO	N/A					
Will applicant have bottle service?					YES	<input checked="" type="radio"/> NO	N/A					
Will you be hosting private parties and promotional events?					YES	<input checked="" type="radio"/> NO	N/A					
Will outside promoters be used?					YES	<input checked="" type="radio"/> NO	N/A					
Will the security plan submitted be implemented?					YES	NO	<input checked="" type="radio"/> N/A					
Will State certified security personnel be used?					YES	NO	<input checked="" type="radio"/> N/A					
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?					YES	NO	<input checked="" type="radio"/> N/A					
Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided)					YES	<input checked="" type="radio"/> NO	N/A					
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)					<input checked="" type="radio"/> YES	NO	N/A	already licensed. 2 Tables + 8 Seats				
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)					<input checked="" type="radio"/> YES	NO	N/A	2 Tables + 8 Seats				
Will applicant provide contact information to neighbors and respond to complaints that arise?					<input checked="" type="radio"/> YES	NO	N/A					
Will you inform the Community Board office of your job openings and/or provide a hyperlink to your jobs webpage?					<input checked="" type="radio"/> YES	NO	N/A					
If you plan to have music, what types?					<input checked="" type="radio"/> BACKGROUND	LIVE MUSIC	DJ					
BUILDING DESIGN												
Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.					<input checked="" type="radio"/> YES	NO	N/A					
Will applicant follow the recommendations of a certified sound engineer to mitigate potential noise disturbance to the neighboring residents and buildings, including placing speakers on the floor of the establishment?					<input checked="" type="radio"/> YES	NO	N/A					
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.)					<input checked="" type="radio"/> YES	NO	N/A					

ADDITIONAL STIPULATIONS: (Office Use Only)

- SIDEWALK CAFE + BACKYARD SPACE
WILL BE CLOSED AND VACATED
BY ~~10:00~~ 10:00 p.m. ~~EVERY NIGHT~~
EVERY NIGHT
- NO MUSIC, AMPLIFIED SOUND
IN BACKYARD AT ANY TIME.
- BACKYARD WILL NOT OPEN
BEFORE 10:00 a.m.

1 **Business License & Permits Committee**

Item #: 21

2
3 May 7, 2014

4
5 Dennis Rosen
6 Chairman
7 New York State Liquor Authority
8 80 S. Swan Street, 9th Floor
9 Albany, New York 12210

10
11 **Re: Mumbai Shanghai Inc.**
12 *579 6th Avenue (16)*

13
14 Dear Chairman Rosen:

15
16 Manhattan Community Board 4 (MCB4) recommends denial of a new On-Premise Liquor License for
17 Mumbai Shanghai – 579 6th Avenue, unless the following stipulations, agreed to by the applicant, are
18 part of the method of operation for this establishment with a capacity of 120 people, 32 tables, 64 seats,
19 1 service bar, 1 stand-up bar with 8 seats.

20
21
22 A signed copy of the questionnaire and stipulations are enclosed.

23
24 Sincerely,

25
26
27
28
Christine Berthet
Chair

Paul Seres
Co-Chair
Business License & Permits
Committee

Frank Holozubiec
Co-Chair
Business License & Permits
Committee

29

Manhattan Community Board 4

(All Fields Must Be Completed)

Liquor License Stipulations Application

APPLICANT		DOING BUSINESS AS (DBA)			
MUMBAI SHANGHAI INC					
STREET ADDRESS		CROSS STREETS			
579 SIXTH AVE, NY NY 1001		SIXTH AVE & 16TH STREET			
OWNER	NAME:	ATTORNEY	NAME:		
	PHONE:		PHONE:		
	FAX:		FAX:		
MANAGER	NAME: MD. ABUK B. CHOWDHURY	LANDLORD	NAME:		
	PHONE:		PHONE:		
	FAX:		FAX:		
DESCRIPTION OF BUSINESS					
Establishment Type:	<input type="radio"/> Bar/Tavern <input type="radio"/> Bed & Breakfast <input type="radio"/> Eating Place Beer <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input checked="" type="radio"/> Restaurant <input type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization – Members Only) <input type="radio"/> Other (Explain): Bar/Arcade				
Method of Operation:	<input checked="" type="radio"/> Restaurant <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Pizzeria <input type="radio"/> Cafe <input type="radio"/> Other (Explain): Bar/Arcade				
License Type:	<input checked="" type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input type="radio"/> Wine & Beer				
APPLICATION TYPE <i>(check one)</i>	<input checked="" type="radio"/> New	Has applicant owned or managed a similar business?		YES	<input checked="" type="radio"/> NO
		What is/was the name of establishment?			
		What is/was the address of the establishment?			
		What were the dates the applicant was involved with this former premise?			
	<input type="radio"/> Transfer	What is the prior license #?			
		What is the expiration date on the prior license?			
		Are you making any alterations or operational changes?		YES	NO
		<i>If alterations or operational changes are being made, please attach the plans to this form.</i>			
	<input type="radio"/> Alteration	What is the current license #?			
		What is the expiration date on the current license?			
<i>Please describe the nature of the alterations and attach the plans</i>					

OPERATIONAL ISSUES

HOURS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
	Operation	10 ^{AM}	1 ^{AM}	1 ^{AM}	4 ^{AM}	4 ^{AM}	4 ^{AM}	11 ^{AM}
	Music							
	Kitchen	1 ^{AM}	1 ^{AM}	1 ^{AM}	4 ^{AM}	4 ^{AM}	4 ^{AM}	1 ^{AM}

OCCUPANCY	INDOOR				BAR			OUTSIDE	
	Capacity (Certificate of Occupancy)	Maximum # of Persons You Anticipate Occupying Premises (Including Employees)	Number of Tables	Number of Seats	Number of Service Only Bars	Number of Stand-Up Bars	Number of Seats at Bars	Number of Seats	Number of Tables
	120	120	32	64	1	1	8	0	0

How many floors are there? What is the capacity for each floor? (please respond in space provided)	1-2	3-4	5+	01		
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)	YES	NO	N/A			
Will applicant have bottle service?	YES	NO	N/A			
Will you be hosting private parties and promotional events?	YES	NO	N/A			
Will outside promoters be used?	YES	NO	N/A			
Will the security plan submitted be implemented?	YES	NO	N/A			
Will State certified security personnel be used?	YES	NO	N/A			
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?	YES	NO	N/A			
Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided)	YES	NO	N/A			
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)	YES	NO	N/A			
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)	YES	NO	N/A			
Will applicant provide contact information to neighbors and respond to complaints that arise?	YES	NO	N/A			
Will you inform the Community Board office of your job openings and/or provide a hyperlink to your jobs webpage?	YES	NO	N/A			
If you plan to have music, what type(s)?	BACKGROUND	LIVE MUSIC	DJ			

BUILDING DESIGN

Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.	YES	NO	N/A
Will applicant follow the recommendations of a certified sound engineer to mitigate potential noise disturbance to the neighboring residents and buildings, including placing speakers on the floor of the establishment?	YES	NO	N/A
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.)	YES	NO	N/A

OUTDOOR ITEMS			
Will applicant use the rooftop, rear yard or any outdoor space?	YES	<input checked="" type="radio"/> NO	N/A
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	YES	NO	N/A
The service and consumption of alcohol in the rear yard, on the rooftop, or in any other outdoor space will be only via seated food service.	YES	NO	<input checked="" type="radio"/> N/A
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	YES	NO	<input checked="" type="radio"/> N/A
Applicant will do everything in their power to provide an effective sound baffling or sound controlled environment through landscaping or some type of enclosure, where possible; provided they do not violate any fire or building code regulations? This includes possibly working with landlords for soundproofing tenants apartments (such as installing soundproofing windows, acoustical tiles, etc.).	YES	NO	<input checked="" type="radio"/> N/A
Applicant will enforce a quiet environment in the outdoor space, so as not to disturb nearby residents (e.g. there will be no amplified music, as per the law, and windows and doors to areas that play amplified music shall be closed). The applicant will make every effort possible to limit the noise emanating from diners by posting signs outside and also on menus asking for respect of the neighbor's privacy and peace. The staff will also encourage a peaceful environment amongst the outdoor diners.	YES	NO	<input checked="" type="radio"/> N/A
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	<input checked="" type="radio"/> N/A

LOCATION & ZONING

Primary Zoning District:		Overlay (If Applicable):	
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	NO	<input checked="" type="radio"/> N/A
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input checked="" type="radio"/> YES	NO	N/A
Is the 500 Foot Rule or 200 Foot Rule Triggered? If yes, which? Please attach a diagram of the establishments that triggers the rule.	<input checked="" type="radio"/> YES	NO	N/A
Is a Public Assembly permit required?	YES	<input checked="" type="radio"/> NO	N/A
Are your plans filed with DOB?	<input checked="" type="radio"/> YES	NO	N/A

Building Type	<input type="radio"/> Residential <input checked="" type="radio"/> Commercial <input type="radio"/> Mixed Use <input type="radio"/> Other, describe:
Adjacent Buildings	<input type="radio"/> Residential <input checked="" type="radio"/> Commercial <input type="radio"/> Mixed Use <input type="radio"/> Other, describe:

NOTIFICATION: What organizations / community groups have you notified regarding your application?	# 1	<i>Community Board # 4</i>
	# 2	
	# 3	

APPLICANT WILL MEET WITH
100 WEST 16th + 17th BLOCK
APPEAL PRIOR TO 5/7/14 FULL
BOARD MEETING.

WILL SUBMIT ACCURATE,
UPDATED FLOOR PLAN IN
ADVANCE OF 5/7/14 FULL
BOARD MEETING.

WILL NOT APPLY FOR A
CIGARETTE LICENSE.

WILL NOT UTILIZE STAGE
OTHER THAN FOR
DINING TABLES.

PRIOR TO ~~THE~~ 5/7/14 BOARD
MEETING, WILL SUBMIT
PHOTOS + PLANS OF VENTILATION
SYSTEM AND PLANS SUBMITTED
TO DEP.

1 **Business License & Permits Committee**

Item #: 22

2
3 May 7, 2014

4
5 Dennis Rosen
6 Chairman
7 New York State Liquor Authority
8 80 S. Swan Street, 9th Floor
9 Albany, New York 12210

10
11 **Re: 701 Restaurant LLC.**
12 **d/b/a The Jolly Monk**
13 *701 9th Avenue*

14
15 Dear Chairman Rosen:

16
17 Manhattan Community Board 4 (MCB4) recommends denial of a new On-Premise Liquor License for
18 701 Restaurant LLC. d/b/a The Jolly Monk – 701 9th Avenue, unless the following stipulations, agreed
19 to by the applicant, are part of the method of operation for this establishment with a capacity of 74
20 people, 15 tables, 40 seats, 1 stand-up bar with 18 seats.

21
22
23 A signed copy of the questionnaire and stipulations are enclosed.

24
25 Sincerely,

26
27
28
29 Christine Berthet
Chair

Paul Seres
Co-Chair
Business License & Permits
Committee

Frank Holozubiec
Co-Chair
Business License & Permits
Committee

30

Manhattan Community Board 4

Liquor License Stipulations Application

(All Fields Must Be Completed)

APPLICANT		DOING BUSINESS AS (DBA)			
701 Restaurant, LLC		The Jolly Monk			
STREET ADDRESS		CROSS STREETS			
701 9th Avenue, New York, New York 10019		Between 48 & 49 Streets			
OWNER	NAME:	Brian Connell, Tony Doyle, John Sideris, Patrick Schmidt	ATTORNEY		
	PHONE:	(917) 653-7390			
	FAX:				
MANAGER	NAME:	Patrick Schmidt	LANDLORD		
	PHONE:	(551) 655-2953			
	FAX:				
		NAME:	Michael J. Paleudis		
		PHONE:	(914) 220-8270		
		FAX:	(914) 220-8271		
		NAME:	Woodland Realty Associates, LLC Attn.: Neil Polon		
		PHONE:	(212) 686-4144		
		FAX:			
DESCRIPTION OF BUSINESS					
Establishment Type:	<input checked="" type="radio"/> Bar/Tavern <input type="radio"/> Bed & Breakfast <input type="radio"/> Eating Place Beer <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input type="radio"/> Restaurant <input type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization -- Members Only) <input type="radio"/> Other (Explain): Bar/Arcade				
Method of Operation:	<input type="radio"/> Restaurant <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Pizzeria <input type="radio"/> Cafe <input checked="" type="radio"/> Other (Explain): Bar/Arcade Authentic Belgian Beer Bar & Restaurant				
License Type:	<input checked="" type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input type="radio"/> Wine & Beer <input checked="" type="radio"/> Liquor, Wine & Beer				
APPLICATION TYPE (check one)	<input checked="" type="radio"/> New	Has applicant owned or managed a similar business?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
		What is/was the name of establishment?	See list of bars presently and previously operated by Anthony Doyle, Brian Connell, and/or Patrick Schmidt attached hereto as Exhibit A.		
		What is/was the address of the establishment?			
		What were the dates the applicant was involved with this former premise?			
	<input type="radio"/> Transfer	What is the prior license #?	1250696		
		What is the expiration date on the prior license?	07/31/2015		
		Are you making any alterations or operational changes?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
		If alterations or operational changes are being made, please attach		Significant operational changes will be made. Physical alterations will be cosmetic in nature.	
	<input type="radio"/> Alteration	What is the current license #?	n/a		
		What is the expiration date on the current license?	n/a		
Please describe the nature of the alterations and attach the plans					

OPERATIONAL ISSUES									
HOURS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY	
	Operation	11:00 am to 4:00 am	11:00 am to 4:00 am	11:00 am to 4:00 am	11:00 am to 4:00 am	11:00 am to 4:00 am	11:00 am to 4:00 am	11:00 am to 4:00 am	12:00 am to 4:00 am
	Music	*****RECORDED BACKGROUND MUSIC ONLY*****							
Kitchen	11:00 am to 1:00 am	11:00 am to 1:00 am	11:00 am to 1:00 am	11:00 am to 1:00 am	11:00 am to 1:00 am	11:00 am to 2:00 am	11:00 am to 2:00 am	11:00 am to 1:00 am	

OCCUPANCY	INDOOR				BAR			OUTSIDE	
	Capacity (Certificate of Occupancy)	Maximum # of Persons You Anticipate Occupying Premises (Including Employees)	Number of Tables	Number of Seats	Number of Service Only Bars	Number of Stand-Up Bars	Number of Seats at Bars	Number of Seats	Number of Tables
	74	74	15	40	0	1	18	N/A	N/A

How many floors are there? What is the capacity for each floor? (please respond in space provided)	<input checked="" type="radio"/> 1-2	<input type="radio"/> 3-4	<input type="radio"/> 5+	The NYC DOB has indicated that it has no objection to the two floors being occupied by seventy four people.
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)	YES	<input checked="" type="radio"/> NO	N/A	
Will applicant have bottle service?	YES	<input checked="" type="radio"/> NO	N/A	
Will you be hosting private parties and promotional events?	YES	<input checked="" type="radio"/> NO	N/A	
Will outside promoters be used?	YES	<input checked="" type="radio"/> NO	N/A	
Will the security plan submitted be implemented?	YES	NO	<input checked="" type="radio"/> N/A	
Will State certified security personnel be used?	YES	NO	<input checked="" type="radio"/> N/A	
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?	<input checked="" type="radio"/> YES	NO	N/A	
Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided)	YES	<input checked="" type="radio"/> NO	N/A	
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)	YES	NO	<input checked="" type="radio"/> N/A	Applicant is unsure whether a sidewalk cafe is permitted at this location
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)	YES	NO	<input checked="" type="radio"/> N/A	
Will applicant provide contact information to neighbors and respond to complaints that arise?	<input checked="" type="radio"/> YES	NO	N/A	
Will you inform the Community Board office of your job openings and/or provide a hyperlink to your jobs webpage?	<input checked="" type="radio"/> YES	NO	N/A	

If you plan to have music, what type(s)? BACKGROUND LIVE MUSIC DJ

BUILDING DESIGN			
Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.	<input checked="" type="radio"/> YES	NO	N/A
Will applicant follow the recommendations of a certified sound engineer to mitigate potential noise disturbance to the neighboring residents and buildings, including placing speakers on the floor of the establishment?	YES	NO	<input checked="" type="radio"/> N/A
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.)	YES	NO	<input checked="" type="radio"/> N/A

OUTDOOR ITEMS			
Will applicant use the rooftop, rear yard or any outdoor space?	YES	NO	<input checked="" type="radio"/> N/A
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	YES	NO	<input checked="" type="radio"/> N/A
The service and consumption of alcohol in the rear yard, on the rooftop, or in any other outdoor space will be only via seated food service.	YES	NO	<input checked="" type="radio"/> N/A
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	YES	NO	<input checked="" type="radio"/> N/A
Applicant will do everything in their power to provide an effective sound baffling or sound controlled environment through landscaping or some type of enclosure, where possible; provided they do not violate any fire or building code regulations? This includes possibly working with landlords for soundproofing tenants apartments (such as installing soundproofing windows, acoustical tiles, etc.).	YES	NO	<input checked="" type="radio"/> N/A
Applicant will enforce a quiet environment in the outdoor space, so as not to disturb nearby residents (e.g. there will be no amplified music, as per the law, and windows and doors to areas that play amplified music shall be closed). The applicant will make every effort possible to limit the noise emanating from diners by posting signs outside and also on menus asking for respect of the neighbor's privacy and peace. The staff will also encourage a peaceful environment amongst the outdoor diners.	YES	NO	<input checked="" type="radio"/> N/A
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	<input checked="" type="radio"/> N/A

LOCATION & ZONING

Primary Zoning District:	R8	Overlay (If Applicable):	C1-5
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A
Is the 500 Foot Rule or 200 Foot Rule Triggered? If yes, which? Please attach a diagram of the establishments that triggers the rule.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A
Is a Public Assembly permit required?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	<input type="radio"/> N/A
Are your plans filed with DOB?	<input type="radio"/> YES	<input type="radio"/> NO	<input checked="" type="radio"/> N/A

Building Type Residential Commercial Mixed Use Other, describe: _____

Adjacent Buildings Residential Commercial Mixed Use Other, describe: _____

NOTIFICATION: What organizations / community groups have you notified regarding your application?	# 1	West 47th/48th Street Block Association
	# 2	
	# 3	

ADDITIONAL STIPULATIONS: (Office Use Only)

- Applicant agrees to close premise by 1 a.m. Sunday through Wednesday and by 2 a.m. Thursday through Saturday
- Applicant can reapply for changes 3 months after opening
- Applicant agrees to no doors on 48th Street (other than one emergency exit for emergency use only)
- Applicant agrees to no garage door
- Applicant will provide information on sound abatement materials to be installed prior to 5/7/14
- Applicant agrees to not opening windows on 48th Street side
- Applicant agrees to cellar doors will be open only to allow deliveries
- Applicant will maintain neat & orderly sidewalk & 18 inches into gutter
- Applicant will provide multiple contact numbers to neighbors to address any concerns that may arise
- All items in "Items & Changes" list (attached) will be implemented
- Revised plans reflecting changes to the physical space to be submitted by Wednesday May 7, 2014

701 Restaurant, LLC d.b.a The Jolly Monk.

701 Ninth Avenue.

Items and changes to be made to existing Bar/Restaurant

1. Removal of concrete and steel bar structure to be replaced with a more traditional style wooden bar face and counter.
2. Removal of tiled floor to be replaced with a wooden floor throughout.
3. Removal of garage style doors as part of store front renovation.
4. Installation of store front and façade with wood and red brick to replace the stainless steel front. This will bring the look of the building back to what it was in the past. The store front will be brick with double glazed windows that will contribute to noise mitigation.
5. Construct a vestibule inside the store , remove the 48th Street side door. This will negate the need for any temporary winter installation and contribute greatly to noise mitigation.
6. Add sound attenuating material to the ceiling above the sheet rock and below the sub-floors of the apartments above. Install two layers of "QUIET ROCK" sound proof sheets, lighting fixtures, ductwork etc. will then be added below the sound proof layers.
7. Re-working of audio and video systems to suit size and style of The Jolly Monk.