

Amended (only change is to backyard space!)

**Manhattan Community Board 4**

Liquor License Stipulations Application

(All Fields Must Be Completed)

APPLICANT 4777, LLC		DOING BUSINESS AS (DBA) Big Smoke Burger		
STREET ADDRESS 70 7 <sup>th</sup> Ave, NY, NY		CROSS STREETS W 14 <sup>th</sup> & W 15 <sup>th</sup> Sts		
OWNER	NAME: Anthony Fauci	ATTORNEY	NAME: Frank W. Palillo	
	PHONE: 917-686-4710		PHONE: (212) 227-1640	
	FAX:		FAX: (212) 349-1724	
MANAGER	NAME:	LANDLORD	NAME: 70 Seventh Ave, NYC LP	
	PHONE: same as above		PHONE: (917) 754-1970	
	FAX:		FAX:	
<b>DESCRIPTION OF BUSINESS</b>				
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			
<b>APPLICATION TYPE</b> (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?	Buffa LLC d/b/a Colexio	
		What is/was the address of the establishment?	153 Rivington St, NYC	
		What were the dates the applicant was involved with this former premise?	2013 - 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?	<input 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				

## OPERATIONAL ISSUES

HOURS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
	Operation	11 AM - 2 AM	11 AM - 2 AM	11 AM - 2 AM	11 AM - 3 AM	11 AM - 3 AM	11 AM - 3 AM	11 AM - 1 AM
	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	16	59	-0-	1	9	<del>40</del>	<del>15</del>

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	Occasional private party
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	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)	<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 type="radio"/> YES	<input checked="" type="radio"/> NO	N/A	in the near future
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	
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)?	<input checked="" type="checkbox"/> BACKGROUND	<input type="checkbox"/> LIVE MUSIC	<input type="checkbox"/> DJ
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## 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	Backyard (started to absorb and enclose sound)
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	
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:	C 6-2 M	Overlay (If Applicable):		
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	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	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.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	N/A	
Is a Public Assembly permit required?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	N/A	
Are your plans filed with DOB?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	N/A	no yet
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	CB # 4		
	# 2			
	# 3			

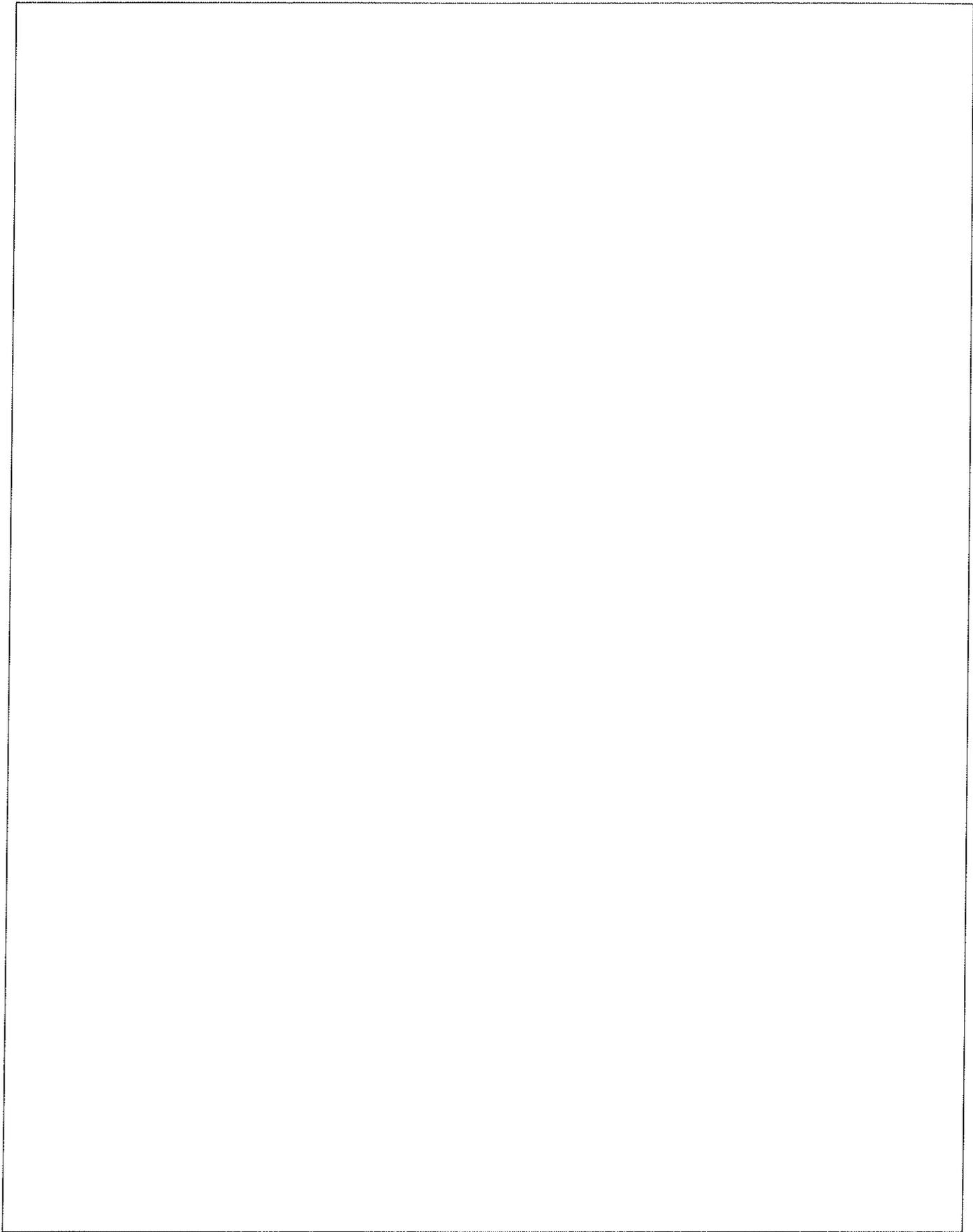
ADDITIONAL STIPULATIONS: (Office Use Only)

NO USE OF OUTDOOR  
SPACE.



**ADDITIONAL INFORMATION: (Applicant Use)**

**ADDITIONAL NOTES: (Office Use Only)**

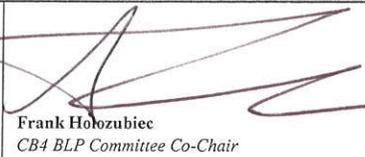
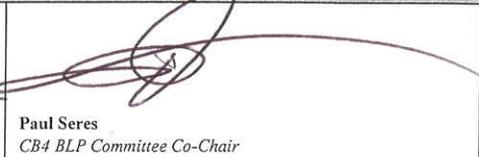


Manhattan Community Board 4 (MCB4) recommends:

Denial unless all agreed to by applicant is part of the method of operation

Denial  Approval

**CB4 REPRESENTATIVES**

 Nelly Gonzalez <i>CB4 Assistant District Manager</i>	 Frank Holozubiec <i>CB4 BLP Committee Co-Chair</i>	 Paul Seres <i>CB4 BLP Committee Co-Chair</i>
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**APPLICANT AGREEMENT WITH THE COMMUNITY**

Pursuant to these stipulations, this applicant agrees to have these provisions incorporated in the method of operation of their liquor license. Additionally, the applicant agrees to the community agreements as the basis for the community supporting this application.

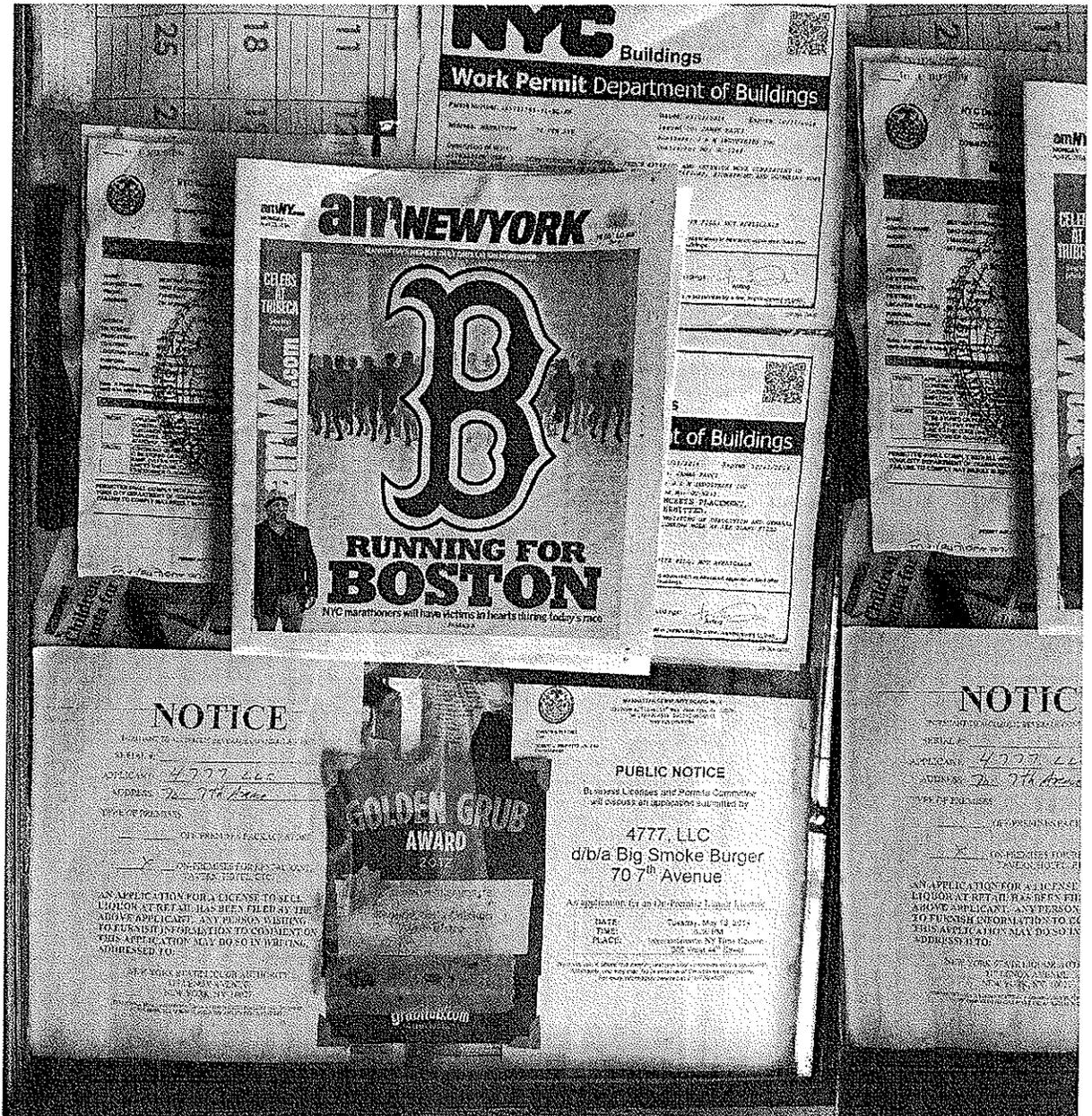
<b>SIGN HERE</b> →	 SIGNATURE OF APPLICANT	DATE 5/19/14
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Asian Bistrò

Café

SUNDAY



Thanks,

Stephanie Jones  
 Logistics  
 Innovative Hospitality Concepts  
 546 5th Avenue, 6th Floor  
 New York, NY 10036  
 347-220-3973

Show quoted text.

Quick Reply

- ✉ To: Stephanie Jones <sjonesihc@gmail.com>
- ✉ To all: Stephanie Jones <sjonesihc@gmail.com>, Anthony Fauci <afaucihc@gmail.com>

More Reply Options

Search Images Maps Play YouTube News Gmail Drive More »

fwpalillo@gmail.com | Account | Settings | Help | Sign out

Some important features may not work in this version of your browser, so you have been redirected to the Basic HTML version. Upgrade to a modern browser, such as Google Chrome.



Search Mail

Search the Web

Show search options  
Create a filter

Compose Mail Back to Inbox Archive Report Spam Delete More Actions... Go

Inbox (1)

Starred ☆

Sent Mail

Drafts (44)

All Mail

Spam (5)

Bin

Contacts

Labels

(Gmail)Bin

(Gmail)Drafts

Basement fil...

Notes

Personnel

Receipts

Travel

Work

Edit labels

4777 LLC Inbox

☆ Stephanie Jones

☆ Frank Palillo

☆ Stephanie Jones <sjonesihc@gmail.com>

To: Frank Palillo <fwpalillo@gmail.com>

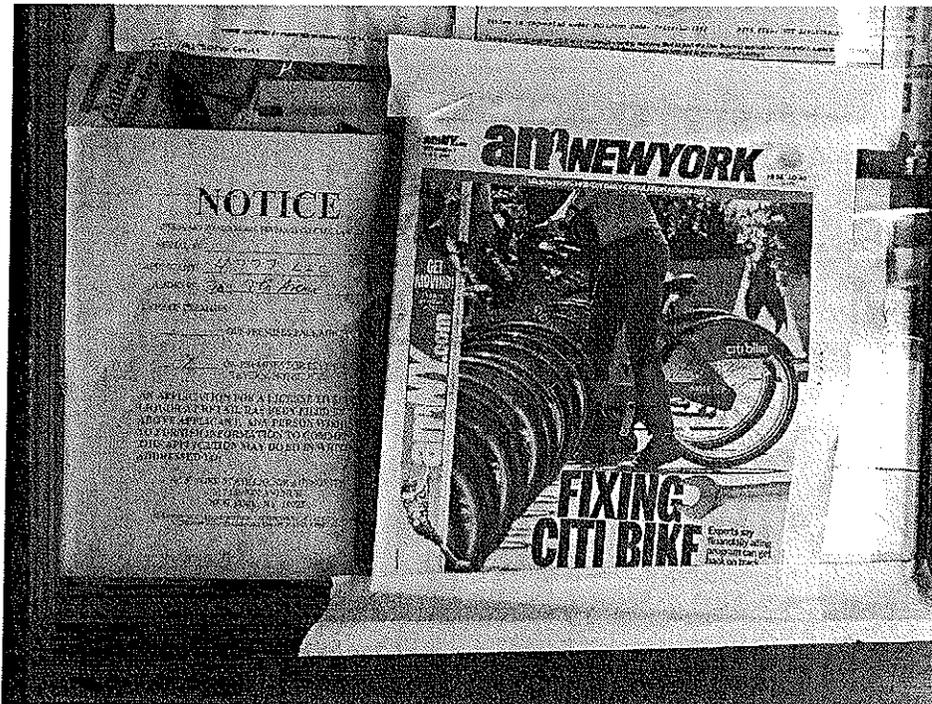
Cc: Anthony Fauci <afauci@hhs.gov>

Reply | Reply to all | Forward | Print | Delete | Show original

26 hidden messages - Show

Hi Frank

Please find attached the photo's of both notices. I am going to site now for the exterior photo and will forward it asap





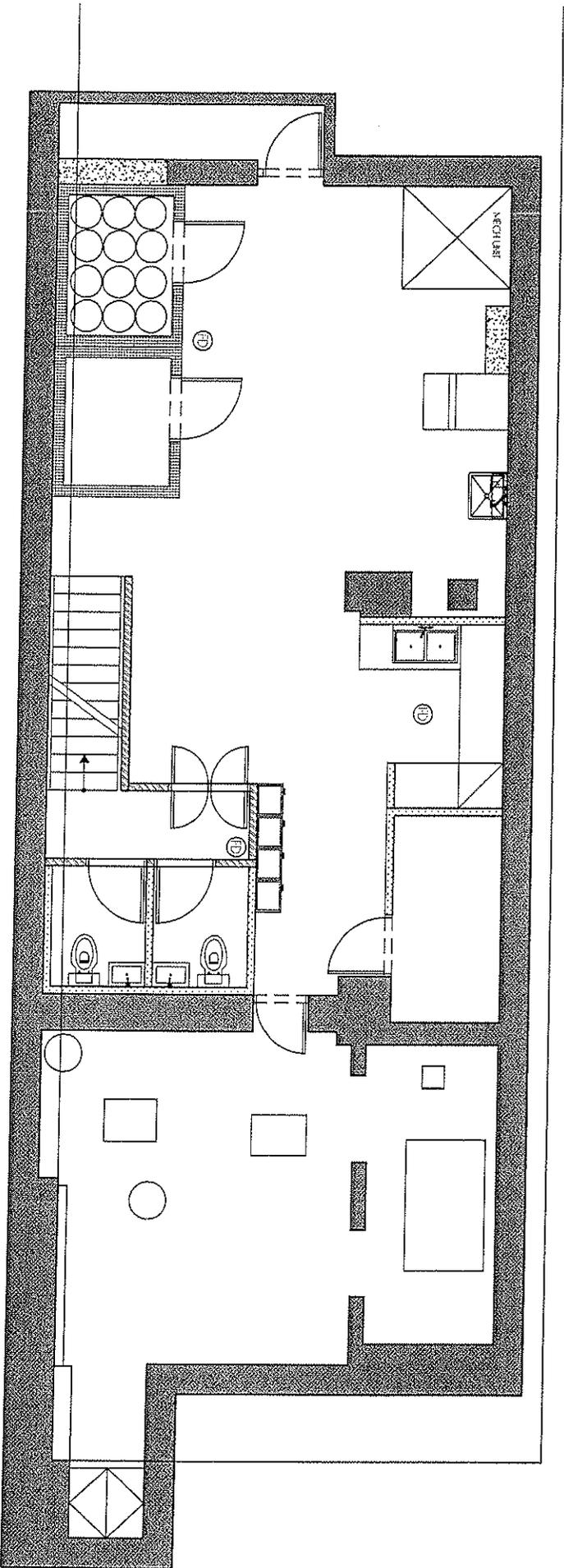
Re: 70<sup>th</sup> Avenue

1. Bunga's Den - 137 West 14<sup>th</sup> Street - (432')
2. La Carbonara - 202 West 14<sup>th</sup> Street - (256')
3. Jeanne & Gaston - 212 West 14<sup>th</sup> Street - (329')
4. La Nacional - 239 West 14<sup>th</sup> Street - (484')
5. Coppelia - 207 West 14<sup>th</sup> Street - (158')
6. Flannery's Bar - 205 West 14<sup>th</sup> Street - (151')
7. Legend - 88<sup>th</sup> Avenue - 215'

Schools & Churches

1. Church of the Village - 42-46 7<sup>th</sup> Avenue - (399')  
(United Methodist Church)
2. Winston Preparatory School - 126 West 17<sup>th</sup> Street - (3780')





70 7TH AVENUE, NEW YORK, NY  
CELLAR FLOOR PLAN

OFFICE USE ONLY		
<input type="radio"/> Original	<input type="radio"/> Amended	Date

### 500 FOOT RULE STATEMENT

**Applicants for on premises liquor licenses must complete this section  
(Not required for on premises beer or wine application)**

If the location is subject to the 500 foot rule, and no other exception applies, the license cannot be issued unless the State Liquor Authority makes an affirmative finding that it is in the public interest to issue the license.

The provisions of Section 64, 64-a, 64-c and 64-d of the ABC Law require the Authority to consult with the municipality or community board prior to granting a license for **ANY ON PREMISES LIQUOR ESTABLISHMENTS** where such premises is located within 500' of three or more similarly licensed premises. The Authority is further required to conduct a public hearing, upon notice to the applicant and the municipality or the community board.

**The proposed premises: Check the appropriate box below:**

- PREMISES IS NOT WITHIN A 500' RADIUS OF THREE OR MORE ESTABLISHMENTS HOLDING ON PREMISES LIQUOR LICENSES.
- PREMISES IS WITHIN A 500' RADIUS OF THREE OR MORE ESTABLISHMENTS SELLING LIQUOR FOR ON PREMISES CONSUMPTION. IF SO, YOU MUST COMPLETE THE WRITTEN STATEMENT BELOW AND SUBMIT THE NAMES AND ADDRESSES OF THE ESTABLISHMENTS WITHIN THE 500' RADIUS, UNLESS THE PREMISES HAS BEEN CONTINUOUSLY LICENSED ON OR PRIOR TO NOVEMBER 1, 1993.
- NOT APPLICABLE - PREMISES HAS BEEN CONTINUOUSLY LICENSED ON OR PRIOR TO NOVEMBER 1, 1993
- NOT APPLICABLE - POPULATION UNDER 20,000

**YOU MUST PROVIDE THE NAMES OF ALL ON PREMISES LIQUOR ESTABLISHMENTS LOCATED WITHIN 500' OF THE PROPOSED PREMISES**

**IMPORTANT:**

If premises is within a 500' radius of three or more establishments holding on premises liquor licenses and has not been continuously licensed since November 1, 1993 and the population is under 20,000 you must, **SUBMIT A WRITTEN STATEMENT EXPLAINING IN DETAIL WHY YOU BELIEVE ISSUANCE OF THE LICENSE WOULD BE IN THE PUBLIC INTEREST.** FAILURE TO SUBMIT THIS INFORMATION MAY RESULT IN DISAPPROVAL OF THE LICENSE APPLICATION.

These premises will provide a safe, well lit and secure space in the neighborhood, offering its guests a relaxed, stress free and humorous evening, while providing jobs for over 20 employees, mostly drawn from the immediate neighborhood and paying taxes to Federal, State and City governments. These premises will not be conducted in a rowdy manner and the operation of this business will be centered on the needs of the community, not turning a back.