



CITY OF NEW YORK

**MANHATTAN COMMUNITY BOARD FOUR**

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**CHRISTINE BERTHET**  
Chair

**JESSE BODINE**  
District Manager

February 27, 2015

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

**Re: Entity to be formed by Scott Sternick  
d/b/a Mr. Biggs on Eighth  
797 8th Avenue (48/49)**

Dear Chairman Rosen:

Manhattan Community Board 4 (MCB4) recommends **denial** of a new On-Premise Liquor License for an Entity to be formed by Scott Sternick d/b/a Mr. Biggs on Eighth because granting a license to a venue of this size in this over-saturated area would not serve, and would be contrary to, the public interest.

This proposed establishment is of significant size, seeking to occupy two floors, with a maximum capacity of 220 people, including 50 tables with 136 seats and two stand-up bars with 40 seats. The applicant has stated that it will be applying for a cabaret license and plans to have dancing and DJs on both floors. The applicant seeks to remain open until 4:00 a.m. nightly and, despite the request of MCB4, is unwilling to agree to an earlier closing time.

This establishment falls within the 500 foot rule as there are **34 (thirty-four)** OP liquor licenses within 500 feet of this address (per the SLA's website) and granting a license at this location would not be in the public interest. This location is on Eighth Avenue on blocks that are already exceedingly congested with pedestrian and vehicular traffic. The applicant has not presented any analysis or data countering the common-sense conclusion that adding an establishment with a capacity of 220 people, open 17 hours a day/seven days a week, to this neighborhood will increase vehicular traffic and the demand for parking. (To the best of our knowledge, this location has not been previously licensed.) Given the size and hours of the establishment, noise and sidewalk

congestion in this area would likely increase as its patrons enter, leave, and stand outside smoking and talking -- particularly problematic late at night. The applicant has not demonstrated that this establishment will add anything new to the community, as this neighborhood already contains numerous eating and drinking establishments of this nature. In fact, one such large establishment is presently located immediately next door to this location.

At the several meetings of MCB4 and its Business Licenses and Permits Committee at which this application was considered, numerous residents living in close proximity to this location spoke against the application. These speakers were principally residents of the apartment buildings on or adjacent to this block. They pointed out that this block is 75 percent residential and that noise and crowding from the existing licensed establishments was already at extreme levels, every day of the week. They noted that they had been complaining for years about the noise, crowding, fighting, anti-social behavior, and general detriment to residential quality of life caused by two other licensed establishments very near to this location and that adding another large licensed establishment here would very likely result in a significant increase in these problems.

Although other individuals spoke favorably about another establishment operated by this applicant, that establishment is located in a less-heavily-trafficked area (10th Avenue and 43rd Street), and does not include a cabaret. In addition, none of those speakers identified themselves as residing in the immediate vicinity of the proposed new establishment, and thus they would not suffer the potential negative impact to residential quality of life caused by adding another licensed establishment to these blocks.

Thank you for your attention to this application and MCB4's concerns.

Sincerely,



Christine Berthet  
Chair



Paul Seres  
Co-Chair  
Business License &  
Permits Committee



Frank Holozubiec  
Co-Chair  
Business License & Permits  
Committee