Business License & Permits Committee **Item #: 17**

July 25 2013

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

Re: 42 Chicken, LLC
d/b/a Chirping Chicken
587 9th Avenue (42/43)

Dear Chairman Rosen:

Manhattan Community Board 4 (MCB4) recommends denial of a new On-Premise Liquor License for 42 Chicken, LLC d/b/a Chirping Chicken – 587 9th Avenue (42/43) unless the following stipulations, agreed to by the applicant, are part of the method of operation for this establishment with a capacity of less than 75, with 4 tables with 25 seats, and 1 service bar with no seats.

- Adding precipitator to ventilation to mitigate food/cooking odors
- ID bike delivery
- Bike rack on W. 42nd Street

A signed copy of the questionnaire and stipulations are enclosed.

Sincerely,

Corey Johnson
Chair

Paul Seres
Co-Chair
Business License & Permits Committee

Lisa Daglian
Co-Chair
Business License & Permits Committee

DRAFT

Manhattan Community Board 4

Liquor License Stipulations Application

(All Fields Must Be Completed)

APPLICANT	DOING BUSINESS AS (DBA)
42 CHICKEN LLC	CHIRPING CHICKEN

STREET ADDRESS	CROSS STREETS
587 NINTH AVENUE	42nd & 43rd ST

OWNER	NAME: DEMETRIUS K PAPAS	ATTORNEY	NAME: KATHLEEN E NEGRET STRATEGIC
	PHONE: 917-442-1861		PHONE: 718-285-5675
	FAX:		FAX: 718-567-2991
MANAGER	NAME:	LANDLORD	NAME: 10 PLAZA LLC
	PHONE:		PHONE: 212-401-7650
	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): _____

Method of Operation

◉ Restaurant ○ Dance Club ○ Sports Bar ○ Adult Entertainment ○ Wine Bar ○ Pizzeria ○ Cafe

○ Other (Explain): _____

License Type:

○ On-Premise ○ Wine ○ Beer ◉ Wine & Beer

APPLICATION TYPE *(check one)*

◉ **New**

Has applicant owned or managed a similar business?	(YES) NO
What is/was the name of establishment?	CHIRPING CHICKEN
What is/was the address of the establishment?	355 AMSTERDAM AVENUE
What were the dates the applicant was involved with the former premise?	CURRENTLY (OVER 10 YEARS)

○ **Transfer**

What is the prior license #?	CURRENT LICENSE AT LOCATION > RW 1246748
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	

○ **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	11-4 12	11-4 12	11-4 12	11-4 12	11-1AM	11-1AM	11-4 12
	Music	11-4 12	11-4 12	11-4 12	11-4 12	11-1AM	11-1AM	11-4 12
	Kitchen	11-4 12	11-4 12	11-4 12	11-4 12	11-1AM	11-1AM	11-4 12

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
	Less than 74	50	4	25	1	0	0	N/A	

How many floors are there? What is the capacity for each floor? (please respond in space provided)	1-2	3-4	5+	KITCHEN/DINING
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	YES. APPLIED FOR BY LANDLORD
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	SOFT IF ANY

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	(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:		Overlay (If Applicable):		
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)	RW Licensor Only
Is a Public Assembly permit required?	YES	(NO)	N/A	
Are your plans filed with DOB?	(YES)	NO	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	
	# 2	
	# 3	

ADDITIONAL INFORMATION: (Applicant Use)

Presently A RW LICENSE (#RW 1246917) UNDER NAME OF 587 REST. CORP d/b/a PERES SINCE 1969

ADDITIONAL NOTES: (Office Use Only)

- adding precipitator to ventilation to mitigate food/cooking odors.
- 1D bike delivery
- bike rack on W. 42nd St.

SK

Manhattan Community Board 4 (MCB4) recommends:	○ Approval ○ Denial unless all agreed to by applicant is part of the method of operation ○ Denial

CB4 REPRESENTATIVES

Nelly Gonzalez *CB4 Community Associate*	Lisa Duglian *CB4 BLP Committee Co-Chair*	Paul Seres *CB4 BLP Committee Co-Chair*

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.

SIGN HERE →	Kathleen E. Negri Stathopoulos, Esq Attorney for Applicant SIGNATURE OF APPLICANT	6/21/13 DATE

587 9th Ave
N.Y. NY 10036
7/9/13

Business License & Permits Committee **Item #: 18**

July 25, 2013

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

Re: Morningside Terrace Corp.
772 9th Avenue (51/52)

Dear Chairman Rosen:

Manhattan Community Board 4 (MCB4) recommends denial of a transfer of an On-Premise Liquor License for Morningside Terrace Corp – 772 9th Avenue (51/52) unless the following stipulations, agreed to by the applicant, are part of the method of operation for this establishment with a capacity of less than 75 people, 16 tables with 54 seats, 1 stand-up bar with 16 seats and 6 tables in the front with 12 seats and 4 tables in the yard with 16 seats within building property line.

- No amplified live music
- Windows and doors will be closed at 10PM Sunday-Thursday and 11PM Friday and Saturday and whenever amplified music is played
- Continue to attend block associations and MNN meeting
- Outdoor rear yard set up after 11AM and close at 8PM 7 days a week
- Reduce outdoor rear to 6 – two tops
- Rear door will be closed and locked at 8PM
- Seated food service in rear
- Sound absorbing material, umbrellas, bushes in rear
- Come back in 6 months regarding Rear yard
- Sidewalk café included in license: 10 seats, 5 tables

A signed copy of the questionnaire and stipulations are enclosed.

Sincerely,

Corey Johnson
Chair

Paul Seres
Co-Chair
Business License & Permits Committee

Lisa Daglian
Co-Chair
Business License & Permits Committee

DRAFT

Manhattan Community Board 4

Liquor License Stipulations Application

(All Fields Must Be Completed)

APPLICANT	DOING BUSINESS AS (DBA)
MORNINGSIDE Terrace Corp	tbd (Mexican Restaurant)
STREET ADDRESS	**CROSS STREETS**
772 9th Avenue	51st & 52nd Streets

OWNER	NAME: Thomas Greco	**ATTORNEY**	NAME: George Karp
	PHONE: 917-442-9004		PHONE: 646-732-1008
	FAX:		~~FAX~~: georgekarp28@AOL.com
MANAGER	NAME:	**LANDLORD**	NAME: TING International Corp
	PHONE:		PHONE:
	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):_____
Method of Operation:	⊗ Restaurant ○ Dance Club ○ Sports Bar ○ Adult Entertainment ○ Wine Bar ○ Pizzeria ○ Cafe ○ Other (Explain):_____
License Type:	⊗ On-Premise ○ Wine ○ Beer ○ Wine & Beer

APPLICATION TYPE *(check one)*

○ **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?		
⊗ **Transfer**	What is the prior license #?	1181614	
	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.		
○ **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	←	Noon to		4 AM	→	→	→
	Music	←	Noon to		4 AM	→	→	→
	Kitchen	←	Noon to		4 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
	Under 75	under 75	16	54	0	1	16	12 FRONT 16 yd	6 4

How many floors are there? What is the capacity for each floor? (please respond in space provided)	(1-2)	3-4	5+	1st - Under 75 Basement 10
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	When requested.
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	Currently licensed
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	6 tables, 12 seats
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	mariachi group, guitar

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)	Unless noise is raised to an issue
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	

ADDITIONAL INFORMATION: (Applicant Use)

Attached Photos
Attached Sketches
Proof of letter of no objection
PRINCIPALS OF APPLICANT Thomas Greco and John Greco
operate 4 restaurants/Bars in Board 4 Community
Bamboo 52, The Ritz, Posh and 123, and all operate
without serious complaints, and all complaints have been
properly addressed

ADDITIONAL NOTES: (Office Use Only)

- no amplified live music
- windows & doors will be closed at
  10PM Sun - Thurs ; 11PM Fri & Sat.
  and whenever amplified sound music is played
- continue to attend block assoc & MNN meetings
- outdoor rear yard set up after 11AM and
  close at 8PM 7 days a week
- reduce outdoor rear to ~~6~~ - two tops
- will submit drawings of interior & rear yard
  space prior to 7/22 Exec. + sidewalk cafe
- rear door will be closed & locked at 8PM
- seated food service in rear
- sound absorbing material, umbrellas, bushes
  in rear
- come back in 6 months re rear yard
- sidewalk cafe - 10 seats, 5 tables
  ↳ included in license

Business License & Permits Committee **Item #: 19**

July 25, 2013

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

Re: Pasta I Inc.
d/b/a Pasta I Inc.
186 9th Avenue (21/22)

Dear Chairman Rosen:

Manhattan Community Board 4 (MCB4) recommends denial of an alteration for an On-Premise Liquor License for Pasta I Inc. d/b/a Pasta I Inc. – 186 9th Avenue (21/22) unless the following stipulations, agreed to by the applicant, are part of the method of operation for this establishment with a capacity of 74 people, 6 tables with 32 seats, 1 stand-up bar with 10 seats and 8 tables with 4 seats outside within building property line.

A signed copy of the questionnaire and stipulations are enclosed.

Sincerely,

Corey Johnson
Chair

Paul Seres
Co-Chair
Business License & Permits Committee

Lisa Daglian
Co-Chair
Business License & Permits Committee

DRAFT

Manhattan Community Board 4

Liquor License Stipulations Application

(All Fields Must Be Completed)

APPLICANT Pasta I INC	**DOING BUSINESS AS (DBA)** Pasta I INC
STREET ADDRESS 186 9TH Ave 10011	**CROSS STREETS** W 21 & W 22 STS.

OWNER	**NAME:** Mellisa Muller		**~~ATTORNEY~~**	**NAME:** Michael Kelly	
	PHONE: (917) 544-3972			**PHONE:** (917) 523-4972	
	FAX:			**FAX:** (914) 632-6034	
MANAGER	**NAME:**		**LANDLORD**	**NAME:** Rozmae Realty	
	PHONE:			**PHONE:** (212) 243-6722	
	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):_____

Method of Operation: ● Restaurant ○ Dance Club ○ Sports Bar ○ Adult Entertainment ○ Wine Bar ○ Pizzeria ○ Cafe ○ Other (Explain):_____

License Type: ● On-Premise ○ Wine ○ Beer ○ Wine & Beer

APPLICATION TYPE *(check one)*

○ **New**	Has applicant owned or managed a similar business?	**YES**	**NO**
	What is/was the name of establishment? EOIO	Terra mia Enterprises 190 7TH Ave	
	What is/was the address of the establishment?	190 7TH Ave	
	What were the dates the applicant was involved with this former premise?	8/10 - Present	
○ **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.		
● **Alteration**	What is the current license #?	1267262	
	What is the expiration date on the current license?	2/28/15	
	Please describe the nature of the alterations and attach the plans		

Adding Sidewalk Cafe. License already approved by CB-4

OPERATIONAL ISSUES

		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
HOURS	Operation	8am-2am	8am-2am	8am-2am	8am-3am	8am-3am	8am-3am	8am-2am
	Music	Same	Same	Same	Same	Same	Same	Same
	Kitchen	8am-1:30am	8am-1:30am	8am-1:30am	8am-2:30am	8am-2:30am	8am-2:30am	8am-1:30am

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
	71	42	6	32	0	1	10	4	8

How many floors are there? What is the capacity for each floor? (please respond in space provided)	(1-2)	3-4	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	(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	
If you plan to have music, what type(s)?	(BACKGROUND)	LIVE MUSIC	DJ	

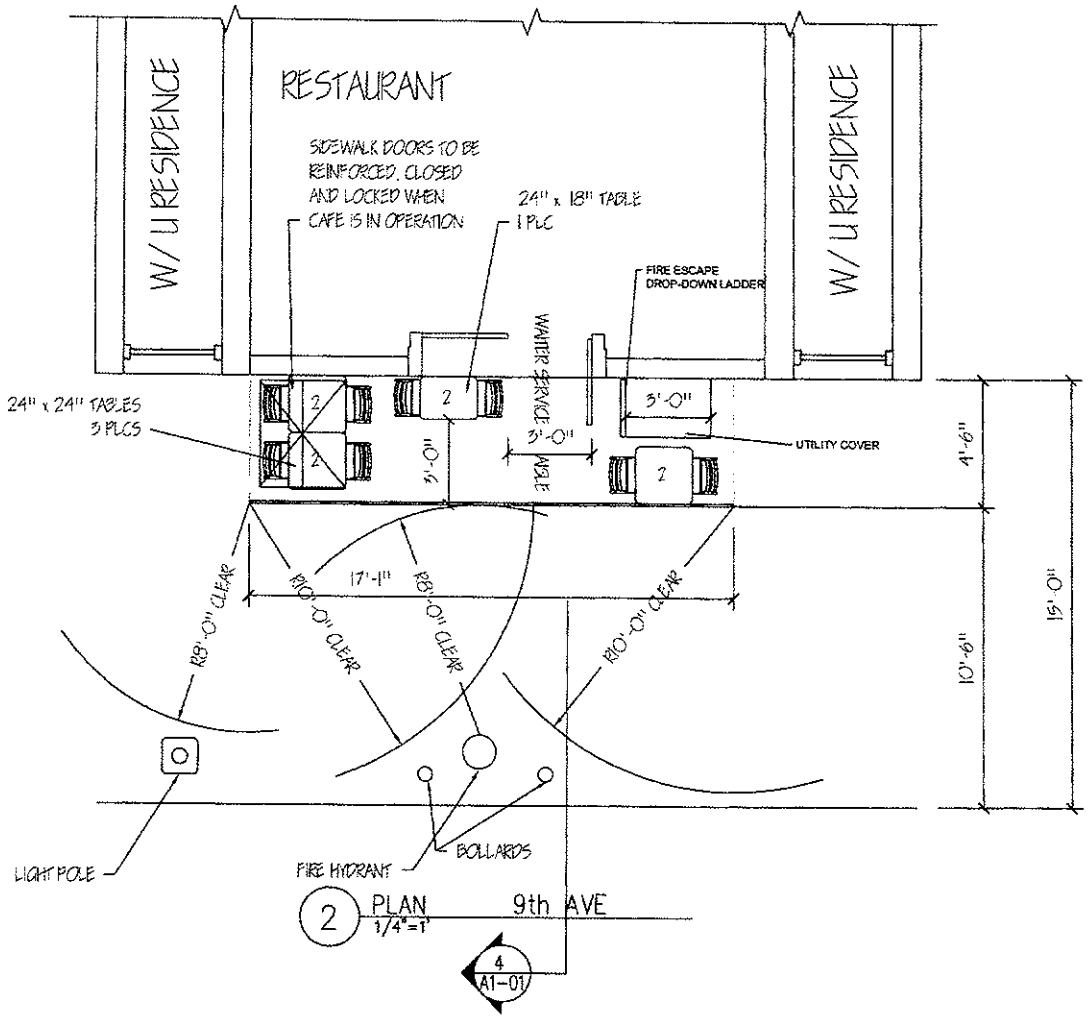
BUILDING DESIGN

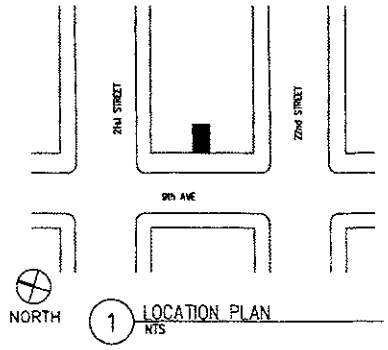
Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.	(YES)	NO	N/A	
Will applicant follow the recommendations of a certified sound engineer to mitigate potential noise disturbance 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	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.	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:	R7B	Overlay (If Applicable):		C2-5
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	NO	N/A	Chelsea
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	○ 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	
	# 2	
	# 3	





DRAWING NAME

SITE AND PLAN VEW OF UNENCLOSED SIDEWALK CAFE FOR
Postal INC
186 9th Avenue
New York, NY 10011

APPLICATION DATA

COMMUNITY BOARD # 4
BLOCK # 745 LOT # 4
OF TABLES: 4 # OF SEATS: 8
CAFE AREA: 77 SQ. FT.

DRAWING NUMBER

A1.1

SCALE

1/4"=1'-0"

DATE

01/21/10

RNL CONSULTING
42 MORRIS AVE
PATCHOGUE, NY 11772
631-275-5746

James Tauby
2013.03.25 10:31:01 -04'00'

Business License & Permits Committee **Item #: 20**

July 25, 2013

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

Re: Zegara Restaurants, LLC
d/b/a Zegara Wine Bar
216 7th Avenue (22/23)

Dear Chairman Rosen:

Manhattan Community Board 4 (MCB4) recommends denial of a transfer for an On-Premise Liquor License for Zegara Restaurants, LLC d/b/a Zegara Wine Bar – 216 7th Avenue (22/23) unless the following stipulations, agreed to by the applicant, are part of the method of operation for this establishment with a capacity of 74 people, 21 tables with 42 seats, and 1 stand-up bar with 13 seats.

- No rear yard use
- Keep sound/speakers low and compliant
- Respond to any community or neighbor concerns
- Includes sidewalk cafe

A signed copy of the questionnaire and stipulations are enclosed.

Sincerely,

Corey Johnson
Chair

Paul Seres
Co-Chair
Business License & Permits
Committee

Lisa Daglian
Co-Chair
Business License & Permits
Committee

DRAFT

Manhattan Community Board 4

Liquor License Stipulations Application

(All Fields Must Be Completed)

APPLICANT	DOING BUSINESS AS (DBA)
Zagara Restaurants LLC	Zagara Wine Bar
STREET ADDRESS	**CROSS STREETS**
216 7th Avenue	B/n W. 22nd & W. 23rd St

OWNER	NAME:	Giuseppe & Salvatore Mazzeo	**ATTORNEY**	NAME:	Frank Palillo
	PHONE:	(917) 903-4678		PHONE:	(212) 227-1640
	FAX:			FAX:	(212) 349-1724
MANAGER	NAME:	same as above	**LANDLORD**	NAME:	Leonard Schwartz
	PHONE:			PHONE:	(718) 435-1202
	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):			
Method of Operation:	✓ Restaurant ○ Dance Club ○ Sports Bar ○ Adult Entertainment ○ Wine Bar ○ Pizzeria ○ Cafe ○ Other (Explain):			
License Type:	✓ On-Premise ○ Wine ○ Beer ○ Wine & Beer			
APPLICATION TYPE *(check one)*	✓ New	Has applicant owned or managed a similar business?	YES	
		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?		
	✓ Transfer	What is the prior license #?	1237811	
		What is the expiration date on the prior license?	5-31-14	
		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.	Italian Restaurant	
	○ 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	11:30 AM - 11:30 pm	—	—	11:30 - 12am	11:30 - ~~12am~~ 2AM	11:30 - ~~12am~~ 2AM	11:30AM - 11:pm
	Music	SAME			AS	ABOVE		
	Kitchen							

OCCUPANCY	INDOOR				BAR			OUTSIDE — rear yard use	
	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	21	42	—	1	13	~~16~~	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 : bsmt
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	occaisonal private parties
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	T.B.D.
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)	(YES)	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	8 Tables 16 Seats
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		T.B.D.

OUTDOOR ITEMS				
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.		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:	R8A / C2-5	Overlay (If Applicable):			
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?		YES	NO	N/A	unknown
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	○ 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	Community Board #4
	# 2	
	# 3	

ADDITIONAL INFORMATION: (Applicant Use)

ADDITIONAL NOTES: (Office Use Only)

- No rear yard use
- keep sound/speakers low and compliant
- respond to any community or neighbor concerns
- includes sidewalk cafe

Manhattan Community Board 4 (MCB4) recommends:	○ Approval ○ Denial unless all agreed to by applicant is part of the method of operation ○ Denial

CB4 REPRESENTATIVES

Nelly Gonzalez *CB4 Community Associate*	**Lisa Daglian** *CB4 BLP Committee Co-Chair*	**Paul Seres** *CB4 BLP Committee Co-Chair*

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.

SIGN HERE →	x **SIGNATURE OF APPLICANT**	6-24-13 **DATE**

Business License & Permits Committee **Item #: 21**

July 25 2013

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

Re: Aggiepolo Inc.
761 9th Avenue (50/51)

Dear Chairman Rosen:

Manhattan Community Board 4 (MCB4) recommends denial of a new On-Premise Liquor License for Aggiepolo Inc. – 761 9th Avenue (50/51) unless the following stipulations, agreed to by the applicant, are part of the method of operation for this establishment with a maximum capacity of 55, with 14 tables with 36 seats, and 1 stand up bar with 11 seats.

A signed copy of the questionnaire and stipulations are enclosed.

Sincerely,

Corey Johnson
Chair

Paul Seres
Co-Chair
Business License & Permits Committee

Lisa Daglian
Co-Chair
Business License & Permits Committee

DRAFT

Manhattan Community Board 4

(All Fields Must Be Completed)

Liquor License Stipulations Application

APPLICANT		DOING BUSINESS AS (DBA)	
AGGiePolo Inc			
STREET ADDRESS		**CROSS STREETS**	
761 9TH Ave		W 50TH - W 51ST ST	
OWNER	NAME: Paul Kiernan	~~ATTORNEY~~	NAME: Michael Kelly
	PHONE: (917) 929-0363		PHONE: (347) 256-7256
	FAX:		FAX: (914) 632-6034
MANAGER	NAME: Pending	**LANDLORD**	NAME: 748 Ninth Ave LLC
	PHONE:		PHONE:
	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) OD. ○ Other (Explain):_____

Method of Operation: ○ Restaurant ○ Dance Club ○ Sports Bar ○ Adult Entertainment ○ Wine Bar ○ Pizzeria ○ Cafe ◉ Other (Explain): Restaurant / Bar

License Type: ◉ On-Premise ○ Wine ○ Beer ○ Wine & Beer

APPLICATION TYPE *(check one)*

◉ New	Has applicant owned or managed a similar business?	YES	NO
	What is/was the name of establishment?	Dalton's, McCoy's, The Snug, Aggie's	
	What is/was the address of the establishment?	611 9th Ave all/pt, 768 9th Ave 12/93, 751 9th Ave 1/05, 500 9th Ave 8/12	
	What were the dates the applicant was involved with this former premise?		
○ 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.		
○ 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	12-2am	12-2am	12-2am	12-4am	12-4am	10am-4am	10am-2am
	Music	"	"	"	"	"	"	"
	Kitchen	12-2am	12-2am	12-2am	12-2am	12-2am	10-2am	10-2am

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
	applying for L-NO	55	14	36	0	1	11		

How many floors are there? What is the capacity for each floor? (please respond in space provided)	(1-2)	3-4	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	(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	NO SWC on W51st for 2 years
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 prov de 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)	NO	N/A	Sidewalk a Cafe on 6th Ave only
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	Clinton
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	YES	NO	N/A	Applying for 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	
Is a Public Assembly permit required?	YES	(NO)	N/A	
Are your plans filed with DOB?	YES	(NO)	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	
	# 2	
	# 3	

ADDITIONAL INFORMATION: (Applicant Use)

NO Operatable windows on West 51st St for ~~2~~ such years To see how The business is run.
NO Sidewalk cafe on W 51st St For ~~2 years~~ forever To see How The business is run
accordian doors, 42"'s off The Ground on 9th Ave To be closed at Community Board approved hours.

ADDITIONAL NOTES: (Office Use Only)

Manhattan Community Board 4 (MCB4) recommends:	○ Approval ○ Denial unless all agreed to by applicant is part of the method of operation ○ Denial

CB4 REPRESENTATIVES

Nelly Gonzalez *CB4 Community Associate*	Lisa Daglian *CB4 BLP Committee Co-Chair*	Paul Seres *CB4 BLP Committee Co-Chair*

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.

SIGN HERE →	SIGNATURE OF APPLICANT	DATE

Business License & Permits Committee **Item #: 22**

July 25, 2013

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

Re: STHK, LLC
d/b/a Snack Tavern Hell's Kitchen
522 9th Avenue (9th&39th)

Dear Chairman Rosen:

Manhattan Community Board 4 (MCB4) recommends denial of a new On-Premise Liquor License for STHK, LLC d/b/a Snack Tavern Hell's Kitchen 522 9th Avenue (9th&39th) unless the following stipulations, agreed to by the applicant, are part of the method of operation for this establishment with a capacity of 74 people, with 14 tables, 34 seats, and 1 stand-up bar with 5 seats.

- Doors: windows will be closed at 10PM Sunday – Thursday and 11PM Friday & Saturday and whenever amplified sound.
- Will consider sidewalk corner repair

A signed copy of the questionnaire and stipulations are enclosed.

Sincerely,

Corey Johnson Chair	Paul Seres Co-Chair Business License & Permits Committee	Lisa Daglian Co-Chair Business License & Permits Committee

DRAFT

Manhattan Community Board 4

Liquor License Stipulations Application

(All Fields Must Be Completed)

APPLICANT	DOING BUSINESS AS (DBA)
STHK LLC	Snack Taverna Hell's Kitchen
STREET ADDRESS	**CROSS STREETS**
522 9th Avenue, New York, NY 10018	Corner of 9th Ave. + 39th Street

OWNER	NAME:	Adam Greene	ATTORNEY	NAME:	Joseph Levey
	PHONE:	(917) 664-7164		PHONE:	(212) 219-1193
	FAX:	(212) 929-3491		FAX:	(212) 226-7554
MANAGER	NAME:	Dennis Chrysanthopoulos	LANDLORD	NAME:	Michael Kraine
	PHONE:	(917) 214-4235		PHONE:	(516) 295-5156
	FAX:	(212) 924-3491		FAX:	N/A

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):_____
Method of Operation:	☒ Restaurant ○ Dance Club ○ Sports Bar ○ Adult Entertainment ○ Wine Bar ○ Pizzeria ○ Cafe ○ Other (Explain):_____
License Type:	☒ On-Premise ○ Wine ○ Beer ○ Wine & Beer

APPLICATION TYPE *(check one)*

☒ **New**	Has applicant owned or managed a similar business?	(YES)	NO
	What is/was the name of establishment?	Snack Company Bedford LLC	
	What is/was the address of the establishment?	63 Bedford Street, New York, NY 10014	
	What were the dates the applicant was involved with this former premise?	2002 - Present	
○ **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.		
○ **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	7A-12A	7A-12A	7A-12A	7A-2A	7A-2A	9A-2A	9A-12A
	Music	7A-12A	7A-12A	7A-12A	7A-2A	7A-2A	9A-2A	9A-12A
	Kitchen	7A-12A	7A-12A	7A-12A	7A-2A	7A-2A	9A-2A	9A-12A

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	45	14	34	0	1	5	0	0

How many floors are there? What is the capacity for each floor? (please respond in space provided)	(1-2)	3-4	5+	1ST: 74P Cellar: 10P
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	Have not applied yet; proper attire will be worn at all times.
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)	(YES)	NO	N/A	Will apply in future (7 tables/14 seats)
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	Please see above
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	(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:	C1-7A	Overlay (If Applicable):		N/A
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	500' only - see enclosed
Is a Public Assembly permit required?	YES	(NO)	N/A	
Are your plans filed with DOB?	YES	(NO)	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	Building tenants
	#2	Local establishments
	#3	

ADDITIONAL INFORMATION: (Applicant Use)

ADDITIONAL NOTES: (Office Use Only)

- Doors & windows will be closed at 10PM Sun-Thurs & 11PM Fri & Sat and whenever amplified sound
- will consider sidewalk corner repair

Manhattan Community Board 4 (MCB4) recommends:	○ Approval ○ Denial unless all agreed to by applicant is part of the method of operation ○ Denial

CB4 REPRESENTATIVES

Nelly Gonzalez *CB4 Community Associate*	Lisa Daglian *CB4 BLP Committee Co-Chair*	Paul Seres *CB4 BLP Committee Co-Chair*

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.

SIGN HERE →	SIGNATURE OF APPLICANT	DATE 6/26/2013

7/9/2013

BUSINESS LICNESE & PERMITS COMMITTEE **Item # 23**

July 25, 2013

Ms. Beverly Gotay
Assistant Director of Licensing
NYC Department of Consumer Affairs
42 Broadway, 8th floor
New York, New York 10004

Re: Betti Bar Inc.
d/b/a Hourglass Tavern
373 W. 46th Street (8/9)

Dear Ms. Gotay:

Manhattan Community Board 4 (MCB4) recommends **denial** of a new unenclosed sidewalk café license to **Betti Bar Inc. d/b/a Hourglass Tavern – 373 W. 46th Street (8/9) unless** the following stipulations, agreed to by the applicant, are part of the method of operation for this establishment with 2 tables and 4 seats.

A signed copy of the questionnaire, stipulations and community agreements are enclosed.

Sincerely,

Corey Johnson
Chair

Paul Seres
Co-Chair
Business License & Permits Committee

Lisa Daglian
Co-Chair
Business License & Permits Committee

DRAFT

Manhattan Community Board 4

Unenclosed Sidewalk Café Stipulations Application

APPLICANT: Betti Bar INC	ADDRESS: 373 W 46TH ST
DOING BUSINESS AS (DBA): Hourglass Tavern	CROSS STREETS: 8TH & 9TH Ave's
DESCRIPTION OF APPLICATION: Sidewalk Cafe with 2 Tables + 4 chairs	OWNER: Thomas Sullivan
	~~LAWYER:~~ Michael Kelly
	DCA LICENSE NUMBER: 1465076
	SLA LICENSE NUMBER: 1220915
ON SITE CONTACT: (Name, position & phone number):	

Side-walk café hours of Operation	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
DCA Hours Allowed	8-12	8-12	8-12	8-12	8-1	8-1	12-12

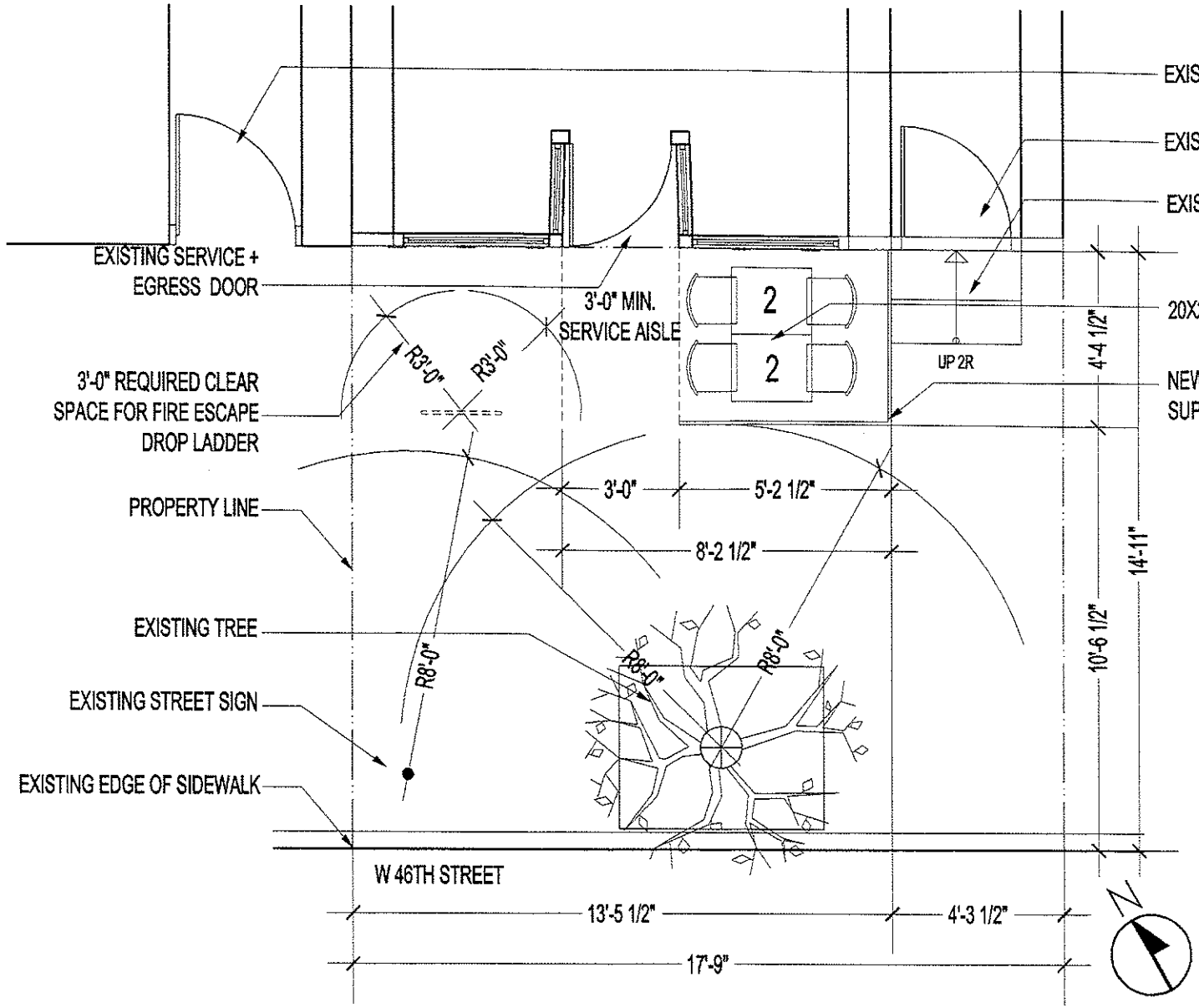
SEATING & TABLES	DESCRIPTION		NOTES
	SEATS	TABLES	
	4	2	

OPERATIONAL ISSUES

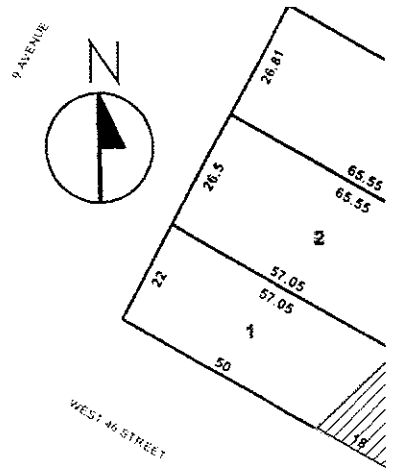
Will you follow the rule prohibiting speakers for music in the outdoor space?	(YES)	NO	N/A	
Will you close all French doors and sliding windows when any interior amplified music is played (per law)?	(YES)	NO	N/A	
The sidewalk café will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	(YES)	NO	N/A	
Will you be serving alcohol on the sidewalk? If so, will you have waiter service as required by DCA?	(YES)	NO	N/A	
The service and consumption of alcohol on the sidewalk café will be only via seated food service.	(YES)	NO	N/A	
The sidewalk café will not provide standing space for drinking or smoking.	(YES)	NO	N/A	
Will the outdoor furniture be removed when not in use?	(YES)	NO	N/A	
Will the applicant be using delivery bicycles? If so, explain where you will store them since you'll have a sidewalk café.	YES	NO	(N/A)	
Do you intend to use any portable natural gas heaters? If so, do you have the requisite approvals from DOB & the Fire Department?	YES	(NO)	N/A	
Will applicant have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	(YES)	NO	N/A	

SOUND ISSUES				
Will applicant 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	
Will applicant 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	
CAFÉ DESIGN				
Is the sidewalk a minimum of 12 feet? Subtracting the width of the proposed sidewalk café from the width of the entire sidewalk, do you at least leave 8 feet of clearance?	(YES)	NO	N/A	
Is there a minimum clearance of 8 feet between the sidewalk café and all sidewalk obstructions including parking meters, traffic signs and installed City-sanctioned street furniture (current DCA regs exempt those items)?	(YES)	NO	N/A	
Is there a minimum clearance of 8 feet between the sidewalk café and the tree trunk of a tree with a flush grate (regs exempt trees with flush grates)?	(YES)	NO	N/A	
Is there a minimum clearance of 4 feet between the sidewalk café and subway grating to be consistent with ADA standards (regs require 3 ft)	(YES)	NO	N/A	
Is there a minimum clearance of 3 feet between a sidewalk café and a residential building entrance (regs do not apply to residences)?	YES	(NO)	N/A	
Is there a minimum 3 feet wait service aisle to ensure no public space is used by the café to service its clientele?	(YES)	NO	N/A	
Are the sidewalk-café outer boundaries marked on the sidewalk as requested by DCA regulations?	YES	NO	(N/A)	
If applicant decides to apply for alterations, as defined by SLA or DCA (as applicable), he/she will reappear before CB4 to describe these alterations.	(YES)	NO	N/A	

ADDITIONAL INFORMATION: (Applicant Use)



UNENCLOS
BET
373 W 4
2 TABLE
BLOCK#: 10
DEPARTMENT OF BLD
USE GROUP
OCCUPANCY GROUP
LANDMARKED
CONSTRUCTION CLAS
BUILDING HEIGHT
NUMBER OF STORIES
FILING TYPES



1 PROPOSED UNENCLOSED SIDEWALK CAFE - PLAN
1/4" = 1'-0"

2 PLOT PLAN
NTS

...D BY APPI
... REVIEW

BUSINESS LICNESE & PERMITS COMMITTEE **Item # 24**

July 25, 2013

Ms. Beverly Gotay
Assistant Director of Licensing
NYC Department of Consumer Affairs
42 Broadway, 8th floor
New York, New York 10004

Re: Pio Pio Ocho Inc.
d/b/a Pio Pio
604 10th Avenue (43/44)

Dear Ms. Gotay:

Manhattan Community Board 4 (MCB4) recommends **denial** of a new unenclosed sidewalk café license to **Pio Pio Ocho Inc. d/b/a Pio Pio – 604 10th Avenue (43/44) unless** the following stipulations, agreed to by the applicant, are part of the method of operation for this establishment with 8 tables and 16 seats.

A signed copy of the questionnaire, stipulations and community agreements are enclosed.

Sincerely,

Corey Johnson
Chair

Paul Seres
Co-Chair
Business License & Permits
Committee

Lisa Daglian
Co-Chair
Business License & Permits
Committee

DRAFT

Manhattan Community Board 4

Unenclosed Sidewalk Café Stipulations Application

APPLICANT	ADDRESS
Pio Pio Ocho Inc.	604 10th Avenue, NYC, NY 10036
DOING BUSINESS AS (DBA)	**CROSS STREETS**
Pio Pio	West 43rd & West 44th

OWNER: Augusto Yallico

DESCRIPTION OF APPLICATION

+ New Application to operate an unenclosed sidewalk cafe

LAWYER:

DCA LICENSE NUMBER: 1464672

SLA LICENSE NUMBER: 1252194

ON SITE CONTACT: (Name, position & phone number): Edwin Burton - Manager -(718) 803-8242 x105

Side-walk café hours of Operation	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
	11-11	11-11	11-11	11-11	11-12	11-12	12-11
DCA Hours Allowed	8-12	8-12	8-12	8-12	8-1	8-1	12-12

SEATING & TABLES	DESCRIPTION		NOTES
	SEATS	TABLES	
	16	8	

OPERATIONAL ISSUES

Will you follow the rule prohibiting speakers for music in the outdoor space?	(YES)	NO	N/A	
Will you close all French doors and sliding windows when any interior amplified music is played (per law)?	(YES)	NO	N/A	
The sidewalk café will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	YES	NO	N/A	
Will you be serving alcohol on the sidewalk? If so, will you have waiter service as required by DCA?	(YES)	NO	N/A	
The service and consumption of alcohol on the sidewalk café will be only via seated food service.	(YES)	NO	N/A	
The sidewalk café will not provide standing space for drinking or smoking.	(YES)	NO	N/A	
Will the outdoor furniture be removed when not in use?	(YES)	NO	N/A	
Will the applicant be using delivery bicycles? If so, explain where you will store them since you'll have a sidewalk café.	YES	NO	(N/A)	
Do you intend to use any portable natural gas heaters? If so, do you have the requisite approvals from DOB & the Fire Department?	YES	(NO)	N/A	
Will applicant have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	(YES)	NO	N/A	

SOUND ISSUES				
Will applicant 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	
Will applicant 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	
CAFÉ DESIGN				
Is the sidewalk a minimum of 12 feet? Subtracting the width of the proposed sidewalk café from the width of the entire sidewalk, do you at least leave 8 feet of clearance?	(YES)	NO	N/A	
Is there a minimum clearance of 8 feet between the sidewalk café and all sidewalk obstructions including parking meters, traffic signs and installed City-sanctioned street furniture (current DCA regs exempt those items)?	(YES)	NO	N/A	
Is there a minimum clearance of 8 feet between the sidewalk café and the tree trunk of a tree with a flush grate (regs exempt trees with flush grates)?	(YES)	NO	N/A	
Is there a minimum clearance of 4 feet between the sidewalk café and subway grating to be consistent with ADA standards (regs require 3 ft)	(YES)	NO	N/A	
Is there a minimum clearance of 3 feet between a sidewalk café and a residential building entrance (regs do not apply to residences)?	(YES)	NO	N/A	
Is there a minimum 3 feet wait service aisle to ensure no public space is used by the café to service its clientele?	(YES)	NO	N/A	
Are the sidewalk-café outer boundaries marked on the sidewalk as requested by DCA regulations?	(YES)	NO	N/A	
If applicant decides to apply for alterations, as defined by SLA or DCA (as applicable), he/she will reappear before CB4 to describe these alterations.	(YES)	NO	N/A	

ADDITIONAL INFORMATION: (Applicant Use)

A.Y - Revised Plans by July 22nd

A.Y - Will Address Neighbor concerns as they arise

A.Y - Will Manage Sidewalk ~~FOTTER~~ congestion to appease neighbor concerns

Manhattan Community Board 4 (MCB4) recommends:	◯ Approval ◯ **Denial unless all agreed to by applicant is part of the method of operation** ◯ Denial

CB4 REPRESENTATIVES

Nelly Gonzalez *CB4 Community Associate*	**Lisa Daglian** *CB4 BLP Committee Co-Chair*	**Paul Seres** *CB4 BLP Committee Co-Chair*

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.

SIGN HERE	Rossana Nygoda **SIGNATURE OF APPLICANT**	6/12/13 **DATE**

X Puente Yally

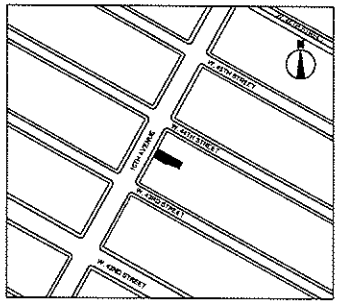
NOTE

1. THE EXTERIOR CORNERS OF THE BORDER OF THE SPACE AUTHORIZED TO BE OCCUPIED BY AN UNENCLOSED SIDEWALK CAFE SHALL BE MARKED ON THE SIDEWALK BY A LINE PAINTED WITH WHITE LATEX TRAFFIC AND ZONE MARKING PAINT. THE LINE AT THE OUTSIDE CORNER SHALL BE (A) 1" WIDE AND EITHER: (I) BE 3" LONG ON EACH SIDE OF THE CAFE BORDER FROM THE POINT WHERE THE BORDERS INTERSECT AT AN ANGLED CORNER, OR (B) MARK THE ENTIRE ARC OF A CURVED CORNER FROM THE POINT WHERE THE ARC INTERSECTS WITH THE STRAIGHT PORTION OF THE SIDEWALK CAFE BORDER.

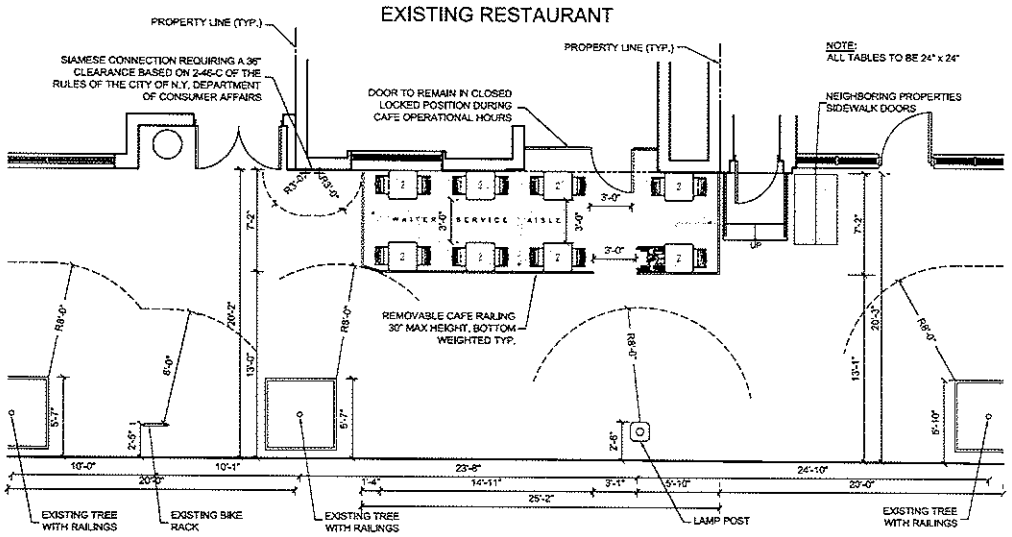
2. THE CLEARANCE FROM THE CORNERS OF THE SIDEWALK CAFES, PARKING METERS, TRAFFIC SIGNS, AND TREES WHICH HAVE GRATINGS FLUSH TO THE GRADE, WITHOUT FENCED OR GUARDS, SHALL NOT COUNT AS OBSTRUCTIONS.

3. NO BEER, ALCOHOLIC OR SPIRITUOUS LIQUORS SHALL BE SERVED ON THE SIDEWALK CAFE PREMISES OR AT ANY TABLE THEREON, UNLESS PERMITTED UNDER A LICENSE ISSUED BE THE NEW YORK STATE LIQUOR AUTHORITY.

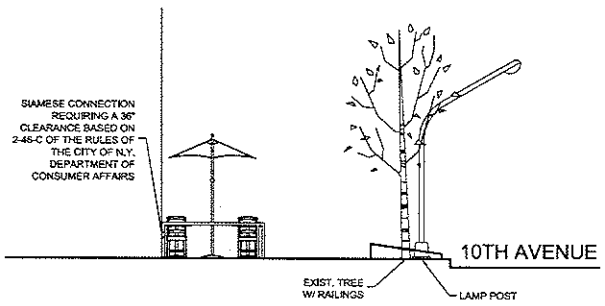
4. A SIMPLE MENU NO LARGER THAN THREE SQUARE FEET MAY BE POSTED IN THE SIDEWALK CAFE, SO THAT IT MAY BE READ FROM THE STREET.



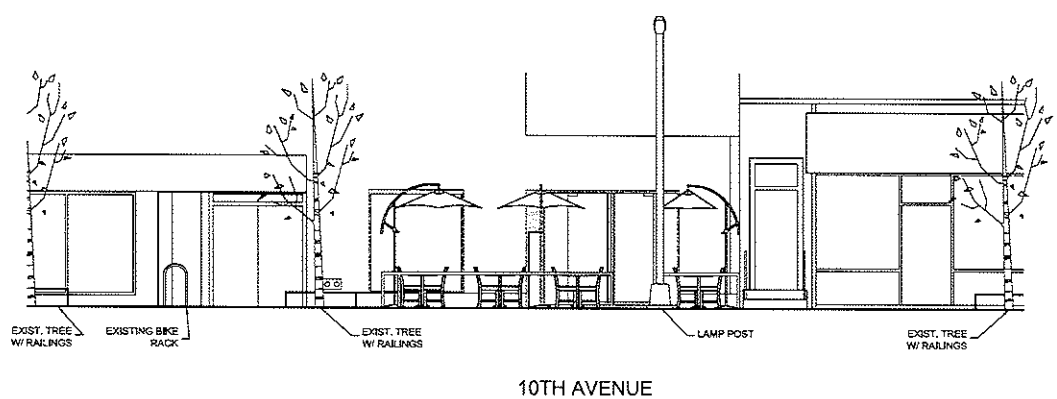
1 SITE MAP
A-1 SCALE: NTS



2 PROPOSED PLAN
A-1 SCALE: 1/4"=1'-0"



3 PROPOSED SECTION
A-1 SCALE: 1/4"=1'-0"



4 PROPOSED ELEVATION
A-1 SCALE: 1/4"=1'-0"

SWA
THE OFFICE OF S. STEVE WYGODA
ARCHITECTS AND PLANNERS
190 EAST MAIN STREET
HUNTINGTON, NY 11743
PHONE: 631-[illegible] FAX: 631-[illegible]

IT IS A VIOLATION OF N. Y. STATE LAWS FOR ANY PERSON, UNLESS DIRECTED BY A REGISTERED ARCHITECT OR PROF. ENGINEER TO ALTER ANY ITEM IN ANY WAY.

ISSUE DATES:

NO.	DATE	DESCRIPTION

REVISIONS:

NO.	DATE	DESCRIPTION
1.	2013-05-06	DCA REVISIONS

DCA #:
ULURP #:
COMMUNITY BOARD #: 104
BLOCK #:1053 LOT #: 7503
OF TABLES: 8 # OF SEATS: 16
CAFE AREA: 179 SQ. FT.

UNENCLOSED SIDEWALK CAFE FOR:

PIO PIO OCHO, INC

604 10 AVE.
NEW YORK, N.Y. 10036

DRAWING TITLE

PROPOSED PLAN, ELEVATION, SECTION AND SITE PLAN

SEAL & SIGNATURE

DATE:	05-23-13
PROJECT No.:	
DRAWING BY:	D.E.H
CHK BY:	S.S.W.
DWG No.:	A-001.00
APPL. No.:	

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Business License & Permits Committee **Item #: 25**

June 20, 2013

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

Re: 689 Jing Restaurant Inc.
d/b/a AA Jing
689 9th Avenue (47/48)

Dear Chairman Rosen:

Manhattan Community Board 4 (MCB4) recommends denial of a transfer for an On-Premise Liquor License for AA Jing at 689 9th Avenue (47/48) unless the following stipulations, agreed to by the applicant, are part of the method of operation for this establishment with a capacity of 74 people, and 25 tables with 60 seats.

A signed copy of the questionnaire and stipulations are enclosed.

Sincerely,

Corey Johnson
Chair

Paul Seres
Co-Chair
Business License & Permits Committee

Lisa Daglian
Co-Chair
Business License & Permits Committee

DRAFT

Manhattan Community Board 4

Liquor License Stipulations Application

(All Fields Must Be Completed)

APPLICANT	DOING BUSINESS AS (DBA)
689 Jing Restaurant Inc.	AA Jing
STREET ADDRESS	**CROSS STREETS**
689 9th Avenue, New York, NY 10036	W. 48th and W. 47th

OWNER	NAME:	Tan, Hua Yun	ATTORNEY	NAME:	Nolan Cheng
	PHONE:	646-338-5860		PHONE:	212-385-2122
	FAX:			FAX:	212-385-2022
MANAGER	NAME:	N/A	LANDLORD	NAME:	BFM Realty Associates
	PHONE:			PHONE:	212-246-8169
	FAX:			FAX:	212-265-7364

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):_____

Method of Operation:

● Restaurant ○ Dance Club ○ Sports Bar ○ Adult Entertainment ○ Wine Bar ○ Pizzeria ○ Cafe

○ Other (Explain):_____

License Type:

● On-Premise ○ Wine ○ Beer ○ Wine & Beer

APPLICATION TYPE *(check one)*

		YES	NO
○ New	Has applicant owned or managed a similar business?		
	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?		
● Transfer	What is the prior license #?	1215931	
	What is the expiration date on the prior license?	08/31/2013	
	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.		
○ 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

		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
HOURS	Operation	11:30 am -11:30 pm	11:30 am - 11:30 pm	11:30 am - 11:30 pm	11:30 am - 11:30 pm	12:00 noon - 11:30 pm	12:00 noon - 11:30 pm	11:30 am - 11:30 pm
	Music	11:30 am -11:30 pm	11:30 am - 11:30 pm	11:30 am - 11:30 pm	11:30 am - 11:30 pm	12:00 noon - 11:30 pm	12:00 noon - 11:30 pm	11:30 am - 11:30 pm
	Kitchen	11:30 am -11:30 pm	11:30 am - 11:30 pm	11:30 am - 11:30 pm	11:30 am - 11:30 pm	12:00 noon - 11:30 pm	12:00 noon - 11:30 pm	11:30 am - 11:30 pm

OCCUPANCY	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	70	25	60	N/A	N/A	N/A	N/A	N/A

How many floors are there? What is the capacity for each floor? (please respond in space provided)	1st	2-4	5+	2 floors (Ground floor restaurant dining room and kitchen, basement for storage)
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	Bicycle rack already installed by DOT
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)	
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	Background

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	(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	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	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	○ 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	
	# 2	
	# 3	

ADDITIONAL STIPULATIONS: (Office Use Only)

no other change to method of operation

Vicky Li

Manhattan Community Board 4 (MCB4) recommends:	○ Approval ○ Denial unless all agreed to by applicant is part of the method of operation ○ Denial

CB4 REPRESENTATIVES

Nelly Gonzalez *CB4 Community Associate*	**Lisa Daglian** *CB4 BLP Committee Co-Chair*	**Paul Seres** *CB4 BLP Committee Co-Chair*

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.

SIGN HERE →	SIGNATURE OF APPLICANT	DATE

Business License and Permits Committee (BLP) **Item #: 26**

July 10, 2013

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

RATIFICATION

Re: Serial Number: 1250696
License Type: ON-PREMISES LIQUOR
Expiration Date: 07/31/2013
Principal's Name: O'NEIL, MICHAEL
Premises Name: TRAFFIC BAR AND RESTAURANT INC
Address: 701 703 9TH AVENUE

Dear Chairman Boyle:

We are writing asking that the above applicant on-premises liquor license not be renewed this July 31, 2103.

Since this business first opened its doors it has been a nightmare for the community the neighboring residents. The agreed stipulations with the community board have been repeatedly violated as has the laws of the City of New York. Windows and doors are left opened at all times with loud noise emanating from the establishment. Performances have been held live and on the sidewalk and streets. The applicant has come before our Business License and Permits Committee at least a dozen times. All to no avail.

The applicant sent a representative named Chris Foley this past June to again hear complaints from the community. He stressed he knew nothing of these problems and that the prior manager – a Mike – was responsible for all problems and that he was no longer with the establishment. He promised to address the problems presented to him and come back to the July meeting and report on what actions have been taken. However, the July meeting came, he did not return, but the community did to report that nothing has changed.

If you look at this applicant's record you will see has had problems with your agency too. In light of all this we asked that his license not be renewed.

Sincerely,

Corey Johnson
Chair