

1 **Business License & Permits Committee**

Item #: 7

2
3 June 5, 2013

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

10
11 **Re: 505 Event Spaces Inc.**
12 **d/b/a Pillars 38**
13 **518 W. 38th Street**
14

15 Dear Chairman Rosen:

16
17 Manhattan Community Board 4 (MCB4) recommends denial of transfer restaurant license for
18 505 Event Spaces Inc. d/b/a Pillars 38 – 518 W. 38th Street unless the following stipulation,
19 agreed to by the applicant, is part of the method of operation for this establishment with a
20 capacity of 200, with varying numbers of tables and seats, two service bars and varying number
21 of tables and seats outside within building property line.
22

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

24
25 Sincerely,

26
27
28 Corey Johnson
Chair

Paul Seres
Co-Chair
Business License & Permits
Committee

Lisa Daglian
Co-Chair
Business License & Permits
Committee

Manhattan Community Board 4

(All Fields Must Be Completed)

Liquor License Stipulations Application

APPLICANT 505 Event Spaces Inc.		DOING BUSINESS AS (DBA) Pillars 38		
STREET ADDRESS 518 W. 38th St., New York, NY 10018		CROSS STREETS 10th and 11th Avenues		
OWNER	NAME: James Brady	ATTORNEY	NAME: John Springer (REP)	
	PHONE: 201-923-5511		PHONE: 631-331-3334	
	FAX:		FAX: 631-880-7101	
MANAGER	NAME: James Brady	LANDLORD	NAME: 505 W. 37th LLC	
	PHONE: 201-923-5511		PHONE: 877-505-3737	
	FAX:		FAX:	
DESCRIPTION OF BUSINESS				
Establishment Type:	<input type="radio"/> Bar/Tavern <input type="radio"/> Bed & Breakfast <input type="radio"/> Eating Place Beer <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input type="radio"/> Restaurant <input checked="" type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization – Members Only) <input type="radio"/> Other (Explain): _____			
Method of Operation:	<input type="radio"/> Restaurant <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Pizzeria <input type="radio"/> Cafe <input checked="" type="radio"/> Other (Explain): <u>Special events space / private bookings</u>			
License Type:	<input checked="" type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input type="radio"/> Wine & Beer			
APPLICATION TYPE (check one)	<input checked="" type="radio"/> New	Has applicant owned or managed a similar business?	YES	NO
		What is/was the name of establishment?	statement attachment	
		What is/was the address of the establishment?	as exhibit A	
		What were the dates the applicant was involved with this former premise?		
	<input type="radio"/> Transfer	What is the prior license #?		
		What is the expiration date on the prior license?		
		Are you making any alterations or operational changes?	YES	NO
		If alterations or operational changes are being made, please attach the plans to this form.		
	<input 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				

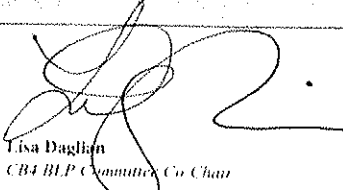

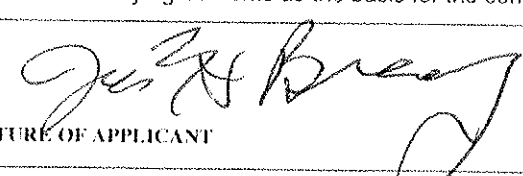
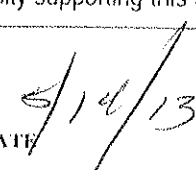
OPERATIONAL ISSUES									
HOURS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY	
	Operation	6 p- 4a	6 p- 4a	6 p- 4a	6 p- 4a	6 p- 4a	6 p- 4a	6 p- 4a	6 p- 4a
	Music	varies by event	varies	varies	varies	varies	varies	varies	
	Kitchen	varies by event	varies	varies	varies	varies	varies	varies	
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
	pending	200	varies	varies	2	0	0	varies	varies
How many floors are there? What is the capacity for each floor? (please respond in space provided)					1-2	3-4	5+	1st floor only	
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)					YES	NO	N/A	No cabaret permit will be sought, but there will be small-scale patron dancing not subject to special permit (i.e. weddings, bar/bat mitzvahs)	
Will applicant have bottle service?					YES	NO	N/A	No	
Will you be hosting private parties and promotional events?					YES	NO	N/A	Private parties only	
Will outside promoters be used?					YES	NO	N/A	No	
Will the security plan submitted be implemented?					YES	NO	N/A	Yes	
Will State certified security personnel be used?					YES	NO	N/A	No	
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?					YES	NO	N/A	Yes	
Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided)					YES	NO	N/A	No	
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)					YES	NO	N/A	No	
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)					YES	NO	N/A	N/A	
Will applicant provide contact information to neighbors and respond to complaints that arise?					YES	NO	N/A	Yes	
Will you inform the Community Board office of your job openings and/or provide a hyperlink to your jobs webpage?					YES	NO	N/A	Yes	
If you plan to have music, what type(s)?			BACKGROUND	LIVE MUSIC	DJ		Background & DJ		
BUILDING DESIGN									
Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.					YES	NO	N/A	Yes	
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	If necessary, yes	
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	yes	

OUTDOOR ITEMS				
Will applicant use the rooftop, rear yard or any outdoor space?	YES	NO	N/A	n/a... no outside spaces
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	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	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	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	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	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:	Com Use Group 6		Overlay (If Applicable):	
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	NO	N/A	No
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	YES	NO	N/A	pending
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	yes,. list and map attached
Is a Public Assembly permit required?	YES	NO	N/A	Yes
Are your plans filed with DOB?	YES	NO	N/A	Yes
Building Type	<input type="radio"/> Residential <input checked="" type="radio"/> Commercial <input type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____			
Adjacent Buildings	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____			
NOTIFICATION: What organizations / community groups have you notified regarding your application?	# 1	Manhattan Community Board 4		
	# 2			
	# 3			

ADDITIONAL STIPULATIONS: (Office Use Only)

- close at 12 midnight
- no music amplified or otherwise will be allowed outside
- CB outdoor space strips
- no more than 2 hours of outdoor use per event

Manhattan Community Board 4 (MCB4) recommends:		<input type="radio"/> Approval <input type="radio"/> Denial unless all agreed to by applicant is part of the method of operation <input type="radio"/> Denial	
CB4 REPRESENTATIVES			
Nelly Gonzalez CB4 Community Associate	 Lisa Daglian CB4 BLP Committee Co-Chair	 Paul Torres 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

1 **Business License & Permits Committee**

Item #: 8

2
3 June 5, 2013

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

10
11 **Re: Studio 450, LLC**
12 **450 W. 31st Street**

13
14 Dear Chairman Rosen:

15
16 Manhattan Community Board 4 (MCB4) recommends denial of transfer restaurant license for
17 Studio 450, LLC – 450 W. 31st Street unless the following stipulation, agreed to by the applicant,
18 is part of the method of operation for this establishment with a capacity of 337, with varying
19 numbers of tables and seats, two service bars, one stand-up bar with no seating and varying
20 number of tables and seats outside within building property line.

21
22 A signed copy of the questionnaire, stipulations and community agreements are enclosed.

23
24 Sincerely,

25
26
27 Corey Johnson
Chair

Paul Seres
Co-Chair
Business License & Permits
Committee

Lisa Daglian
Co-Chair
Business License & Permits
Committee

Manhattan Community Board 4

(All Fields Must Be Completed)

Liquor License Stipulations Application

APPLICANT Studio 450, LLC		DOING BUSINESS AS (DBA) (no other name will be used)	
STREET ADDRESS 450 W. 31 St., New York, NY 10001		CROSS STREETS 9th and 10th Avenues	
OWNER	NAME: James Brady	ATTORNEY	NAME: John Springer (REP)
	PHONE: 201-923-5511		PHONE: 631-331-3334
	FAX:		FAX: 631-880-7101
MANAGER	NAME: James Brady	LANDLORD	NAME: James and Jane Brady
	PHONE: 201-923-5511		PHONE: 201-923-5511
	FAX:		FAX:
DESCRIPTION OF BUSINESS			
Establishment Type:	<input type="radio"/> Bar/Tavern <input type="radio"/> Bed & Breakfast <input type="radio"/> Eating Place Beer <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input type="radio"/> Restaurant <input checked="" type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization - Members Only) <input type="radio"/> Other (Explain): _____		
Method of Operation:	<input type="radio"/> Restaurant <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Pizzeria <input type="radio"/> Cafe <input checked="" type="radio"/> Other (Explain): <u>Special events space / private bookings</u>		
License Type:	<input checked="" type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input type="radio"/> Wine & Beer		
APPLICATION TYPE (check one)	<input checked="" type="radio"/> New	Has applicant owned or managed a similar business?	<input checked="" type="radio"/> YES <input type="radio"/> NO
		What is/was the name of establishment?	statement attachment as exhibit A
		What is/was the address of the establishment?	
		What were the dates the applicant was involved with this former premise?	
	<input type="radio"/> Transfer	What is the prior license #?	
		What is the expiration date on the prior license?	
		Are you making any alterations or operational changes?	<input checked="" type="radio"/> YES <input type="radio"/> NO
		If alterations or operational changes are being made, please attach the plans to this form.	
	<input type="radio"/> Alteration	What is the current license #?	
		What is the expiration date on the current license?	
Please describe the nature of the alterations and attach the plans			

OPERATIONAL ISSUES									
HOURS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY	
	Operation	6 p- 12a	6 p- 12a	6 p- 12a	6 p- 12a	6 p- 12a	6 p- 12a	6 p- 12a	
	Music	varies by event	varies	varies	varies	varies	varies	varies	
	Kitchen	varies by event	varies	varies	varies	varies	varies	varies	
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
	337	200	varies	varies	2	1	0	varies	varies
How many floors are there? What is the capacity for each floor? (please respond in space provided)					1-2	3-4	5+	12th floor - 200 penthouse -137	
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)					YES	NO	N/A	No cabaret permit will be sought, but there will be small-scale patron dancing not subject to special permit (i.e. weddings, bar/bat mitzvahs)	
Will applicant have bottle service?					YES	NO	N/A	No	
Will you be hosting private parties and promotional events?					YES	NO	N/A	Private parties only	
Will outside promoters be used?					YES	NO	N/A	No	
Will the security plan submitted be implemented?					YES	NO	N/A	Yes	
Will State certified security personnel be used?					YES	NO	N/A	No	
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?					YES	NO	N/A	Yes	
Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided)					YES	NO	N/A	No	
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)					YES	NO	N/A	No	
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)					YES	NO	N/A	N/A	
Will applicant provide contact information to neighbors and respond to complaints that arise?					YES	NO	N/A	Yes	
Will you inform the Community Board office of your job openings and/or provide a hyperlink to your jobs webpage?					YES	NO	N/A	Yes	
If you plan to have music, what type(s)?			BACKGROUND	LIVE MUSIC	DJ	Background & DJ			
BUILDING DESIGN									
Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.					YES	NO	N/A	Yes	
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	If necessary, yes Has never been an issue in the past.	
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.)					YES	NO	N/A	n/a	

OUTDOOR ITEMS

Will applicant use the rooftop, rear yard or any outdoor space?	YES	NO	N/A	penthouse has rooftop terrace
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	YES	NO	N/A	Some events go later. There are no residential neighbors.
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	This will be discussed with BLP.
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	YES	NO	N/A	This will be discussed with BLP.
Applicant will do everything in their power to provide an effective sound baffling or sound controlled environment through landscaping or some type of enclosure, where possible; provided they do not violate any fire or building code regulations? This includes possibly working with landlords for soundproofing tenants apartments (such as installing soundproofing windows, acoustical tiles, etc.).	YES	NO	N/A	Yes
Applicant will enforce a quiet environment in the outdoor space, so as not to disturb nearby residents (e.g. there will be no amplified music, as per the law, and windows and doors to areas that play amplified music shall be closed). The applicant will make every effort possible to limit the noise emanating from diners by posting signs outside and also on menus asking for respect of the neighbor's privacy and peace. The staff will also encourage a peaceful environment amongst the outdoor diners.	YES	NO	N/A	Yes. We have been good neighbors and nothing will change due to the introduction of alcohol to this existing venue.
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	N/A	Yes

LOCATION & ZONING

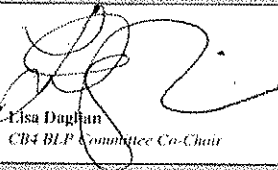
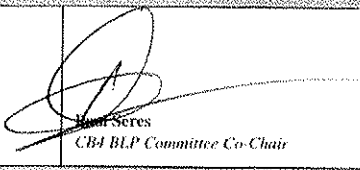

Primary Zoning District:	Com Use Group 6	Overlay (If Applicable):	
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	NO	N/A
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	YES	NO	N/A
Is the 500 Foot Rule or 200 Foot Rule Triggered? 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	<input type="radio"/> Residential <input checked="" type="radio"/> Commercial <input type="radio"/> Mixed Use <input checked="" type="radio"/> Other, describe: <u>commercial loft building</u>		
Adjacent Buildings	<input type="radio"/> Residential <input type="radio"/> Commercial <input type="radio"/> Mixed Use <input checked="" type="radio"/> Other, describe: <u>next to AP building, Hudson Yards</u>		
NOTIFICATION: What organizations / community groups have you notified regarding your application?	# 1	Manhattan Community Board 4	
	# 2		
	# 3		

ADDITIONAL INFORMATION: (Applicant Use)

Studio 450 is a pre-existing catering establishment / special event spaces. It is a unique venue. There are no residential neighbors. The configuration of the space (i.e. tables, chairs) varies based on the type of event. There is a full commercial kitchen. The applicant promises to be a good corporate citizen and neighbor.

ADDITIONAL NOTES: (Office Use Only)

- No Music, amplified or otherwise, to be played outside
- Doors to terrace to remain closed while music is playing inside
- Hours of operation up to 2 AM Daily

Manhattan Community Board 4 (MCB4) recommends:		<input type="radio"/> Approval <input type="radio"/> Denial unless all agreed to by applicant is part of the method of operation <input type="radio"/> Denial
CB4 REPRESENTATIVES		
Nelly Gonzalez <i>CB4 Community Associate</i>	 Elisa Dughan <i>CB4 BLP Committee Co-Chair</i>	 Matt Seres <i>CB4 BLP Committee Co-Chair</i>
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

1 **Business License & Permits Committee**

Item #: 9

2
3 June 5, 2013

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

10
11 **Re: 210 Tenth Avenue, LLC**
12 **d/b/a The Diner**
13 **210 10th Avenue (22/23)**
14

15 Dear Chairman Rosen:

16
17 Manhattan Community Board 4 (MCB4) recommends denial of transfer restaurant license for
18 210 Tenth Avenue d/b/a The Diner – 210 10th Avenue (22/23) unless the following stipulation,
19 agreed to by the applicant, is part of the method of operation for this establishment with a
20 capacity of about 100, with 22 tables and 64 seats, one stand-up bar with 11 seats and 80 seats
21 with 28 tables outside within building property line.
22

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

24
25 Sincerely,

26
27
28 Corey Johnson
Chair

Paul Seres
Co-Chair
Business License & Permits
Committee

Lisa Daglian
Co-Chair
Business License & Permits
Committee

Manhattan Community Board 4

(All Fields Must Be Completed)

Liquor License Stipulations Application

APPLICANT 210 Tenth Avenue LLC		DOING BUSINESS AS (DBA) 9BD.			
STREET ADDRESS 210 Tenth Avenue		CROSS STREETS 22nd & 23rd streets			
OWNER	NAME: Mark Amadei	ATTORNEY	NAME: R. Bookman		
	PHONE: 917-207-0374		PHONE: 212-513-1988		
	FAX: 646-861-6541		FAX: 212-385-0564		
MANAGER	NAME: A. Glassberg	LANDLORD	NAME: C. Levinson		
	PHONE: 917-714-6676		PHONE: 516-313-9929		
	FAX: 646-861-6541		FAX: 212-619-1358		
DESCRIPTION OF BUSINESS					
Establishment Type:		<input type="radio"/> Bar/Tavern <input type="radio"/> Bed & Breakfast <input type="radio"/> Eating Place Beer <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input checked="" type="radio"/> Restaurant <input type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization - Members Only) <input type="radio"/> Other (Explain): _____			
Method of Operation:		<input checked="" type="radio"/> Restaurant <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Pizzeria <input type="radio"/> Cafe <input type="radio"/> Other (Explain): _____			
License Type:		<input checked="" type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input type="radio"/> Wine & Beer			
APPLICATION TYPE (check one)	<input 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?		(1) Lion	
		What is/was the address of the establishment?		62 W. 9th St ↓	
		What were the dates the applicant was involved with this former premise?			
	<input type="radio"/> Transfer	What is the prior license #?			
		What is the expiration date on the prior license?			
		Are you making any alterations or operational changes?		<input type="radio"/> YES	<input type="radio"/> NO
		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			

Business Licenses & Permits Committee

(2) Delicatessen
@ 54 Prince St
(3) Bills food & Drink
57 E. 54th St.

OPERATIONAL ISSUES										
HOURS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY		
	Operation	6AM-4AM	6AM-4AM	6AM-4AM	6AM-4AM	6AM-4AM	6AM-4AM	6AM-4AM	6AM-4AM	
	Music	background								
	Kitchen	6AM-4AM	6AM-4AM	6AM-4AM	6AM-4AM	6AM-4AM	6AM-4AM	6AM-4AM	6AM-4AM	
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	
	N/A	N/100	22	64	0	1	11	80	28	
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			
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			

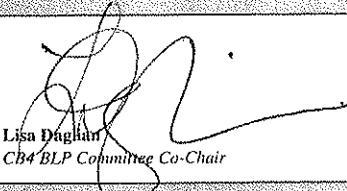
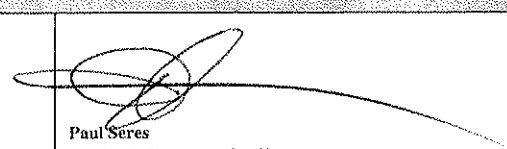
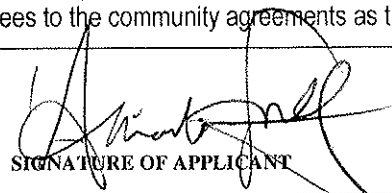
OUTDOOR ITEMS			
Will applicant use the rooftop, rear yard or any outdoor space?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	N/A Sidewalk cafe
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	<input type="radio"/> YES	<input checked="" type="radio"/> NO	N/A asking for 10 PM / 11 PM / 12 AM / 1 AM
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-2	Overlay (If Applicable):	C2 w R8
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
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 500'
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
Building Type	<input type="radio"/> Residential <input checked="" type="radio"/> Commercial <input type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____		
Adjacent Buildings	<input type="radio"/> Residential <input checked="" type="radio"/> Commercial <input type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____		
NOTIFICATION: What organizations / community groups have you notified regarding your application?	# 1	Council of Chelsea Block Associations	
	# 2		
	# 3		

ADDITIONAL INFORMATION: (Applicant Use)

ADDITIONAL NOTES: (Office Use Only)

No changes to previous owner's method of operation

Manhattan Community Board 4 (MCB4) recommends:		<input type="radio"/> Approval <input type="radio"/> Denial unless all agreed to by applicant is part of the method of operation <input type="radio"/> Denial
CB4 REPRESENTATIVES		
Nelly Gonzalez CB4 Community Associate	 Lisa Dugliati 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	5/14/13 DATE

1 **Business License & Permits Committee**

Item #: 10

2
3 June 5, 2013

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

10
11 Re: Highlanders 756, Inc.
12 d/b/a VYNL
13 756 9th Avenue (@ 51st)
14

15 Dear Chairman Rosen:

16
17 Manhattan Community Board 4 (MCB4) recommends denial of new on premise liquor license
18 for Highlanders 756, Inc d/b/a VYNL – 756 9th Avenue (@ 51st) unless the following stipulation,
19 agreed to by the applicant, is part of the method of operation for this establishment with a
20 capacity of 65, with 22 tables and 50 seats, and one stand-up bar with 10 seats.
21

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

23
24 Sincerely,

25
26
27 Corey Johnson
Chair

Paul Seres
Co-Chair
Business License & Permits
Committee

Lisa Daglian
Co-Chair
Business License & Permits
Committee

Manhattan Community Board 4

(All Fields Must Be Completed)

Liquor License Stipulations Application

APPLICANT		DOING BUSINESS AS (DBA)	
HIGHLANDERS 756, INC		VYNL	
STREET ADDRESS		CROSS STREETS	
756 NINTH AVENUE		CORNER 51ST STREET	
OWNER	NAME:	JOHN DEMPSEY	ATTORNEY
	PHONE:	917.577.1827	NAME:
	FAX:	646.657.0984	PHONE:
MANAGER	NAME:	CLARK GALE	LANDLORD
	PHONE:	212.974.2003	NAME:
	FAX:	212.956.9277	PHONE:
DESCRIPTION OF BUSINESS			
Establishment Type:		<input type="radio"/> Bar/Tavern <input type="radio"/> Bed & Breakfast <input type="radio"/> Eating Place Beer <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input checked="" type="radio"/> Restaurant <input type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization -- Members Only) <input type="radio"/> Other (Explain): _____	
Method of Operation:		<input checked="" type="radio"/> Restaurant <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Pizzeria <input type="radio"/> Cafe <input type="radio"/> Other (Explain): _____	
License Type:		<input checked="" type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input type="radio"/> Wine & Beer	
APPLICATION TYPE (check one)	<input 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?	VYNL
		What is/was the address of the establishment?	754 NINTH AVE NYC
		What were the dates the applicant was involved with this former premise?	STILL ACTIVE
	<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	11:00 AM - MID	11:00 AM - MID	11:00 AM - MID	11:00 AM - 1:00	11:00 AM - 1:00	9:30 - 1:00	9:30 - MIDNIGHT			
	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		
	N/A	65	22	50	N/A	N/A	10				
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				
Will you inform the Community Board office of your job openings and/or provide a hyperlink to your jobs webpage?					YES	NO	N/A				
If you plan to have music, what type(s)?				BACKGROUND	LIVE MUSIC	DJ					
BUILDING DESIGN											
Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.					YES	NO	N/A				
Will applicant follow the recommendations of a certified sound engineer to mitigate potential noise disturbance to the neighboring residents and buildings, including placing speakers on the floor of the establishment?					YES	NO	N/A				
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.)					YES	NO	N/A				

OUTDOOR ITEMS			
Will applicant use the rooftop, rear yard or any outdoor space?	YES	<input checked="" type="radio"/> NO	N/A
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	YES	<input checked="" 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.	YES	<input checked="" 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.	YES	<input checked="" 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.).	YES	<input checked="" 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.	YES	<input checked="" type="radio"/> NO	N/A
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	<input checked="" type="radio"/> NO	N/A

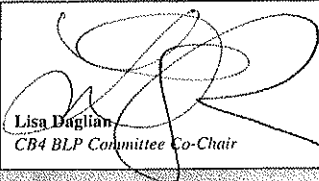
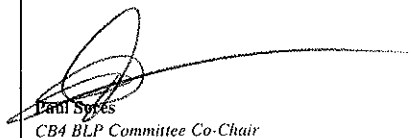
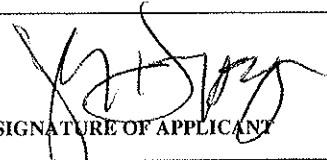
LOCATION & ZONING			
Primary Zoning District:		Overlay (If Applicable):	
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	<input checked="" type="radio"/> NO	N/A
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input checked="" type="radio"/> YES	<input checked="" type="radio"/> NO	N/A
Is the 500 Foot Rule or 200 Foot Rule Triggered? If yes, which? Please attach a diagram of the establishments that triggers the rule.	<input checked="" type="radio"/> YES	<input checked="" type="radio"/> NO	N/A
Is a Public Assembly permit required?	YES	<input checked="" type="radio"/> NO	N/A
Are your plans filed with DOB?	YES	<input checked="" type="radio"/> NO	N/A
Building Type	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____		
Adjacent Buildings	<input type="radio"/> Residential <input checked="" type="radio"/> Commercial <input type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____		
NOTIFICATION:	# 1	WILL NOTIFY 50/51ST BLOCK ASSOCIATION	
What organizations / community groups have you notified regarding your application?	# 2		
	# 3		

ADDITIONAL INFORMATION: (Applicant Use)

PLANNING MOVING VTNL (754 NINTH AVE) NEXT DOOR (756 NINTH AVE) TO THE SPACE PRESENTLY OCCUPIED BY GO SUSHI. PLANNING TO APPLY FOR OUTSIDE SEATING AT A LATER DATE. PLANNING USING BIKE RACKS (PRESENTLY THERE) IN 51ST STREET. IPOD BACKGROUND MUSIC

ADDITIONAL NOTES: (Office Use Only)

- no other change to method of operation
- One stand up bar
- No service bar

Manhattan Community Board 4 (MCB4) recommends:		<input type="radio"/> Approval <input type="radio"/> Denial unless all agreed to by applicant is part of the method of operation <input type="radio"/> Denial
CB4 REPRESENTATIVES		
Nelly Gonzalez CB4 Community Associate	 Lisa Daglian CB4 BLP Committee Co-Chair	 Paul Sykes 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	5.14.13 DATE

1 **Business License & Permits Committee**

Item #: 11

2
3 June 5, 2013

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

10
11 **Re: 58-60 9th Ave Restaurant LLC**
12 **d/b/a Forty Four Acres**
13 **58-60 9th Avenue (@15th)**
14

15 Dear Chairman Rosen:

16
17 Manhattan Community Board 4 (MCB4) recommends denial of transfer on premise liquor
18 license for 58-60 9th Ave Restaurant LLC d/b/a Forty Four Acres – 58-60 9th Avenue unless the
19 following stipulation, agreed to by the applicant, is part of the method of operation for this
20 establishment with a capacity of 91, with 26 tables and 84 seats, and one stand-up bar with 7
21 seats.
22

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

24
25 Sincerely,

26
27
28 Corey Johnson
Chair

Paul Seres
Co-Chair
Business License & Permits
Committee

Lisa Daglian
Co-Chair
Business License & Permits
Committee

29

Manhattan Community Board 4
(All Fields Must Be Completed)

Liquor License Stipulations Application

APPLICANT		DOING BUSINESS AS (DBA)				
58-60 th 9 th Ave Restaurant LLC		Forty Four Acres				
STREET ADDRESS		CROSS STREETS				
58-60 9 th Ave.		15 th St. & 9 th Ave				
OWNER	NAME	Michael Shah	NAME	Joseph Levey		
	PHONE	212-213-8777	PHONE	212-219-1193		
	FAX	212-202-6010	FAX	212-226-7554		
MANAGER	NAME	Victor Jung	NAME	Delshah 60 Ninth Ave LLC		
	PHONE	917-373-5974	PHONE	212-213-8777		
	FAX	212-202-6010	FAX	212-202-6010		
DESCRIPTION OF BUSINESS						
Establishment Type:		<input type="radio"/> Bar/Tavern <input type="radio"/> Bed & Breakfast <input type="radio"/> Eating Place Boer <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input checked="" type="radio"/> Restaurant <input type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization - Members Only) <input type="radio"/> Other (Explain): _____				
Method of Operation:		<input checked="" type="radio"/> Restaurant <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Pizzeria <input type="radio"/> Cafe <input type="radio"/> Other (Explain): _____				
License Type:		<input checked="" type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input type="radio"/> Wine & Beer				
APPLICATION TYPE (check one)		<input type="radio"/> New	Has applicant owned or managed a similar business?		YES	NO
			What is/was the name of establishment?			
			What is/was the address of the establishment?			
			What were the dates the applicant was involved with this former premise?			
		<input checked="" type="radio"/> Transfer	What is the prior license #?		1140559	
			What is the expiration date on the prior license?		7/31/2013	
			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.			
		<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	8 AM - 2 AM	8 AM - 2 AM	8 AM - 2 AM	8 AM - 4 AM	8 AM - 4 AM	8 AM - 4 AM	8 AM - 2 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
	91		26	84	0	1	7	0	0
How many floors are there? What is the capacity for each floor? (please respond in space provided)					3	24	84		
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	wine / sparkling wine only	
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	depends on future bar plans	
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)					YES	NO	N/A		
Will applicant provide contact information to neighbors and respond to complaints that arise?					YES	NO	N/A		
Will you inform the Community Board office of your job openings and/or provide a hyperlink to your jobs webpage?					YES	NO	N/A		
If you plan to have music, what type(s)?					BACKGROUND	LIVE MUSIC	DJ		
BUILDING DESIGN									
Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.					YES	NO	N/A		
Will applicant follow the recommendations of a certified sound engineer to mitigate potential noise disturbance to the neighboring residents and buildings, including placing speakers on the floor of the establishment?					YES	NO	N/A		
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.)					YES	NO	N/A		

OUTDOOR ITEMS			
Will applicant use the rooftop, rear yard or any outdoor space?	YES	<input checked="" type="radio"/> NO	N/A
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	YES	NO	<input checked="" type="radio"/> N/A
The service and consumption of alcohol in the rear yard, on the rooftop, or in any other outdoor space will be only via seated food service.	YES	NO	<input checked="" type="radio"/> N/A
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	YES	NO	<input checked="" type="radio"/> N/A
Applicant will do everything in their power to provide an effective sound baffling or sound controlled environment through landscaping or some type of enclosure, where possible; provided they do not violate any fire or building code regulations? This includes possibly working with landlords for soundproofing tenants apartments (such as installing soundproofing windows, acoustical tiles, etc.).	<input checked="" type="radio"/> 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.	<input checked="" type="radio"/> YES	NO	N/A
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	<input checked="" type="radio"/> N/A

LOCATION & ZONING			
Primary Zoning District:	C6-2A	Overlay (If Applicable):	N/A
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	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	NO	N/A
Is the 600 Foot Rule or 200 Foot Rule Triggered? If yes, which? Please attach a diagram of the establishments that triggers the rule.	<input checked="" type="radio"/> YES	NO	N/A
Is a Public Assembly permit required?	YES	<input checked="" type="radio"/> NO	N/A
Are your plans filed with DOB?	YES	NO	N/A
Building Type	<input type="radio"/> Residential <input checked="" type="radio"/> Commercial <input type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____		
Adjacent Buildings	<input type="radio"/> Residential <input 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	Meatpacking Improvement District	
	# 2		
	# 3		

Manhattan Community Board 4 (MCB4) recommends:		<input type="radio"/> Approval <input type="radio"/> Denial unless all agreed to by applicant is part of the method of operation <input type="radio"/> Denial
CB4 REPRESENTATIVES		
Nelly Gonzalez <i>CB4 Community Associate</i>	Lisa Duglan <i>CB4 BLP Committee Co-Chair</i>	Paul Seres <i>CB4 BLP Committee Co-Chair</i>
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

1 **Business License & Permits Committee**

Item #: 12

2
3 June 5, 2013

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

10
11 **Re: Pastai Inc.**
12 **d/b/a Pastai**
13 **186 9th Avenue (21/22)**
14

15 Dear Chairman Rosen:

16
17 Manhattan Community Board 4 (MCB4) recommends denial of a New Unenclosed Sidewalk
18 Café license for Pastai Inc. d/b/a Pastai – 186 9th Avenue (21/22) unless the following
19 stipulation, agreed to by the applicant, is part of the method of operation for this establishment
20 with 4 tables and 8 seats.
21

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

23
24 Sincerely,

25
26
27 Corey Johnson
Chair

Paul Seres
Co-Chair
Business License & Permits
Committee

Lisa Daglian
Co-Chair
Business License & Permits
Committee

28

Manhattan Community Board 4

Unenclosed Sidewalk Café Stipulations Application

APPLICANT Pastai Inc		ADDRESS 186 9TH Ave					
DOING BUSINESS AS (DBA) Pastai		CROSS STREETS W 21ST - W 22ND ST				OWNER: Melissa Muller (917) 544-3972	
DESCRIPTION OF APPLICATION addition of a Sidewalk cafe with 4 Tables + 8 seats		LAWYER: Michael Kelly					
		DCA LICENSE NUMBER: 1461129					
		SLA LICENSE NUMBER:					
		ON SITE CONTACT: (Name, position & phone number): Melissa Muller (917) 544 3972					
Side-walk café hours of Operation	MONDAY 8^{am} - 10^{pm}	TUESDAY 8^{am} - 10^{pm}	WEDNESDAY 8^{am} - 10^{pm}	THURSDAY 8^{am} - 10^{pm}	FRIDAY 8^{am} - 11^{pm}	SATURDAY 8^{am} - 11^{pm}	SUNDAY 12^{pm} - 10^{pm}
DCA Hours Allowed	8-12	8-12	8-12	8-12	8-1	8-1	12-12
SEATING & TABLES	DESCRIPTION		NOTES				
	SEATS 8	TABLES 4					
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

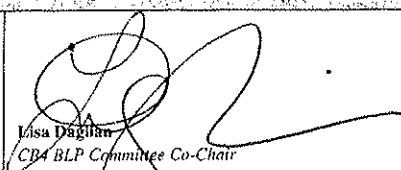
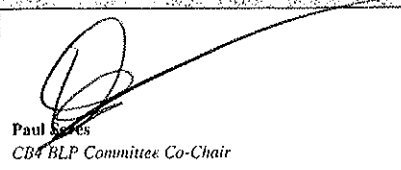


<p>Will applicant do everything in their power to provide an effective sound baffling or sound controlled environment through landscaping or some type of enclosure, where possible; provided they do not violate any fire or building code regulations? This includes possibly working with landlords for soundproofing tenants apartments (such as installing soundproofing windows, acoustical tiles, etc.).</p>	<p>YES</p>	<p>NO</p>	<p>N/A</p>	
<p>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.</p>	<p>YES</p>	<p>NO</p>	<p>N/A</p>	

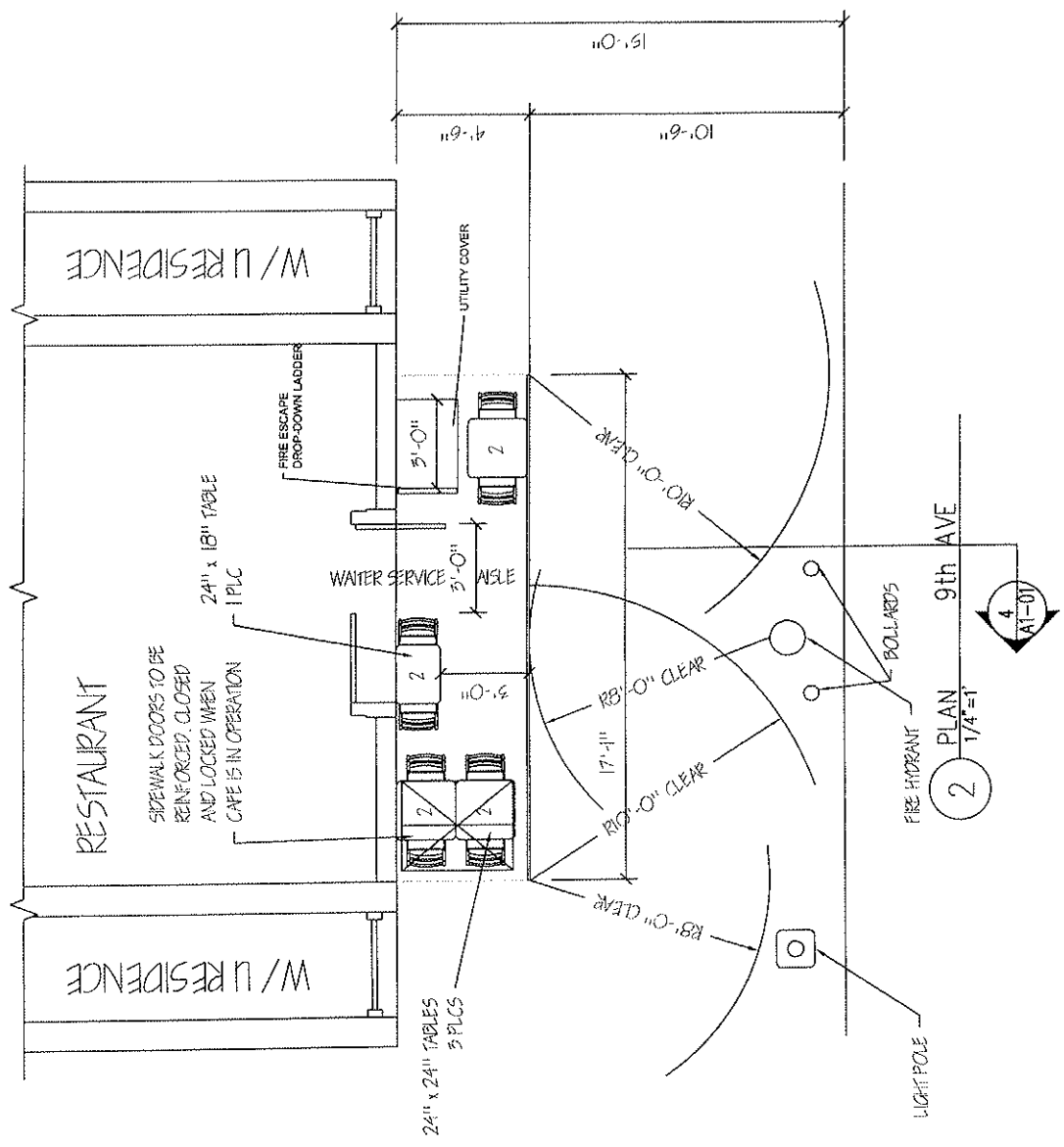
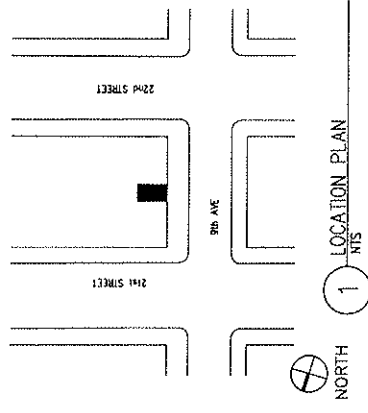
CAFÉ DESIGN

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)

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Manhattan Community Board 4 (MCB4) recommends:		<input type="radio"/> Approval <input checked="" type="radio"/> Denial unless all agreed to by applicant is part of the <u>method of operation</u> <input type="radio"/> Denial
CB4 REPRESENTATIVES		
Nelly Gonzalez CB4 Community Associate	 Lisa Dagilan CB4 BLP Committee Co-Chair	 Paul Torres 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	5/14/13 DATE



DRAWING NAME	SITE AND PLAN VIEW OF UNENCLOSED SIDEWALK CAFE FOR PCHOF INC
ADDRESS	186 9th Avenue New York, NY 10011
APPLICATION DATE	
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"
SHEET	01/21/10
DATE	
PREPARED BY	ENL CONSULTING
DESIGNED BY	42 MORRIS AVE
CHECKED BY	PAIDOLLE, NY 11772
DATE	02/27/10

FIRE ESCAPE
DROP-DOWN LADDER

FIRE ESCAPE
DROP-DOWN LADDER

REMOVABLE
CAFE RAILING
30" MAX HEIGHT
BOTTOM WEIGHTED

REMOVABLE
CAFE RAILING
30" MAX HEIGHT
BOTTOM WEIGHTED

9th AVE

4 ELEVATION
1/4"=1'

3 ELEVATION
1/4"=1'

DRAWING NAME	ELEVATION AND SECTION VIEW OF UNENCLOSED SIDEWALK CAFE FOR Postal INC.
APPLICATION DATA	186 9th Avenue New York, NY 10011
COMMUNITY BOARD # 4	BLOCK # 745 LOT # 4
# OF TABLES: 4	# OF SEATS: 8
CAFE AREA: 77	SQ. FT.
DRAWING NUMBER	A2.0
SCALE	1/4"=1'-0"
DATE	01/21/10
RVL CONSULTING	42 MORRIS AVE PACIFIC, NY 11772 631-275-5746