

1 **BUSINESS LICNESE & PERMITS COMMITTEE**

Item # 17

2
3 May 2, 2012

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: Friends of the High Line In.c d/b/a The Porch**
12 *15th Street Porch – The High Line (15th & 16th Street at 10th Avenue)*
13 *License # 1253899*

14
15 Dear Chairman Rosen:

16
17 Manhattan Community Board 4 (MCB4) recommends denial of an alteration to an existing seasonal
18 wine & beer license to **Friends of the High Line Inc. d/b/a The Porch - 15th Street Porch – The High**
19 **Line (15th & 16th Street at 10th Avenue), unless the following stipulation, agreed to by the applicant, is**
20 part of the method of operation to increase the seating from 40 seats to 60 seats.
21

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

23
24
25 Sincerely,

26
27
28
29
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)	
Friends of the High Line Inc.		The Porch	
STREET ADDRESS		CROSS STREETS	
15 th Street Porch – The High Line		15 th & 16 th Street at 10 th Avenue	
OWNER	NAME: Friends of the High Line Inc.	ATTORNEY	NAME: Donald Bernstein, Esq./ Victor & Bernstein, P.C.
	PHONE: 212-206-9922		PHONE: 212-486-6000
	FAX:		FAX: 212-486-8668
MANAGER	NAME: Hearth Restaurant – Terroir (Will be the new operator and co-licensee)	LANDLORD	NAME: City of New York and NYC Dept. of Parks
	PHONE: 646-247-9559		PHONE: 212-360-3483
	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): Outdoor café serving beer and wine

Method of Operation:

Restaurant
 Dance Club
 Sports Bar
 Adult Entertainment
 Wine Bar
 Pizzeria
 Cafe
 Other (Explain):

License Type:

On-Premise
 Wine
 Beer
 Wine & Beer (Seasonal)

APPLICATION TYPE <i>(check one)</i>	<input type="radio"/> New	Has applicant owned or managed a similar business?	YES	NO
		What is/was the name of establishment?		
		What is/was the address of the establishment?		
		What were the dates the applicant was involved with this former premise?		
	<input type="radio"/> Transfer	What is the prior license #?		
		What is the expiration date on the prior license?		
		Are you making any alterations or operational changes?	YES	NO
		<i>If alterations or operational changes are being made, please attach the plans to this form.</i>		
	<input checked="" type="radio"/> Alteration	What is the current license #?	1253899	
		What is the expiration date on the current license?	See additional notes	
<i>Please describe the nature of the alterations and attach the plans</i>		See additional notes		

OPERATIONAL ISSUES										
HOURS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY		
	Operation	12 p.m. – 11 p.m.*	12 p.m. – 11 p.m.*	12 p.m. – 11 p.m.*	12 p.m. – 11 p.m.*	12 p.m. – 11 p.m.*	12 p.m. – 11 p.m.*	12 p.m. – 11 p.m.*	12 p.m. – 11 p.m.*	
	Music	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
	Kitchen	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
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	
	79	79	none	none	none	1	none	60	3	
How many floors are there? What is the capacity for each floor? (please respond in space provided)					1-2	3-4	5 +	One Floor		
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)					YES	NO	N/A			
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			
Will the security plan submitted be implemented?					YES	NO	N/A			
Will State certified security personnel be used?					YES	NO	N/A	Park Enforcement Patrol Officer		
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?					YES	NO	N/A	No – NY Nightlife Association Recommendations Yes – NYPD Best Practices		
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	N/A				
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	See March 28, 2011 Stipulations (attached)
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	See March 28, 2011 Stipulations (attached)
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:	Parkland	Overlay (If Applicable):	N/A	
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	NO	N/A	Formally a railroad line
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	YES	NO	N/A	See attached
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	If required for the outdoor space the licensee will apply for a Public Assembly
Are your plans filed with DOB?	YES	NO	N/A	
Building Type	<input type="radio"/> Residential <input type="radio"/> Commercial <input type="radio"/> Mixed Use <input type="radio"/> Other, describe: Located on the High Line-Open Air Space			
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	N/A – Alteration application for increased seating		
	# 2			
	# 3			

ADDITIONAL INFORMATION: (Applicant Use)

- **Alteration:** The license is seasonal and effective date is May 1, 2012 through November 30, 2012. The seating will be increased from 40 seats to 60 seats. The licensee also is utilizing the allowed occupancy of 79(see attached temporary CofO).

ADDITIONAL NOTES: (Office Use Only)

ADDITIONAL STIPULATIONS: (Office Use Only)

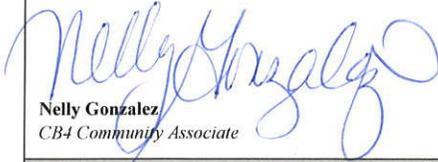
Manhattan Community Board 4 (MCB4) recommends:

Approval Denial unless all agreed to by applicant is part of the

method of operation

Denial

CB4 REPRESENTATIVES


Nelly Gonzalez
CB4 Community Associate

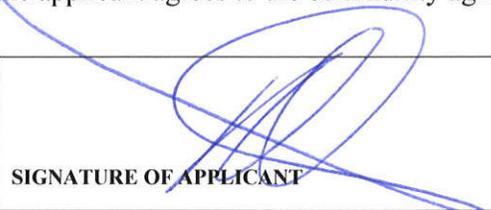
Lisa Daglian
CB4 BLP Committee Co-Chair


Paul Spres
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

4/10/12

MARCH 28, 2011 COMMUNITY BOARD NO. 4 STIPULATIONS

Manhattan Community Board 4

Liquor License Application Questionnaire

APPLICANT		GOING BUSINESS AS (DBA)		
Friends of the High Line		TBD		
STREET ADDRESS		CROSS STREETS		
The High Line above Chelsea Market (15 th and 16 th Streets)		15 th and 16 th Streets - 10 th Avenue		
OWNER	NAME	Friends of the High Line	NAME	Donald M. Bernstein, Esq. - Victor & Bernstein, P.C.
	PHONE	212-206-9922	PHONE	212-486-6000
	FAX		FAX	212-486-8668
MANAGER	NAME	TBD	NAME	The City of New York and the New York Department of Parks and Recreation
	PHONE		PHONE	212-360-3483
	FAX		FAX	

DESCRIPTION OF VENUE

Please describe the nature of your proposed venue: Outdoor Cafe

License Type

Restaurant Wine & Beer
 On-Premises Liquor
 Eating Place Beer
 Hotel Beer
 Club Beer
 Cabaret Liquor
 Club Wine & Beer
 Tavern Wine
 Catering Establishment
 Hotel Wine & Beer

APPLICATION TYPE <i>(check one)</i>	<input checked="" type="radio"/> New	Has applicant owned or managed a similar business?	YES	<input checked="" type="radio"/> NO
		What was the name of former premises?		
		What was the address of the former premises?		
		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	<input checked="" type="radio"/> NO
		<i>If alterations or operational changes are being made, please attach the plans to this form.</i>		
	<input type="radio"/> Alteration	What is the current license #?		
		What is the expiration date on the current license?		
<i>Please describe the nature of the alterations and attach the plans</i>				

Is the 500 Foot Rule Triggered?	YES	<input checked="" type="radio"/> NO
Is the 200 Foot Rule Triggered?	YES	<input checked="" type="radio"/> NO
Are your plans filed with DOB?	YES	<input checked="" type="radio"/> NO
Is a Public Assembly permit required?	YES	<input checked="" type="radio"/> NO

OPERATING HOURS										
HOURS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY		
	Operation	12PM - 11PM	12PM - 11PM	12PM - 11PM	12PM - 11PM	12PM - 11PM	12PM - 11PM	12PM - 11PM	12PM - 11PM	
	Music	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
	Kitchen	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
OCCUPANCY	Capacity (Certificate of Occupancy)	Number of Seating Positions	Number of Tables	Number of Bar Stools	Number of Service Only Bars	Number of Stand-Up Bars	Number of Seating at Bars	Number of Seats	Number of Tables	
	N/A	N/A	N/A	N/A	0	1	0	35-40	18	
Will you be applying or intending to apply for a cabaret license?					YES	NO	N/A	No		
Will you be hosting private parties and promotional events?					YES	NO	N/A	Yes		
Will outside promoters be used?					YES	NO	N/A	No		
Will the security plan submitted be implemented?					YES	NO	N/A	Yes		
Will State certified security personnel(s) be used?					YES	NO	N/A	Yes - Park Enforcement Patrol Officer		
Will New York Nightlife Association recommendations be followed?					YES	NO	N/A	No		
Will the applicant be using delivery bicycles?					YES	NO	N/A	No		
Will applicant have music?					YES	NO	N/A	No		
If you plan to have music, what type(s)?					BACKGROUND	LIVE MUSIC	NO	N/A		

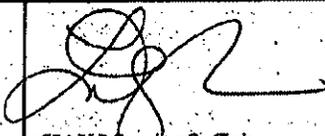
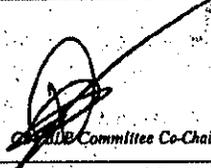
FURTHER INFORMATION				
French doors and sliding windows will be closed when any amplified music is played (per law) and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.	YES	NO	N/A	N/A
Will the kitchen exhaust system be designed to be compliant with NYC building codes and be constructed to not disturb neighboring tenants?	YES	NO	N/A	N/A
Will applicant follow the recommendations of a certified sound engineer to mitigate potential noise disturbance to the neighboring residents and buildings, including placing speakers on the floor of the establishment?	YES	NO	N/A	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	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	Yes

SECTION 2 - OUTDOOR SEATING				
Will applicant use the rooftop or rear yard?	YES	NO	N/A	Premises are outdoors
The rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	YES	NO	N/A	No
The service and consumption of alcohol in the rear yard, on the rooftop, or in any other outdoor space will be only via seated food service.	YES	NO	N/A	Self-service seating
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	YES	NO	N/A	Yes
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	Yes
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	Yes
Will applicant have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	N/A	Yes

SECTION 3 - OCCUPANCY		
Primary Zoning District:	Parkland	Overlay (If Applicable):
Does the building have a Certificate of Occupancy ("C of O")?	YES	Yes - temporary certificate of occupancy
If the building has a "C of O" is the proposed occupancy permitted?	YES	Yes
Building Type	<input type="radio"/> Residential <input type="radio"/> Commercial <input type="radio"/> Mixed Use <input checked="" type="radio"/> Other, describe: Located on the High Line open air public space	
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	Community Board #4 Parks & Waterfront
	# 2	Community Board #2
	# 3	Save Chelsea
	# 4	Greenwich Village Chelsea Chamber of Commerce
	# 5	Speaker Quinn's Office
# 6	Borough President Scott Stringer	
# 7	Council of Chelsea Block Association	

ADDITIONAL NOTES

- Last call @ 10³⁰ PM; vacated by 11PM
- no standing area for consumption
- follow Best Practices
- All beverages must be consumed on-site

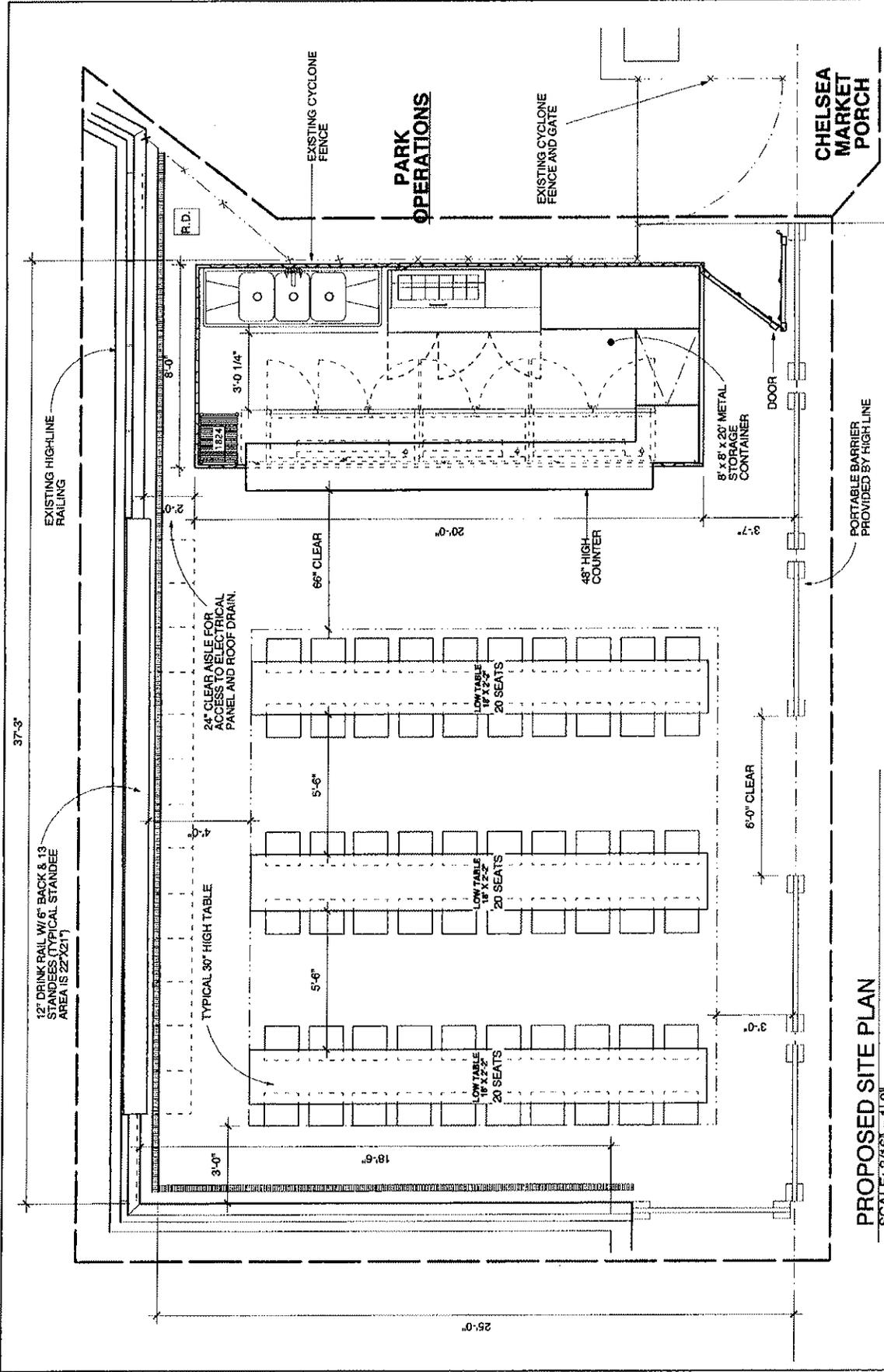
 Nelly Gonzalez CB4 Community Associate	 CB4 BLP Committee Co-Chair	 CB4 BLP Committee Co-Chair
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APPLICANT AGREEMENT TO ACCEPT PROGRAM CONDITIONS

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.

	 SIGNATURE OF APPLICANT OR ATTORNEY	3-25-11 DATE
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PROPOSED FLOOR PLAN



PROPOSED SITE PLAN
SCALE: 3/16" = 1'-0"

<p>ARCHITECT: Richard H. Lewis, Architect Tel: 212.865.5661 Fax: 212.865.5707</p>	<p>APPLICANT: Paul Greico splitpaul@yahoo.com Marco Canora marcocanora@hotmail.com 917.497.5815</p>	<p>PROJECT: terroir on the Porch</p>	<p>SHEET: A1</p>	<p>DATE: 03.21.2012</p>
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MENUS

MENU

terroir

LITTLEterroirSNACKS

Pefferroth Radishes with Sea Salt 5

Migliorelli Beets with Hazelnuts 5

Pickled Green Market Veggies 5

Marinated Olives 5

FRIEDSTUFF

Sage Leaves

with Byfarms Lamb Sausage 8,

Migliorelli Beet, Gorgonzola

Risotto Balls 7.

Grassland Farms Yoshi Fried Chicken 10.

salads. salads. salads.

Lani Farms Dandelion Greens, Knoll Crest Farm's Egg, Parmesan, Balsamic 9.

Bodhi Tree Lettuces, Raw Vegetables, Sherry Vinaigrette 11.

Cayuga Farms Freekah, mint, sugar snap peas 11

TerroirSandwiches!

Sir William Angus Farm Veal & Ricotta Meatball 12

(Meatballs on a Plate 11.)

Bev Egg Ham & Cheese 11.

Hudson Valley Duck Ham, mushrooms, stinky cheese. 12.

Grassland Farms Smoked chicken salad. 11

Market vegetables, ricotta. 11

Hand-Cut Charcuterie AND cheese

Coppa 5.

Cacciatorini 5.

Finochietti 5.

Nys cheese 4.5

NYS cheese 4.5

NYS cheese 4.5

Assortment 20.

OUR PURVEYORS

VEGETABLES

Windfall Farms, Orange County, NY
Lani Farm, Bordentown, NJ
Bodhitree Farm, Bordentown, NJ
Berried Treasures, Delaware County, NY
Cardonna Farms, Milton, NY (Marco's hometown)
Cayuga Pure Organics, Brooktondale, NY
Cherry Lane Farm, Cumberland Count, NJ
Eckerton Hill Farms, Berks County, PA
Fantasy Fruit Farm, Chenango County, NY
Locust Grove Farms, Ulster County, NY
Migliorelli Farm, Dutchess County, NY
Mountain Sweetberry Farm, Sullivan County, NY
Paffenroth Gardens, Orange County, NY
Phillips Farm, Hunterdon County, NJ
Stokes Farm, Bergen County, NJ (George's Hometown)
Sycamore Farms, Orange County, NY

MEAT

Chicken: Grass Land Farms, Ovid, NY
Veal: Sir Willium Angus Farm, Craryville, NY
Lamb: White Clover Sheep Farm, Rushville, NY
Duck: Hudson Valley Duck Farm, Ferndale, NY
Pork: Eco-friendly Farms, Shenendoah, VA

TEMPORARY CERTIFICATE OF OCCUPANCY



Certificate of Occupancy

CO Number: 104753553T016

This certifies that the premises described herein conforms substantially to the approved plans and specifications and to the requirements of all applicable laws, rules and regulations for the uses and occupancies specified. No change of use or occupancy shall be made unless a new Certificate of Occupancy is issued. *This document or a copy shall be available for inspection at the building at all reasonable times.*

A.	Borough: Manhattan	Block Number: 08224	Certificate Type: Temporary
	Address: 79 GANSEVOORT STREET	Lot Number(s): 111	Effective Date: 02/13/2012
	Building Identification Number (BIN): 1087235	Building Type: Altered	Expiration Date: 05/13/2012
<i>For zoning lot metes & bounds, please see BISWeb.</i>			
B.	Construction classification: 1-E	(1968 Code)	
	Building Occupancy Group classification: F-2	(1968 Code)	
	Multiple Dwelling Law Classification: None		
	No. of stories: 1	Height in feet: 24	No. of dwelling units: 0
C.	Fire Protection Equipment: None associated with this filing.		
D.	Type and number of open spaces: None associated with this filing.		
E.	This Certificate is issued with the following legal limitations: None		
Outstanding requirements for obtaining Final Certificate of Occupancy:			
There are 18 outstanding requirements. Please refer to BISWeb for further detail.			
Borough Comments: None			

Borough Commissioner

Commissioner

DOCUMENT CONTINUES ON NEXT PAGE

Certificate of Occupancy

CO Number: 104753553T016

Permissible Use and Occupancy						
All Building Code occupancy group designations are 1968 designations, except RES, COM, or PUB which are 1938 Building Code occupancy group designations.						
Floor From To	Maximum persons permitted	Live load lbs per sq. ft.	Building Code occupancy group	Dwelling or Rooming Units	Zoning use group	Description of use
CEL		OG	D-2		4B	SECTION 1 GANSEVOORT STREET UTILITY VAULT 14TH STREET ELEVATOR VAUL
CEL		OG	D-2		4B	SECTION 2: 30TH STREET UTILITY VAULT 23RD STREET ELECTRIC ROOM AND ELEVATOR VAULT.
001	248	100	F-3		4B	SECTION 1: INDOOR CIRCULATION
001	79	100	F-3		4B	SECTION 1 : 15TH STREET PORCH
001	467	100	F-3		4B	SECTION 1: EVENT SPACE (CHELSEA MAKET TUNNEL)
001	178	100	F-2		4B	SECTION 1: OUTDOOR SEATING (10TH AVENUE SQUARE)
001	1395	100	F-2		4B	SECTION 2: PARK: OPEN SEATING AND WALING PATHS.
001	1401	100	F-2		4B	SECTION 1:PARK:_OPEN SEATING AND WALKING PATHS
001	198	OG	F-3		4B	SECTION 2: BLEECHER SEATING
001			D-2		4B	SECTION 1: MECHANICAL EQUIPMENT ROOMS(CHELSEA MARKET TUNNEL)
001	285	100	F-3		4B	SECTION 1: EVENT SPACE (14TH STREET TUNNEL)
TOTAL: HIGH LINE PUBLIC PARK SECTION 1 = GANSEVOORT STREET TO WEST 20TH STREET SECTION 2 = WEST 20TH STREET TO WEST 30TH STREET						
END OF SECTION						



Borough Commissioner



Commissioner

END OF DOCUMENT

104753553/016 2/17/2012 10:07:14 AM

PHOTOGRAPHS



