



CITY OF NEW YORK

**MANHATTAN COMMUNITY BOARD No. 4**

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**J. LEE COMPTON**  
Chair

**MICHELLE SOLOMON**  
Acting District Manager

April 10, 2006

Commissioner Daniel Boyle  
New York State Liquor Authority  
84 Holland Avenue, 2nd floor, A-Wing  
Albany, NY 12208

**Re: Three Twenty Restaurant Row Corp. d/b/a B. Smith's, 320 West 46<sup>th</sup> Street**

Dear Commissioner Boyle,

At its February 14, 2006 meeting, the Business Licenses and Permits Committee of Manhattan Community Board No. 4 reviewed the liquor license renewal application for Three Twenty Restaurant Corp.

One resident who lives in the building behind the restaurant complained about excessive noise coming from the restaurant's air conditioning system and kitchen exhaust fan. Restaurant management assured the Board that they had taken steps to baffle the sound. A member of the Board who is an HVAC expert visited the site to inspect the equipment and found that a sound wall had indeed been installed. However, although the steps taken adequately protect residents on the same level as the HVAC units or below them, they do not prevent sound from traveling upwards. We believe that some slight modifications to the existing sound attenuation system will cure the problem.

Accordingly, Manhattan Community Board No. 4 recommends the New York State Liquor Authority renew the applicant's on-premises liquor license, contingent on the owner's agreement to incorporate the following stipulations into its method of operation on its New York State Liquor Authority Application:

1. B Smith's Restaurant shall install sound attenuation insulation on the inside of the air conditioner condenser fan cones.
2. B Smith's Restaurant shall replace the service panels on the kitchen exhaust fan and make sure all the screws are installed and tight.

At its full Board meeting on April 5, 2006, Manhattan Community Board No. 4 voted to approve this recommendation with the above stipulations attached.

Sincerely yours,



J. Lee Compton  
Chair  
Manhattan Community Board No. 4

Kevin Kossi  
Co-Chair  
Business Licenses & Permits Committee

John Weis  
Co-Chair  
Business Licenses & Permits Committee

Cc: DEP  
Fred Gioffre, SLA  
Applicant  
W. Walters