



THE CITY OF NEW YORK
 MANHATTAN COMMUNITY BOARD 3
 59 East 4th Street - New York, NY 10003
 Phone (212) 533-5300 - Fax (212) 533-3659
 www.cb3manhattan.org - info@cb3manhattan.org

Gigi Li, Board Chair

Susan Stetzer, District Manager

Community Board 3 Liquor License Stipulations

I, Manabu Nishigaki, as a qualified representative of G-i Nishi Inc, located at 56 Third Avenue NYC, New York, NY agree to the following stipulations:

1. I will operate a full-service restaurant, specifically a (type of restaurant) _____, with a kitchen open and serving food to within _____ hour(s) of closing every night during all hours of operation.
2. My hours of operation will be 12:00pm-2:30pm; 5:30pm-11pm MON-THURSDAY
12:00pm-12:00am Fri/Sat; SUNDAY 12pm-11pm
(I understand this to mean that all patrons will be cleared from the establishment at the specified hour).
3. I will not use outdoor space for commercial use.
4. I will operate my sidewalk café no later than _____
5. I will employ a doorman/security personnel on the following days: _____
6. I will install soundproofing, _____
7. I will close any front or rear facade doors and windows at 10:00 P.M. every night or during any amplified performances, including but not limited to DJs, live music and live nonmusical performances. I will not have French doors or windows and doors will be closed by _____
8. I will not have DJs, live music, promoted events, any event at which a cover fee is charged, scheduled performances, more than _____ DJs/ promoted events per _____, more than _____ private parties per _____
9. I will play ambient recorded background music only.
10. I will not apply for an alteration to the method of operation agreed to by this stipulation without first coming before CB 3.
11. I will not seek a change in class to a full on-premise liquor license without first obtaining approval from CB 3.
12. I will not participate in pub crawls or have party buses come to my establishment.
13. I will not have a happy hour. Happy hour will end by _____
14. I will not have wait lines outside. There will be a staff person outside to monitor sidewalk crowds and ensure no loitering.
15. I will conspicuously post this stipulation form beside my liquor license inside of my business.
16. Residents may contact the manager/owner at the following phone number. Any complaints will be addressed immediately and I will revisit the above-stated method of operation if necessary in order to minimize my establishment's impact on my neighbors.

Name: MANABU NISHIGAKI Phone Number: (917) 626-4675

17. I will: _____

I hereby certify that the information provided above is truthful and accurate based upon my personal belief.
 X [Signature] Signed _____ Dated October 20, 2014
 Sworn to this 20th day of October 2014 [Signature] Notary Public

EVORA
Att: Tom Juell

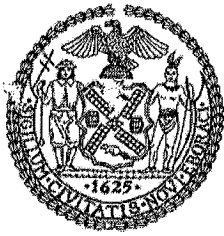
Re: G & Nishi Inc
54-56 Third Avenue
New York, New York

MANABU NISHIGAKI, agrees to operate G & Nishi Inc, at 54-56 Third Avenue, New York, New York in the following manner:

1. I will operate as a full service restaurant serving meals until one (1) hour prior to closing. I will also have the restaurant clear of customers by closing time.
2. I will have a closing time of no later than 11:00 PM Sunday through Thursday and no later than 12:00 Midnight Friday and Saturday.
3. I will have only low ambient music.
4. I will additionally soundproof all of the space if necessary.
5. I will not use sidewalk or apply for a sidewalk café license without first informing neighbors prior to submitting an application to Community Board #3. There is no backyard or other outdoor space.
6. I will use no roll up doors that open large portions of the front of the establishment to the sidewalk allowing interior noise to radiate into the surrounding neighborhood. I will keep the establishment noise inside the establishment.
7. I will not apply for an (OP) on premises liquor license in the future, without first informing neighbors prior to submitting an application to Community Board #3.



MANABU NISHIGAKI



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Community Board 3 Liquor License Application Questionnaire

Please bring the following items to the meeting:

NOTE: ALL ITEMS MUST BE SUBMITTED FOR APPLICATION TO BE CONSIDERED.

- Photographs of the inside and outside of the premise.
- Schematics, floor plans or architectural drawings of the inside of the premise.
- A proposed food and or drink menu.
- Petition in support of proposed business or change in business with signatures from residential tenants at location and in buildings adjacent to, across the street from and behind proposed location. Petition must give proposed hours and method of operation. For example: restaurant, sports bar, combination restaurant/bar. (petition provided)
- Notice of proposed business to block or tenant association if one exists. You can find community groups and contact information on the CB 3 website:
http://www.nyc.gov/html/mancb3/html/communitygroups/community_group_listings.shtml
- Photographs of proof of conspicuous posting of meeting with newspaper showing date.
- If applicant has been or is licensed anywhere in City, letter from applicable community board indicating history of complaints and other comments.

Check which you are applying for:

- new liquor license alteration of an existing liquor license corporate change

Check if either of these apply:

- sale of assets upgrade (change of class) of an existing liquor license

Today's Date: November 12, 2014

If applying for sale of assets, you must bring letter from current owner confirming that you are buying business or have the seller come with you to the meeting.

Is location currently licensed? Yes No Type of license: _____

If alteration, describe nature of alteration: _____

Previous or current use of the location: _____

Corporation and trade name of current license: _____

APPLICANT:

Premise address: 56 Mird Avenue

Cross streets: E. 10th ; E 11th st

Name of applicant and all principals: G ? Nishi Inc

Manabu Nishigaki; Masatoshi Sugio

Trade name (DBA): Saki

PREMISE:

Type of building and number of floors: Mixed use masonry

Will any outside area or sidewalk cafe be used for the sale or consumption of alcoholic beverages? (includes roof & yard) Yes No If Yes, describe and show on diagram: _____

Does premise have a valid Certificate of Occupancy and all appropriate permits, including for any back or side yard use? Yes No What is maximum NUMBER of people permitted? _____

Do you plan to apply for Public Assembly permit? Yes No
What is the zoning designation (check zoning using map: <http://gis.nyc.gov/doitt/nycitymap/> - please give specific zoning designation, such as R8 or C2):
C-6 2A

PROPOSED METHOD OF OPERATION:

Will any other business besides food or alcohol service be conducted at premise? Yes No
If yes, please describe what type: _____

What are the proposed days/hours of operation? (Specify days and hours each day and hours of outdoor space)
MON-THURS 12:00pm - 2:30pm then 5:30pm - 11:00pm
FRI/SAT 12:00pm - 12:00 am; SUNDAY 12pm - 11pm

Number of tables? TBD Number of seats at tables? TBD

How many stand-up bars/ bar seats are located on the premise? TBD

(A **stand up bar** is any bar or counter (whether with seating or not) over which a patron can order, pay for and receive an alcoholic beverage)

Describe all bars (length, shape and location): TBD

Does premise have a full kitchen? Yes No?

Does it have a food preparation area? Yes No (If any, show on diagram)

Is food available for sale? Yes No If yes, describe type of food and submit a menu
Japanese

What are the hours kitchen will be open? to close of business

Will a manager or principal always be on site? Yes No If yes, which? either

How many employees will there be? 20-25

Do you have or plan to install French doors accordion doors or windows? currently exists

Will there be TVs/monitors? Yes No (If Yes, how many?) _____

Will premise have music? Yes No

If Yes, what type of music? Live musician DJ Juke box Tapes/CDs/iPod

If other type, please describe _____

What will be the music volume? Background (quiet) Entertainment level

Please describe your sound system: iPod generated small speakers

Will you host any promoted events, scheduled performances or any event at which a cover fee is charged? If Yes, what type of events or performances are proposed and how often? No

How do you plan to manage vehicular traffic and crowds on the sidewalk caused by your establishment? Please attach plans. (Please do not answer "we do not anticipate congestion.")

small Japanese restaurant
Will there be security personnel? Yes No (If Yes, how many and when) _____

How do you plan to manage noise inside and outside your business so neighbors will not be affected? Please attach plans. These premises will be operated and maintained by management and staff to insure that the interior noise of these premises cannot be heard and the sidewalk noise will be at a minimal level at all times and the sidewalk will not be congested by our patrons

APPLICANT HISTORY:

Has this corporation or any principal been licensed previously? Yes No

If yes, please indicate name of establishment: SEE ATTACHED

Address: _____ Community Board # _____

Dates of operation: _____

If you answered "Yes" to the above question, please provide a letter from the community board indicating history of complaints or other comments.

Has any principal had work experience similar to the proposed business? Yes No If Yes, please attach explanation of experience or resume.

Does any principal have other businesses in this area? Yes No If Yes, please give trade name and describe type of business _____

Has any principal had SLA reports or action within the past 3 years? Yes No If Yes, attach list of violations and dates of violations and outcomes, if any.

Attach a separate diagram that indicates the location (**name and address**) and total number of establishments selling/serving beer, wine (B/W) or liquor (OP) for 2 blocks in each direction. Please indicate whether establishments have On-Premise (OP) licenses. Please label streets and avenues and identify your location. Use letters to indicate **Bar, Restaurant**, etc. The diagram must be submitted with the questionnaire to the Community Board before the meeting.

LOCATION:

How many licensed establishments are within 1 block? A Few

How many On-Premise (OP) liquor licenses are within 500 feet? A Bunch

Is premise within 200 feet of any school or place of worship? Yes No

COMMUNITY OUTREACH:

Please see the Community Board website to find block associations or tenant associations in the immediate vicinity of your location for community outreach. Applicants are encouraged to reach out to community groups. Also use provided petitions, which clearly state the name, address, license for which you are applying, and the hours and method of operation of your establishment at the top of each page. (Attach additional sheets of paper as necessary).

We are including the following questions to be able to prepare stipulations and have the meeting be faster and more efficient. Please answer per your business plan; do not plan to negotiate at the meeting.

1. I agree to close any doors and windows at 10:00 P.M. every night?
2. I will not have DJs, live music, promoted events, any event at which a cover fee is charged, scheduled performances, more than ___ DJs/ promoted events per ___, more than ___ private parties per ___
3. I will play ambient recorded background music only.
4. I will not apply for an alteration to the method of operation agreed to by this stipulation without first coming before CB 3.
5. I will not seek a change in class to a full on-premise liquor license. Or my business plan is to seek an upgrade at a later date. *() without meeting with the block association and the Community Board*
6. I will not participate in pub crawls or have party buses come to my establishment.
7. I will not have a happy hour. Or Happy hour will end by _____.
8. I will not have wait lines outside. There will be a staff person outside to monitor sidewalk crowds and ensure no loitering.
9. Residents may contact the manager/owner at the following phone number. Any complaints will be addressed immediately and I will revisit the above-stated method of operation if necessary in order to minimize my establishment's impact on my neighbors.

Rider to Personal Questionnaire of
Manabu Nishigaki
WB Duane Japanese Partners Inc

#4.

1995 – Present – Ise Restaurant Inc – 151 East 49th Street, New York, New York – Restaurant – Owner/Manager

1997 – Present - Manabu Inc – 58 West 56th Street, New York, New York – Restaurant – Owner/Manager

1997 – Present - Tukasa Inc – 60 West 56th Street, New York, New York – Restaurant – Owner/Manager

2002 – Present – Oni Corp – 56 Pine Street, New York, New York – Restaurant – Owner/Manager

2004 – Present – Shin Restaurant Inc – 63-69 Cooper Square, New York, New York – Restaurant – Owner/Manager

#5(c)

Ise Restaurant Inc – 151 East 49th Street, New York, New York – Sh/off/Mgr – 1995 – 1025989

Manabu Inc – 58 West 56th Street, New York, New York – sh/off/dir – 1997 – 1027204

Tukasa Inc – 60 West 56th Street, New York, New York – sh/off/dir – 1997 – 1030034

Oni Corp – 56 Pine Street, New York, New York – sh/off/dir – 2002 – 1130444

Shin Restaurant Inc – 63-69 Cooper Square, New York, New York – sh/off/dir – 2004 - 1148471

OFFICE USE ONLY		
<input type="radio"/> Original	<input type="radio"/> Amended	Date _____

Print **YOUR** Name Masatoshi Sugio

5. LICENSE HISTORY / AFFILIATIONS

5(a) If you are an applicant (i.e. proprietor, partner, stockholder, officer or director) applicant's spouse, will you continue your present occupation or business? YES NO

5(b) Will you take an active part in the operation of the business to be licensed? YES NO

If YES, explain nature of activity and the hours you will devote to the business (hours, days, responsibilities):

5(c) Do you have any interest, direct or indirect, in any premises currently licensed by the Liquor Authority or business where any alcoholic beverage is manufactured, transported or sold at wholesale or retail whether by stock ownership, interlocking directors, mortgage or lien on, or ownership of any real or personal property, or by any other means including loans? YES NO

If YES, provide information below:

Business name	Business address
Gari Int'l Inc	370 Columbus Avenue, New York, New York

Type of interest and date interest began	Serial Number
Sh/Off/Dir - 2004	1156399

Business name	Business address
Sugio LLC	347 W. 46th Street, New York, New York

Type of interest and date interest began	Serial Number
M/M - 2006	1184579

Business name	Business address
Tobari NY Inc	402 E. 78th Street, New York, New York

Type of interest and date interest began	Serial Number
Sh/Off/Dir - 1996	1029896

continued on next page