HELBRAUN LEVEY & O'DONOGHUE LLP
ATTORNEYS AT LAW

OYSTER CITY LLC
647 E 11TH ST
NEW YORK, NY 10009

110 WILLIAM STREET SUITE 1410 NEW YORK, NY 10038 T 212 219 1193 F 212 226 7554

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 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: 2/22/2016

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: RW

If alteration, describe nature of alteration: upgrade to OP license

Previous or current use of the location: VIRGINIA'S

Corporation and trade name of current license: OYSTER CITY LLC dba VIRGINIA'S

APPLICANT:

Premise address: 647 E 11TH ST; NEW YORK, NY 10009

Cross streets: Avenue C

Name of applicant and all principals: REED ANDREW ADELSON and CHRISTIAN RAMOS

Trade name (DBA): VIRGINIA'S

PREMISE:

Type of building and number of floors: Mixed Residential and Commercial Buildings - 6 floors

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: N/A

N/A

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? <74

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):

R7A

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: N/A

N/A

What are the proposed days/hours of operation? (Specify days and hours each day and hours of outdoor space) MONDAY TO SUNDAY, NOON TO MIDNIGHT.

Number of tables? 17 Total number of seats? 38

How many stand-up bars/ bar seats are located on the premise? 8

(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): ONE L-SHAPED BAR, 8-SEATS

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

AMERICAN FOOD

What are the hours kitchen will be open? ALL HOURS

Will a manager or principal always be on site? ☒ Yes ☐ No If yes, which? BOTH WILL MANAGE

How many employees will there be? 8-10

Do you have or plan to install ☐ French doors ☒ accordion doors or ☐ windows?

Will there be TVs/monitors? ☐ Yes ☒ No (If Yes, how many?) N/A

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 N/A

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

Please describe your sound system: BOSE SPEAKER SYSTEM

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? N/A

N/A

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.") **SEE ATTACHED**

Will there be security personnel? ☐ Yes ☒ No (If Yes, how many and when) N/A

N/A

How do you plan to manage noise inside and outside your business so neighbors will not be affected? Please attach plans. **SEE ATTACHED**

Do you have sound proofing installed? ☐ Yes ☒ No **N/A**

If not, do you plan to install sound-proofing? ☐ Yes ☒ No

APPLICANT HISTORY:

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

If yes, please indicate name of establishment: (CURRENTLY OPERATING AT LOCATION AS RW LICENSE)

Address: N/A Community Board # 3

Dates of operation: N/A

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 N/A

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? 2 OP

How many On-Premise (OP) liquor licenses are within 500 feet? 7 TOTAL

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 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.
2. ☒ I will not have ☐ DJs, ☐ live music, ☐ promoted events, ☐ any event at which a cover fee is charged, ☐ scheduled performances, ☐ more than N/A DJs/ promoted events per N/A, ☐ more than N/A private parties per N/A.
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 without first obtaining approval from CB 3.
6. ☒ I will not participate in pub crawls or have party buses come to my establishment.
7. ☒ I will not have a happy hour. ☐ I will have happy hour and it will end by N/A.
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.

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RE: MANAGEMENT OF NOISE INSIDE AND OUTSIDE:

The applicant will control noise inside and remind customers to be respectful of neighbors, with a fulltime manager and staff that will be managing the premises at all times.

Music will be low-level speakers where sound will not be leaving the premises.

RE: MANAGEMENT OF VEHICULAR TRAFFIC/CROWDING:

The applicant has been operating with a RW license and has not had issues with vehicular traffic or crowding. This applicant is looking for an upgrade to their RW license and intends to apply for an OP license, although nothing else regarding their method of operation will be different.

Staff will be instructed to monitor the sidewalk and curb area to contain any potential gatherings.

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A

Bar Menu

Toast of the Day 7
House Pickles 5
Chicken & Bacon Meatballs, Chimichurri 8
Applewood-Smoked Bacon and Cheddar Grilled Cheese 15
Virginia's Burger, Cabot Cheddar, Vidalia Onion Marmalade 16

SMALL

Charred Eggplant Toast,
Fermented Green Tomato, Fennel 8

Red Oak Lettuces, Hazelnuts,
Roasted Bell Pepper Vinaigrette 12

Caramelized Romanesco, Smoked Pine Nuts,
Clothbound Cheddar, Speck 14

Duck Rillettes, Pineapple Jam,
Walnut Bread 15

Grilled White Shrimp, Black Trumpets,
Buddha's Hand, Togarashi 15

Celery Root Soup, Foie Gras,
Huckleberries 16

LARGE

Butternut Squash Risotto, Porcinis, Pecans, Tarragon 20

Atlantic Striped Bass, Saffron, Cockles, Mussels, New Crop Potatoes 25

Diver Scallops, Meyer Lemon, Salsify, Seckel Pear 26

Grilled Red Wattle Pork, Red Wine-Braised Cabbage, Candied Plum 27

Hanger Steak, Argentine Chorizo, Bok Choy 28

SIDES

Crushed Potatoes, Crème Fraîche, Chives 8

Roasted Mushrooms, Chicory, Sunchokes 9

Brussels Sprouts, Rutabaga, Chestnut, House-Cured Lardo 10

Cocktails 12

bella negron
greenhook ginsmiths gin, cocchi di torino, cappelletti

pedro
siete leguas, lime, agave

manahatta
four roses rye, cocchi di torino, lemon bitters, orange twist

sunny girl #2
tito's, basil, lavendar, honey

loisaida daiquiri
flor de cana, maraschino, grapefruit

ginger, spice and everything nice
byrrh, honey, ginger, lemon

Aperitifs 6

Orleans *Herbal*
Dolin Dry, Blanc, Rouge
Cocchi Rosa, Torino
Cappelletti
Contratto Bianco

Sherry 10

Gutiérrez Colosia Fino

Cider 6

Uncle Johns, MI (Draft)

Beer 7

Draft
Narrangansett Lager, RI
Southern Tier IPA, NY
Evil Twin *Yang* Imperial IPA, CT
Cans
Bronx Brewery *American* Pale Ale, NY
Cisco *Pumple Drumkin* Spiced Ale, MA
Westbrook Gose, SC
Butternuts *Moo Thunder* Stout, NY

WINES BY THE GLASS

Sparkling

Henry Varnay Ugni Blanc Brut, Loire NV $10

Gruet *Méthode Champenoise* Brut, New Mexico NV $12

Clos Lentiscus *Mètode Traditionelle* Brut Nature Rosé, Penedès 2009 $14

White

Boundary Breaks *Ovid Line North* Riesling, Finger Lakes 2013 $11

Rey Santo Verdejo, Rueda 2014 $12

Domaine Grande Bellane Viognier, Côtes du Rhône 2014 $13

Hannes Reeh *Rohstoff* Chardonnay, Burgenland 2014 $14

Rosé

Domaine Pélaquié Grenache/Cinsault, Tavel 2014 $12

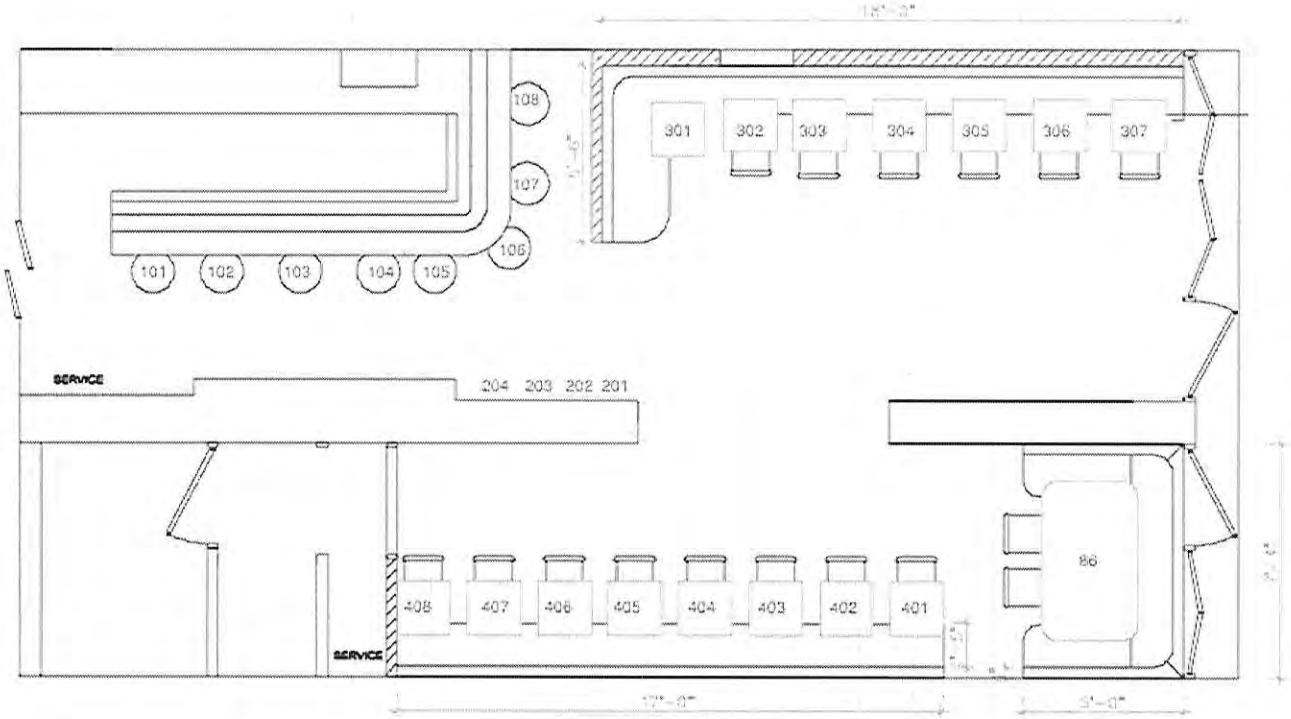
Red

Miravinos *Delito* Carignan, Cariñena 2014 $12

Mandrarossa *Costa Dune* Nero D'Avola, Sicilia 2014 $12

Qupé Syrah, Central Coast 2012 $14

Substance Cabernet Sauvignon, Columbia Valley 2013 $15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SERVICE

Proximity Report for Location:

February 22, 2016

647 E 11 St, New York, NY, 10009

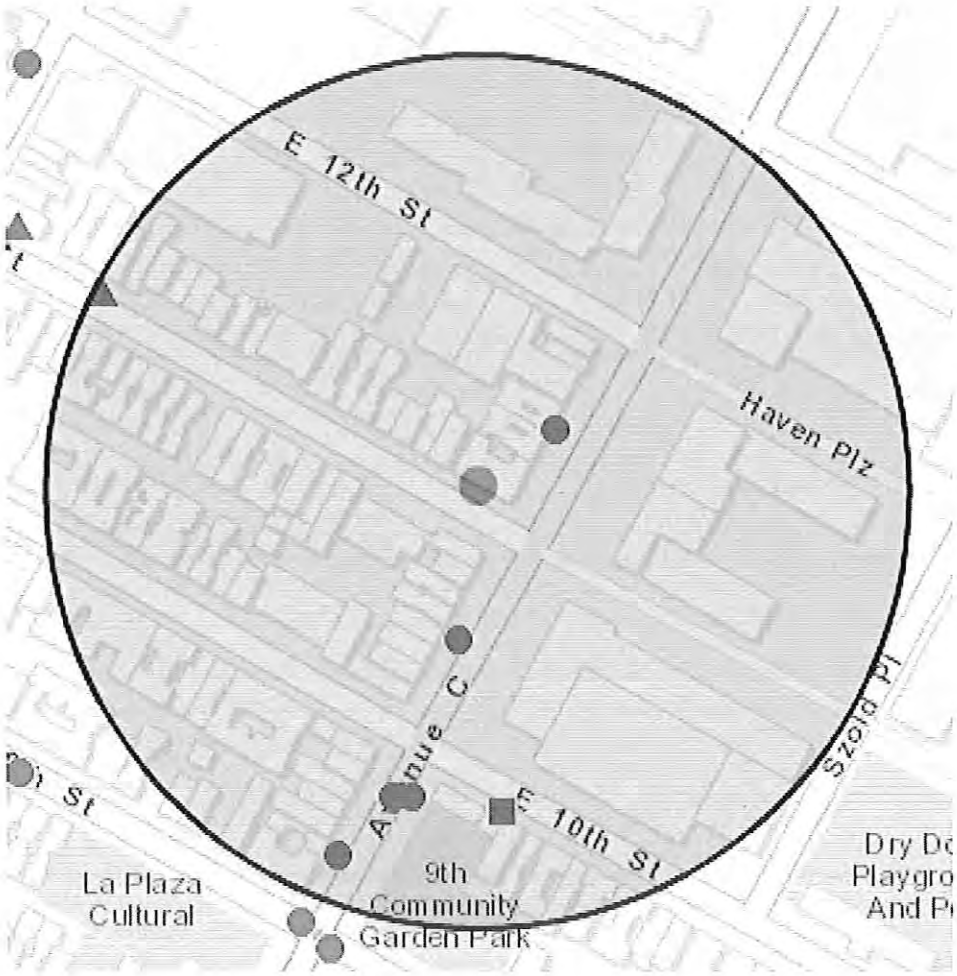
* This report is for informational purposes only in aid of identifying establishments potentially subject to 500 and 200 foot rules. Distances are approximated using industry standard GIS techniques and do not reflect actual distances between points of entry. The NYS Liquor Authority makes no representation as to the accuracy of the information and disclaims any liability for errors.

Churches within 200 Feet

Name	Approx. Distance

Schools within 200 Feet

Name	Address	Approx. Distance

On-Premise Licenses within 500 Feet

Name	Address	Approx. Distance
185 AVENUE C CORP	185 AVENUE C STORE 3 & 4	110 ft
1011 TAVERN CORP	171 AVE C	175 ft
BROOKLYN BAR NYC INC	158 AVENUE C	355 ft
JEFLO & CO LTD	157 AVENUE C	360 ft
TATU LLC	151 AVENUE C, 2ND FLOOR	440 ft