



HELBRAUN & LEVEY LLP  
ATTORNEYS AT LAW

ESQEV LLC  
83 FIRST AVE  
NEW YORK NY 10003

MANHATTAN COMMUNITY BOARD THREE  
SLA MATERIAL



# 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](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: 3/5/2018

**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: OP

If alteration, describe nature of alteration: N/A

Previous or current use of the location: Restaurant / Customer Bar

Corporation and trade name of current license: Fellow Travelers LTD

### APPLICANT:

Premise address: 83 1st Avenue, New York, NY 10003

Cross streets: 1st Avenue and East 5th Street

Name of applicant and all principals: ESQEV LLC, Howard Greenstone, Matt Hyland, Emily Hyland, Ken Levitan

Trade name (DBA): pendiney

**PREMISE:**

Type of building and number of floors: mixed commercial/residential, 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: outdoor cafe seating (PATIO)

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? 145 (2 floors)

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 / C2-5 overlay

**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

What are the proposed days/hours of operation? (Specify days and hours each day and hours of outdoor space) 12pm to 1am

Number of tables? 24 Total number of seats? 70

How many stand-up bars/ bar seats are located on the premise? 25

(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) upstairs: 2 rectangular bar areas w/ 13 seats

Does premise have a full kitchen  Yes  No? downstairs: 1 rounded bar area w/ 12 seats

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 Pizza and burgers

What are the hours kitchen will be open? 12pm to 11pm (food served at all hours)

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

How many employees will there be? 6-12

Do you have or plan to install  French doors  accordion doors or  windows? N/A

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 NIA

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

Please describe your sound system: Sonos, small non integrated 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.")

**\*SEE ATTACHED\***

Will there be security personnel?  Yes  No (If Yes, how many and when) NIA

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

**APPLICANT HISTORY:**

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

*\*see attached*

If yes, please indicate name of establishment: Garlic knots 364 I LLC (d.b.a Emmy Squared)

Address: 364 Grand St, Brooklyn, NY 11211 Community Board # B1

Dates of operation: April 20, 2016 - Present

**If you answered "Yes" to the above question, please provide a letter from the community board indicating history of complaints or other comments.** *(CB does not provide)*

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 Emmy Squared Restaurant in Williamsburg, Emily Restaurant in West Village

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? see attached

How many On-Premise (OP) liquor licenses are within 500 feet? see attached

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 \_\_\_ DJs/ promoted events per \_\_\_,  more than 10 private parties per year.
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 \_\_\_\_\_.
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.

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 limited to low level, ambient background music. Low level speakers will be installed where noise will not be leaving the premise.

RE: MANAGEMENT OF VEHICULAR TRAFFIC/CROWDING:

- The applicant does not expect that this will be an issue given the character of their proposed establishment and the small size of it. To ensure that

this does not become an issue, all staff will be instructed to monitor the sidewalk and curb area to dispel groupings of people and keep the sidewalk

clear. These applicants have an existing restaurant in New York City that is similarly situated. They have proven effective at maintaining order

outside the establishment their and would employ the same techniques here.



## Proximity Report for Location:

March 6, 2018

83 1 Ave, New York, NY, 10003

\* 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 500 Feet

Name	Approx. Distance
Community Synagogue Max D Raiskin Center	415 ft
Saint Mark's Evangelical Lutheran Church	415 ft

### Schools within 500 Feet

Name	Address	Approx. Distance
PS 751 SCHOOL FOR CAREER DVLPM	113 E 4TH ST	435 ft

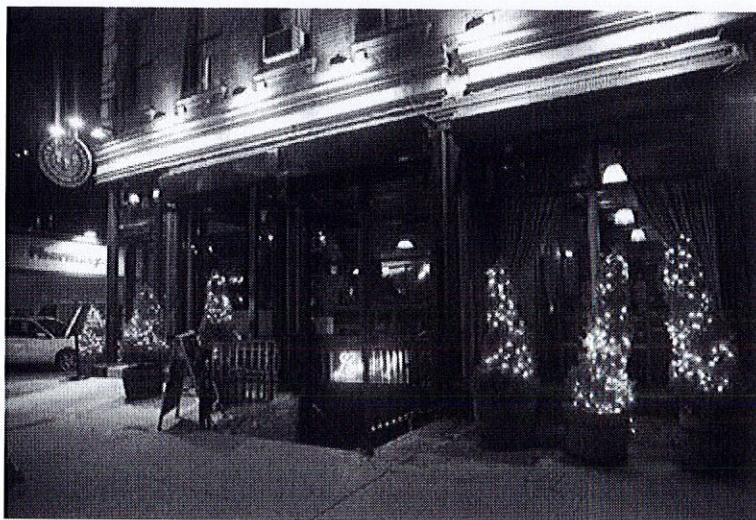
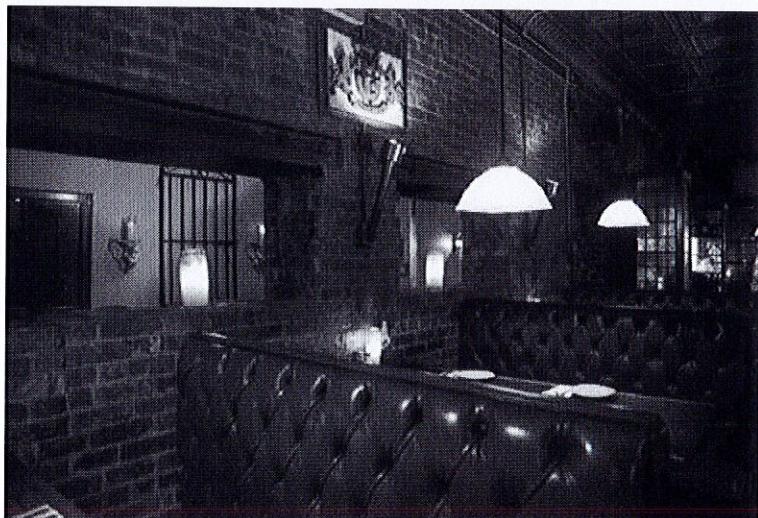
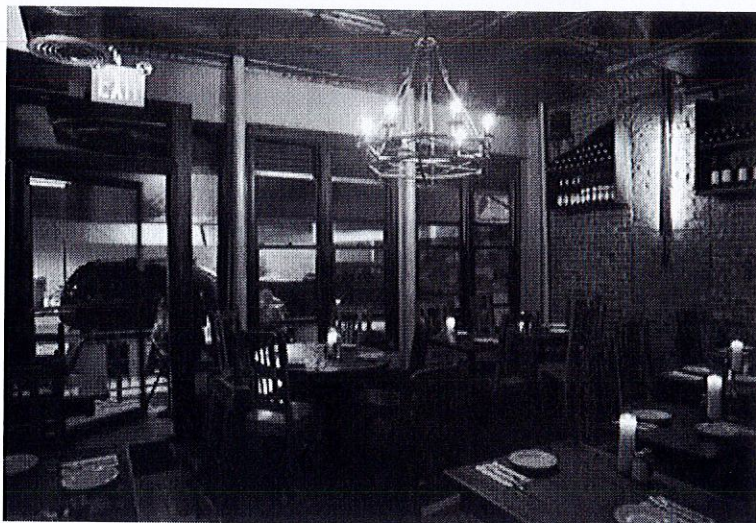
### On-Premise Licenses within 500 Feet

Name	Address	Approx. Distance
FELLOW TRAVELERS LTD	83 1ST AVENUE	55 ft
C & V 77 ENTERPRISES LLC	1475 77 1ST AVENUE	120 ft
MARRY THE KETCHUP INC	95 1ST AVE	180 ft
HOUSE OF HEALTH HEALING AND HAPPINESS INC, THE	405 E 6TH ST	240 ft
UMM HOSPITALITY INC	99 1ST AVE	255 ft
JUSTIFIED LLC	102 1ST AVENUE	260 ft
FTCCM LLC	103 1ST AVE	285 ft
FENIX REST INC	1061 63 1ST AVENUE	300 ft
SADA TWO LLC	105 1ST AVE	320 ft
MOLINERO LLC	107 1ST AVE	345 ft
INSIANG LLC	111 1ST AVE	390 ft
FIGARO VILLAGGIO INC	344 E 6TH ST	410 ft
CHERRY TAVERN INC	441 E 6TH STREET	420 ft
EDWIN & NEAL'S LLC	345 E 6TH ST	425 ft
EAST 6TH STREET RESTAURANT GROUP LLC	342 E 6TH ST	425 ft
W C O U RADIO INC	115 1ST AVENUE	460 ft
81 EAST 7TH PASTRY SHOP CORP	81 EAST 7TH STREET	480 ft
J & J INTERNATIONAL NEW YORK INC	51 1ST AVENUE	480 ft
BLUE & GOLD BAR INC	79 E 7TH STREET	490 ft
GETURDUN EZ LLC	120 1/2 1ST AVENUE	500 ft

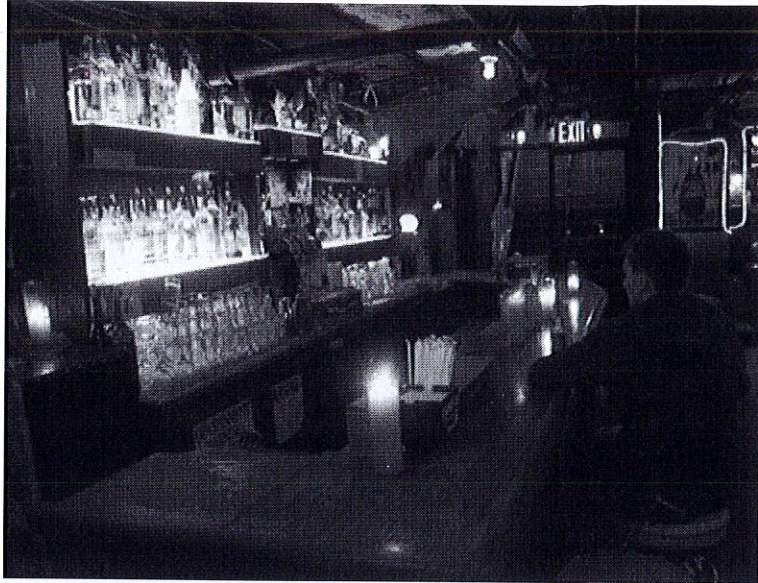




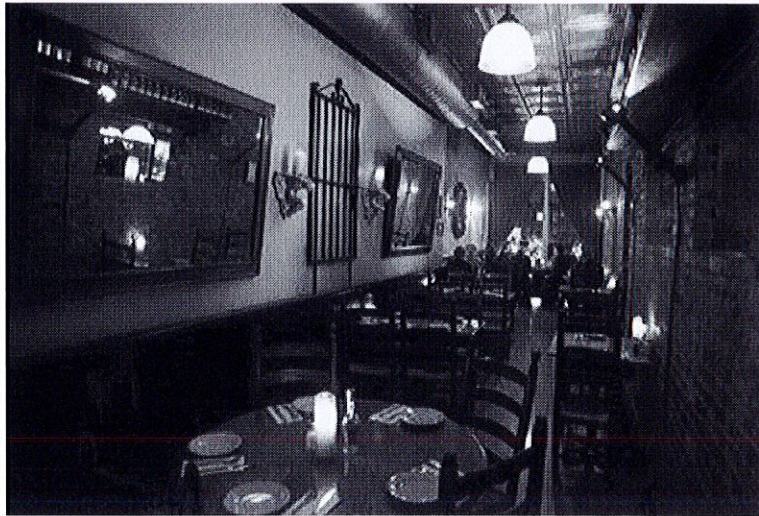












## PLATES

Mixed Olives 6

Caesar – bok choy, anchovy-caesar, bottarga, radish 12

Red Leaf – sherry-thyme vinaigrette, pecorino, dried cherries 12

Broccoli Salad – Broccoli, radish, pear, dried cherries, peanuts, miso-soy dressing 12

Crispy Cheddar Curds – tomato sauce and Sammy Sauce 12

Okonomi Fries – Kewpie mayo, Okonomi bbq sauce, bonito flakes 12

## SANDWICHES

served with house pickles

Le Big Matt – double-stack Pat LaFrieda grass fed beef patties, American cheese, greens, pickles, Sammy Sauce, pretzel bun, side waffle fries 25

Meatball Sandwich – tomato sauce, mozzarella, crispy onions, pretzel bun 13

Chicken Parm – tomato sauce, mozzarella, basil, pretzel bun 15

Spicy Chicken – Salsa Pico, pickles, radish, bok choy, ranch, pretzel bun 16

## PIZZA

### RED

Classic – sauce, mozzarella 16

Colony<sup>2</sup> – sauce, mozzarella, pepperoni, pickled jalapeños, honey 21

Roni Supreme – sauce, mozzarella, lots of pepperoni, Calabrian chilies 20

Deluxe – sauce, mozzarella, sausage, peppers, mushrooms 19

The Emmy – mozzarella, banana peppers, red onion, ranch, side sauce 19

Margarita – sauce, mozzarella, fresh buffalo mozzarella, basil 22

*Make it a Big Al – add sausage and Calabrian chilies 26*

Vodka – mozzarella, house made vodka sauce, basil, pecorino 18

### WHITE

Marn Blanc – mozzarella, ricotta, pecorino, caramelized onions 19

Angel Pie – mozzarella, ricotta, mushrooms, *Truffleist* mushroom cream 22

Hatchback – mozzarella, *Zia* hatch chilies, chorizo, crema 19

Tesser – mozzarella, olives, peppers, mushrooms, Calabrian chilies 19

Hula Hog – mozzarella, bacon, pineapple, pickled jalapeños 20

### ADD ONS

meatball, sausage, chorizo, bacon, house made ricotta, *Zia* hatch chilies 5

banana peppers, basil, bell peppers, olives, mushrooms, roni 3

caramelized onions, anchovies, Calabrian chilies, *jalepeñosa* 3

Sammy Sauce, garlic, red onion, ranch, extra sauce 2



83 FIRST AVENUE  
NY NY 11435

Valentino Associates

104638798

CAPACITY COMPOSITE	DOB NOTES	LEGEND	ZONING DATA	F-4 PUBLIC ASSEMBLY	PLOT PLAN
FIRST FLOOR PUBLIC ASSEMBLY					
NET FLOOR AREA 1578.14 SF					
EXISTING SPRINKLERED BUILDING					
DOORS AND WINDOW PROVIDE OVER 44 SF OF OPENABLE AREA					
AS PER 27-94(1)(b) 20 SF OF OPENABLE AREA SHALL BE PROVIDED PER EVERY 10,000 CU FT OF AREA FOR ANY STORY ABOVE GRADE. ACTUAL VOLUME 1918.14 SF X 10.0 CEILING HEIGHT = 19,181.40 CU FT.					

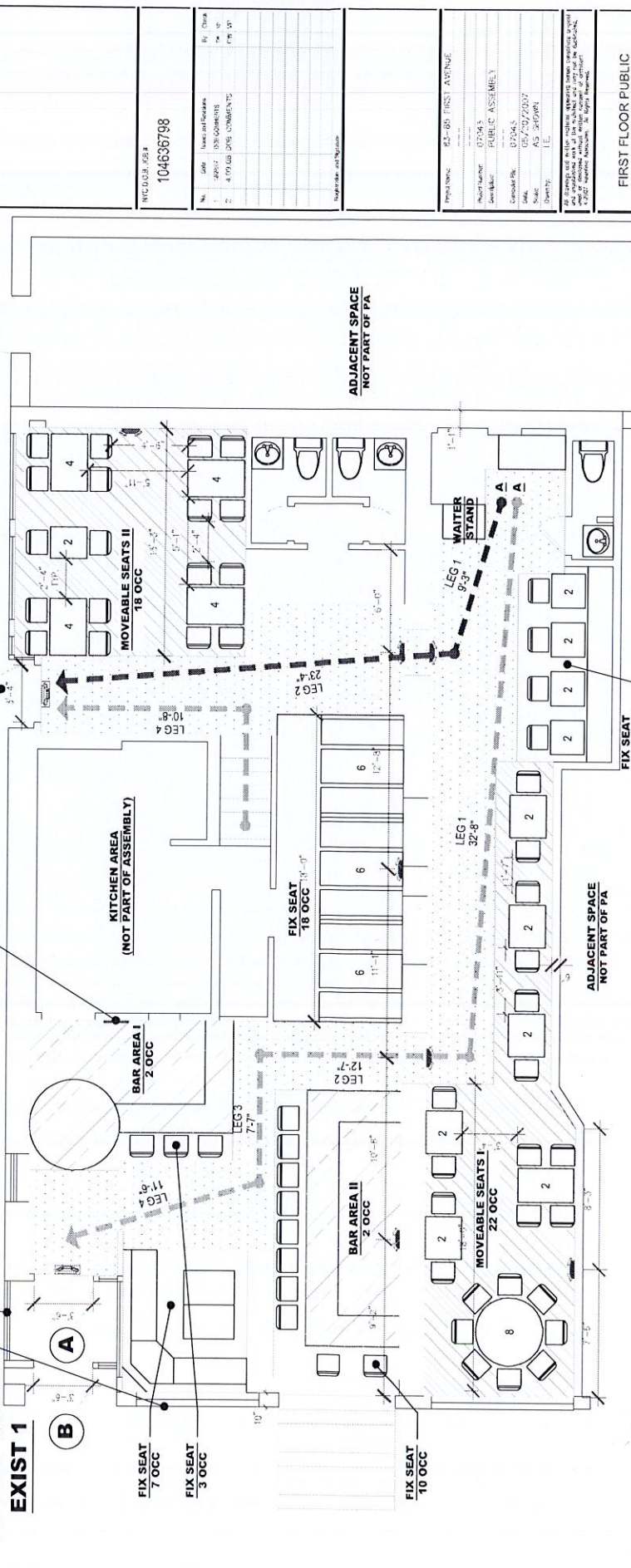
LEGEND	ZONING DATA	F-4 PUBLIC ASSEMBLY	PLOT PLAN
EXISTING SPRINKLERED BUILDING	100 sq ft		
AS PER 27-94(1)(b) 20 SF OF OPENABLE AREA SHALL BE PROVIDED PER EVERY 10,000 CU FT OF AREA FOR ANY STORY ABOVE GRADE. ACTUAL VOLUME 1918.14 SF X 10.0 CEILING HEIGHT = 19,181.40 CU FT.			

ZONING DATA	F-4 PUBLIC ASSEMBLY	PLOT PLAN

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DOB NOTES	LEGEND	ZONING DATA	F-4 PUBLIC ASSEMBLY	PLOT PLAN

**NET FLOOR AREA**  
1578.14 SF  
**EXISTING SPRINKLERED BUILDING**  
DOORS AND WINDOW PROVIDE OVER 44 SF OF OPENABLE AREA  
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FIRST FLOOR PLAN  
SCALE: 3/8"=1'-0"

FIRST FLOOR PUBLIC ASSEMBLY PLAN & NOTES

PROJECT NAME	PROJECT NUMBER	DATE	DRAWN BY	CHECKED BY
83-81 FIRST AVENUE	07284.S	05/25/2007	TS-JDF/PAV	L.L.

DATE	REVISION	BY	CHK



