



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD 3

59 East 4th Street - New York, NY 10003

Phone (212) 533-5300

www.cb3manhattan.org - mn03@cb.nyc.gov

Alysha Lewis-Coleman, 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
- Proof of conspicuous posting of notices at the site for 7 days prior to the meeting (please include newspaper with date in photo or a timestamped photo).

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: 4/30/21

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: Theater

Corporation and trade name of current license: _____

APPLICANT:

Premise address: 44 AVE A

Cross streets: E 3 ST - E 4 ST.

Name of applicant and all principals: NEW CINEMA PARADISO 44 INC
MARCELO ASSANTE

Trade name (DBA): CINEMA PARADISO

Dear Community Board 3, and the East Village Community of this District,

My name is Marcello Assante. I am the applicant for Cinema Paradiso, attempting to obtain a full liquor license for our proposed location at 44 Avenue A, New York, NY 10003.

First off, please allow me to apologize for a misunderstanding with our presentation at the May 14, Community Board 3 meeting. It was not my intention to argue with the board members about the misconceptions in their dialogue, unfortunately, I am not the most practiced at presenting to community boards, and I hoped to clear up the questions, as they came up.

The primary misconception is that we are a restaurant, café and bar that displays, creates, fosters discussion about and celebrates arts, not just a theater. Tragically, a theater cannot survive or thrive in this age of short attention spans and competing media.

I am 65 years old, and I spent the last 30 years working my way up, from busboy, to owner and operator of restaurants in New York City. These are small, family businesses, which I would not have had the ability to carry without the love and support of my wonderful wife, who is my partner.

For the last 20 years, I have been involved in cinema, which is my passion, along with hospitality and amazing food. For the last 10 years, I have been working from creation to execution of Italian and French film productions, and as a partner to a film festival in Italy, which has become an annual event.

During the recent past, I have been involved in a cinema production with my friend and colleague Karl Bardoush, who is a professor of the arts at New York University, as well as with, another friend, who is a bit better known, film director Abel Ferrara, who is famous for Bad Lieutenant, Kings of New York and much more. These, among other friends and colleagues of mine, directly lead to our conception and expectation to be able to operate profitably, a European arts venue for fans of cinema, theater and jazz, in the face of so many theaters, who have had to close their doors.

The Cinema Paradiso experience will bring together people socially around the film, theater and music arts, with food and wine, along with merchandise and cocktails. This is a unique concept, nobody has seen before, and we are taking a risk. It is our hope that we will establish a base of serious fans of the arts for formal and informal, presentations of these arts, along with lectures, discussions and community

social meetings/debate about everything from the material presented to technical aspects of the making of these arts. There will be various formats for events, which we will find out about the financial viability of each, as we go, and we hope to foster a sense that if you are not here, you might miss something a once-in-a-lifetime happening. There will be special cuisine at times, which may be showcased with one of our other chefs, or a guest chef. The main menu will be cuisine of a lighter fare, almost strictly cold, with International but Mediterranean focus, including items such as tuna/salmon tartare, buffalo mozzarella from Campagna with tomato and basil, vitello tonnato, tonno salad, eggplant rollatini, beef carpaccio, hummus, prosciutto, etc, with our Chef Om Mishan. We welcome any suggestions.

Obviously, this neighborhood has culture and establishments that are on the agenda of many different locals and visitors, but we are not a place for the majority, who come to this area looking to hit the bars. This is a restaurant and cultural establishment...we are not a comedy or rock club, we are not just a restaurant, and we are certainly not just a bar. The eating and drinking that will happen here will be for an arts crowd, not for everybody...for example, the music will center on jazz, which is not the most popular form of music.

Another example, so the board better understands the broad spectrum and breadth of our focus, is that one of our first planned programs, will be a theater piece, not a film. This piece involves one of the hottest up and coming writer-directors, on or off Broadway, Dustin Wills, doing a modern take on the Ancient Greek tragedy Prometeo Incantato, aka Prometheus Bound. His recent endeavors, include Frontiers Sans Frontiers, which received acclaim from NY Magazine at a Top Ten Theatrical Production, among many other rave reviews. This will no doubt be a hot ticket, but due to the nature of a staged event, we do not even fully expect to be able to make enough money off tickets, to make the production and have the proper level of staffing for the event.

In order to make Cinema Paradiso commercially viable, we need to have a full liquor license, until 1 am, as we requested, with no limitation of serving during events only, because this is a restaurant and café with a bar, serving brunch, lunch and dinner, that is creating and showing art pieces, and expecting to generate a loyal following of those in the film, theater and music art communities.

For further proof, that we are not a bar, we will be cutting down the bar, from 20 feet to 10 feet in order to increase the number of tables.

We look forward to your favorable response. We will be sending this via email to get signatures in support.

PREMISE:

Type of building and number of floors: MIXED USE 5 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: _____

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? 270

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): RTA C2-5

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: THEATER

What are the proposed days/hours of operation? (Specify days and hours each day and hours of outdoor space) 12pm to 1am, 7 days a week

Number of tables? 6 Total number of seats? 24 + 119 Theater seats

How many stand-up bars/ bar seats are located on the premise? 1/10

(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): 14' L SHAPED BAR

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

What are the hours kitchen will be open? ALL HOURS OF OPERATION

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

How many employees will there be? 10-20

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

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 We would like to have Jazz in The Theater as a

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

Please describe your sound system: _____

Show on occasion
* Comedy Shows
Anything to do
with art

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? _____

Scheduled Performances. We anticipate having them
daily once the Theater is in full operation

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.")

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

at least
2 per event

How do you plan to manage noise inside and outside your business so neighbors will not be affected? Please attach plans. There is existing sound proofing. There will be

at least 2 security guards on duty. Employees will assist outside after
Do you have sound proofing installed? Yes No EXISTING Shows to make sure no one
If not, do you plan to install sound-proofing? Yes No Lingers

APPLICANT HISTORY:

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

If yes, please indicate name of establishment: _____

SEE ATTACHED LIST

Address: _____

Community Board # _____

Dates of operation: _____

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.

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

Print **YOUR** Name MARCELLO ASSANTE DICUPILLO

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):

MANAGER, 20 HOURS PER WEEK

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
NEW RESTART INC	145 147 MULBERRY STREET NY, NY 10013
Type of interest and date interest began	Serial Number
OP LIQUOR OWNER 11/18/09	1234518

CB-2

Business name	Business address
LOCAL 92 INC	92 2ND AVE NY, NY 10003
Type of interest and date interest began	Serial Number
OP LIQUOR OWNER 11/18/15	1290546

CB-3

Business name	Business address
SUD 123 INCORPORATED	178 MULBERRY ST NY, NY 10013
Type of interest and date interest began	Serial Number
OP LIQUOR OWNER 10/5/17	1305656

CB-2

continued on next page

MARCELLO ASSANTE DICUPILLO'S PAST SLA LICENSES

BOTH OF US CORP	183 7 TH AVE BROOKLYN, NY 11215	8/29/02	CB-6
1132214	INACTIVE		
LOCAL 92	92 2 ND AVE NY, NY 10003	8/11/05	CB-3
1167896	INACTIVE		
NEW ORGANICO INC	89 7 TH AVE NY, NY 10014	3/12/09	CB-2
1222667	INACTIVE		
SUD 123 INCORPORATED	178 MULBERRY ST NY, NY 10013	3/8/11	CB-2
1252202	INACTIVE		
145 147 MULBERRY STREET CORP	145 MULBERRY ST NY, NY 10013	12/30/15	CB-2
1291592	INACTIVE		

LOCATION:

How many licensed establishments are within 1 block? 24

How many On-Premise (OP) liquor licenses are within 500 feet? 9

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

NOT on Same Block or Avenue

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. My license type is: beer & cider wine, beer & cider liquor, wine, beer & cider

2. I will operate a full-service restaurant, specifically a (type of restaurant)

_____ restaurant, or

I will operate a THEATRE BAR/TAVERN with food,

with a kitchen open and serving food during all hours of operation OR with less than a full-service kitchen but serving food during all hours of operation OR Other

3. My hours of operation will be:

Mon 12pm - 1am ; Tue 12pm - 1am ; Wed 12pm - 1am ;

Thu 12pm - 1am ; Fri 12pm - 1am ; Sat 12pm - 1am ;

Sun 12pm - 1am . (I understand opening is "no later than" specified opening hour, and all patrons are to be cleared from business at specified closing hour.)

4. I will not use outdoor space for commercial use OR

My sidewalk café hours will be _____

5. I will employ a doorman/security personnel: at least 2 per event

6. I will install soundproofing, existing

7. I will close any front or rear façade doors and windows at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances, or during unamplified live performances or televised sports.

I will have a closed fixed façade with no open doors or windows except my entrance door will close by 10:00 P.M. or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances, or during unamplified live performances or televised sports.

8. I will not have DJs live music, promoted events, any event at which a cover fee is charged, scheduled performances, more than ____ DJs per ____, more than ____ private parties per _____, ____ number of TVs.
9. I will play ambient recorded background music only.
10. I will not apply for an alteration to the method of operation or for any physical alterations of any nature without first coming before CB 3.
11. I will not seek a change in class to a full on-premises 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 unlimited drink specials, including boozy brunches, with food.
14. I will not have a happy hour or drink specials with or without time restrictions OR I will have happy hour and it will end by _____.
15. I will not have wait lines outside. I will have a staff person responsible for ensuring no loitering, noise or crowds outside.
16. I will conspicuously post this stipulation form beside my liquor license inside of my business.
17. Residents may contact the manager/owner at the number below. Any complaints will be addressed immediately. I will revisit the above-stated method of operation if necessary in order to minimize my establishment's impact on my neighbors.

Name: Marcello DiCapillo

Phone Number: 646 321-5263

44 Avenue A

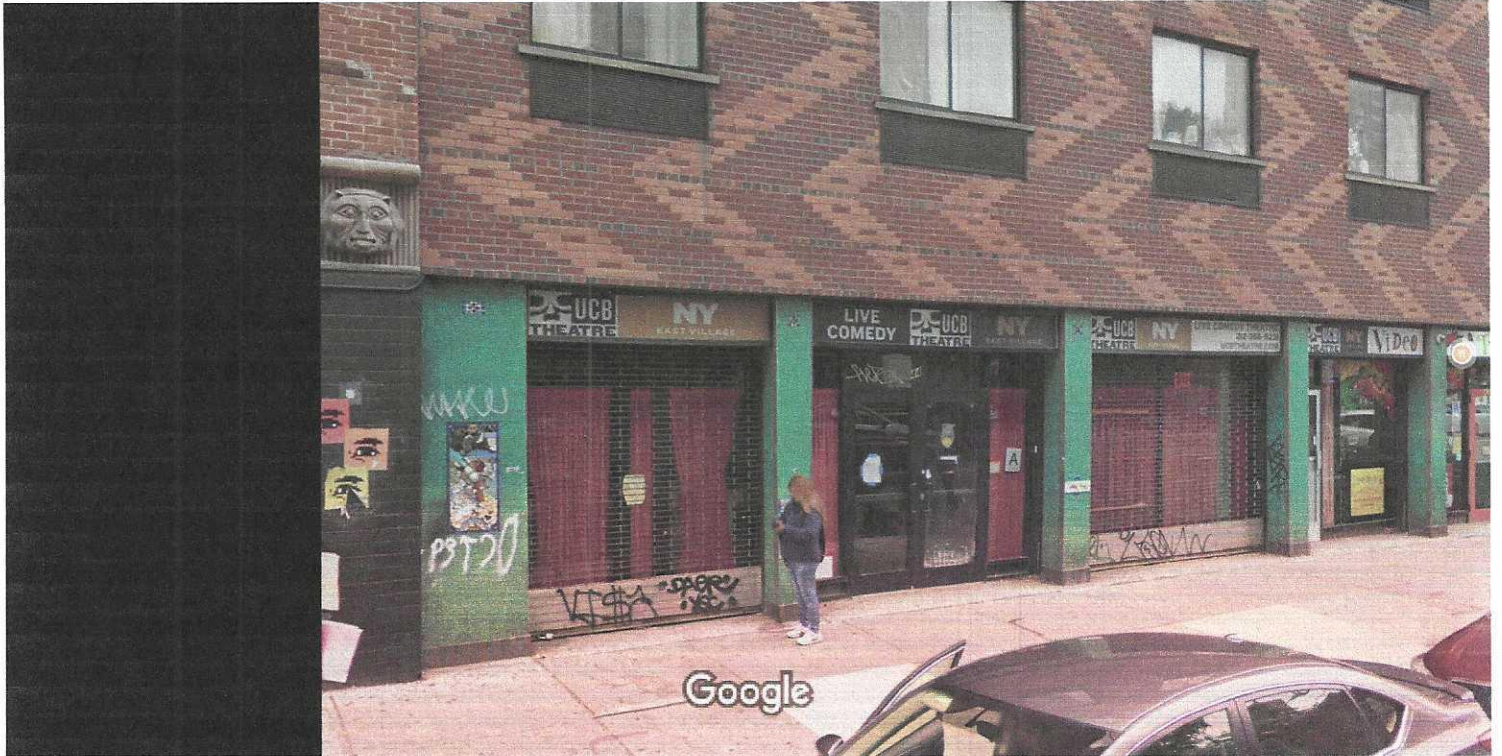


Image capture: Oct 2019 © 2021 Google

New York

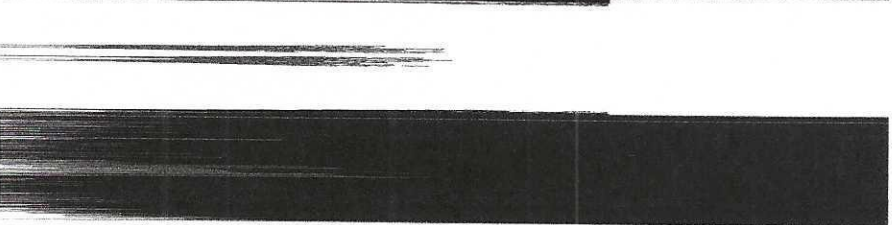
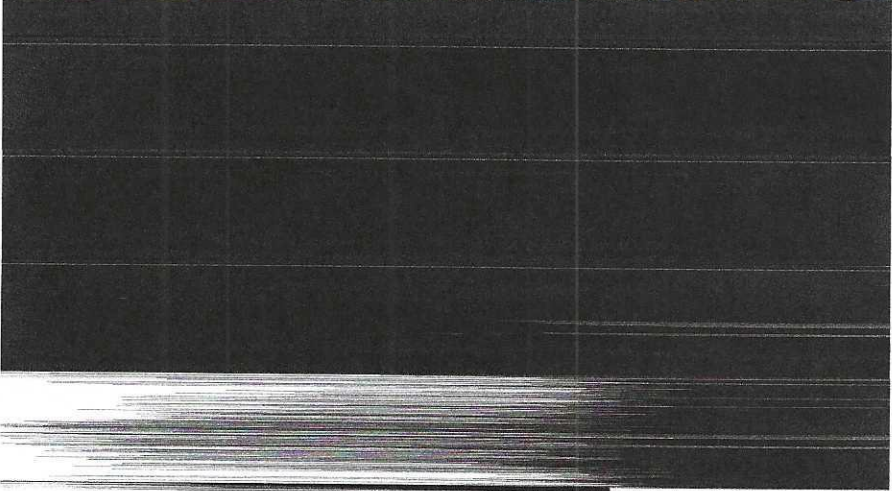
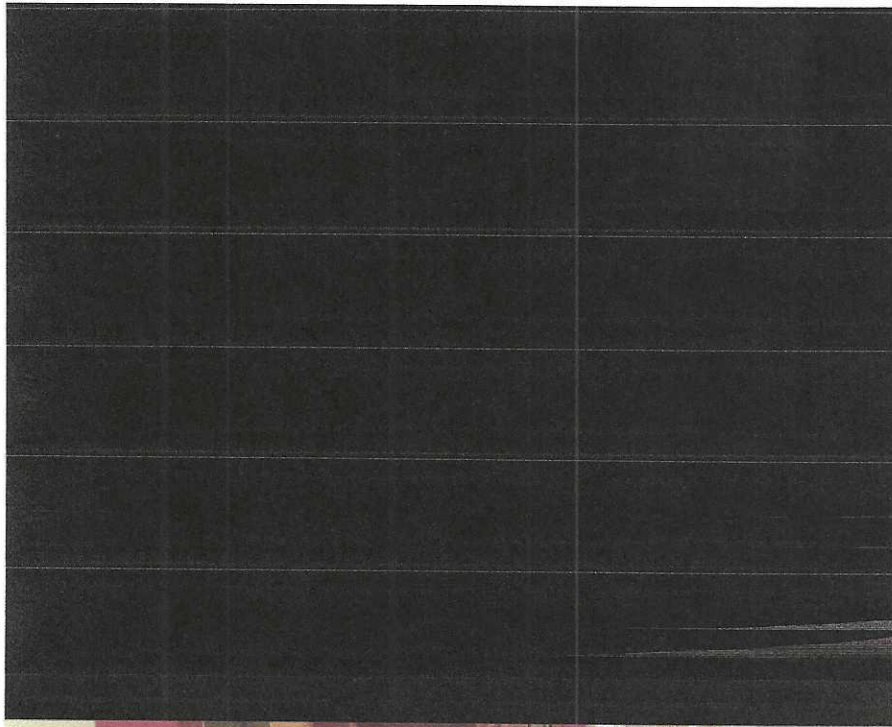


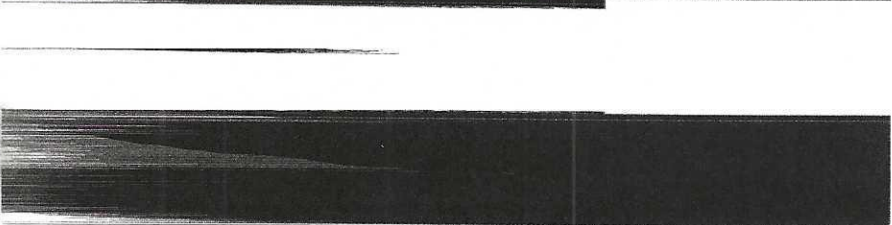
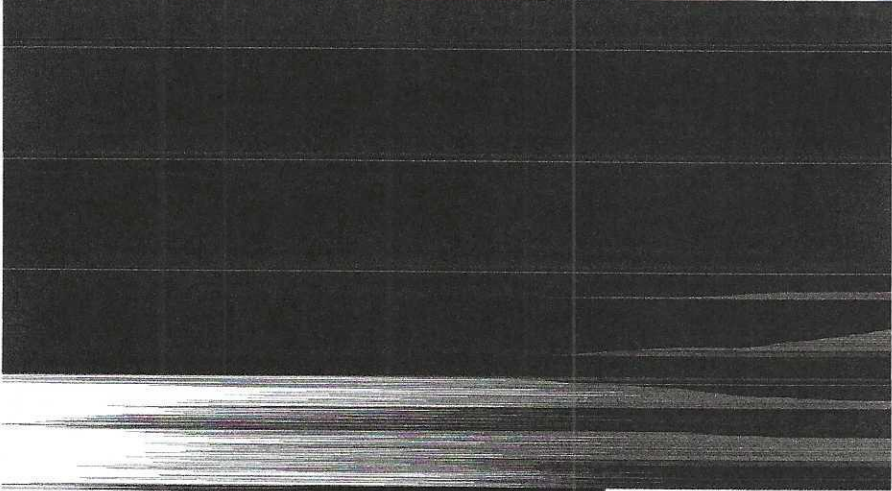
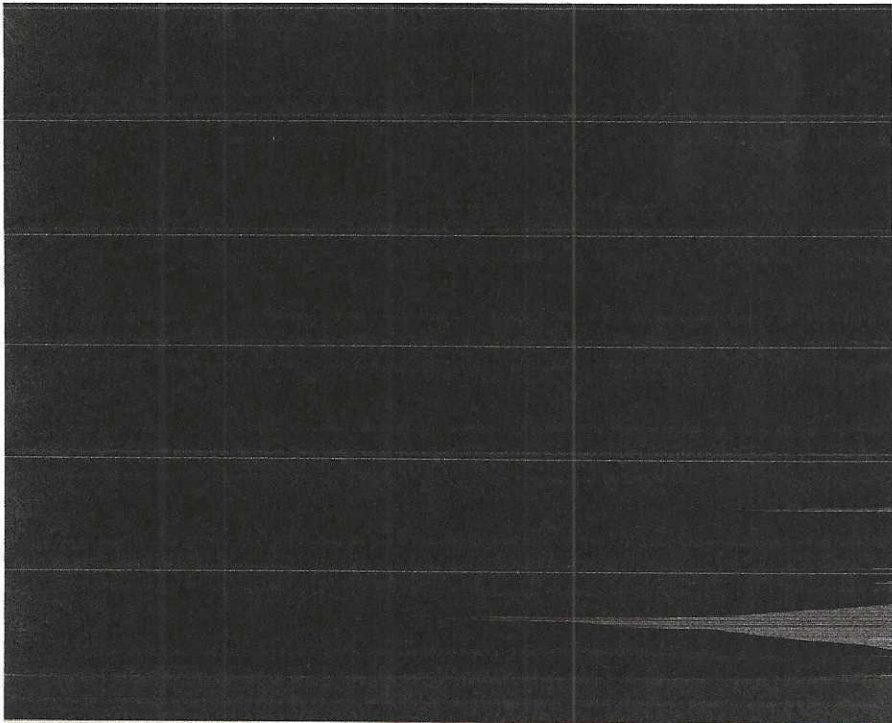
Street View

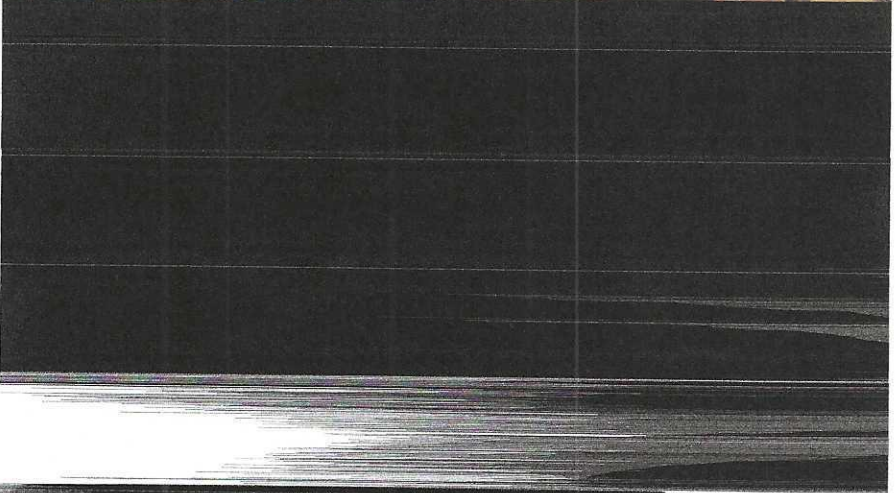
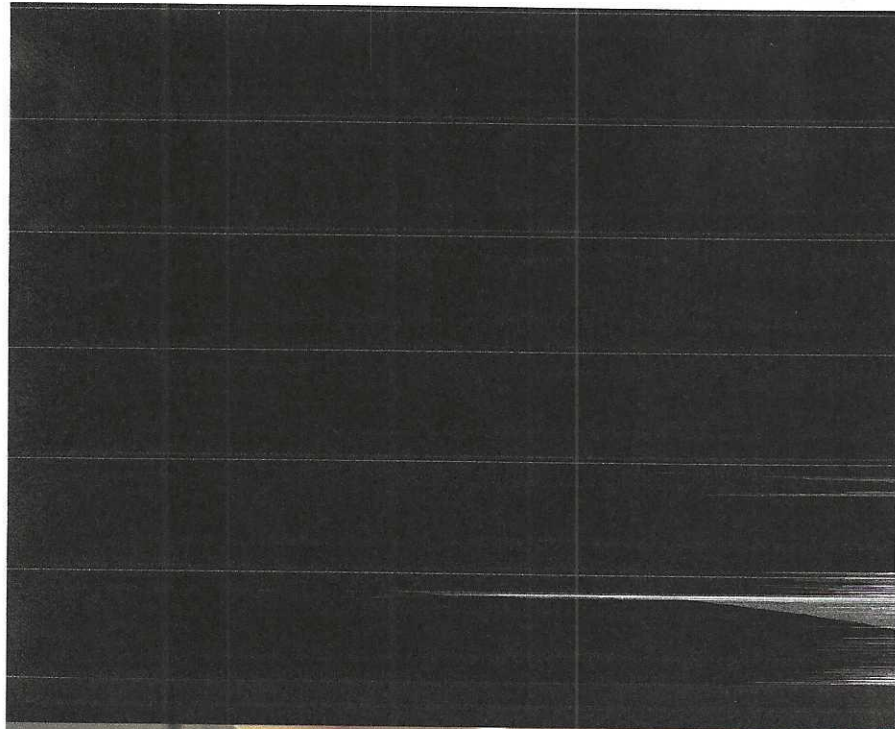


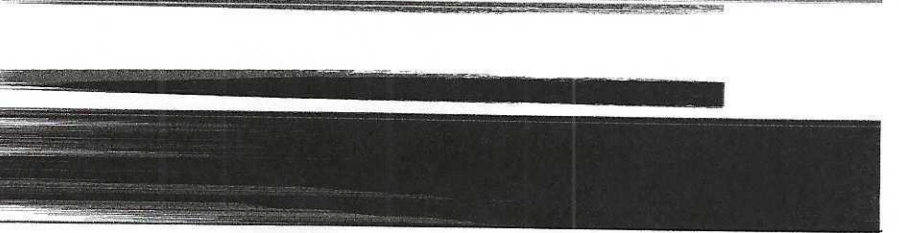
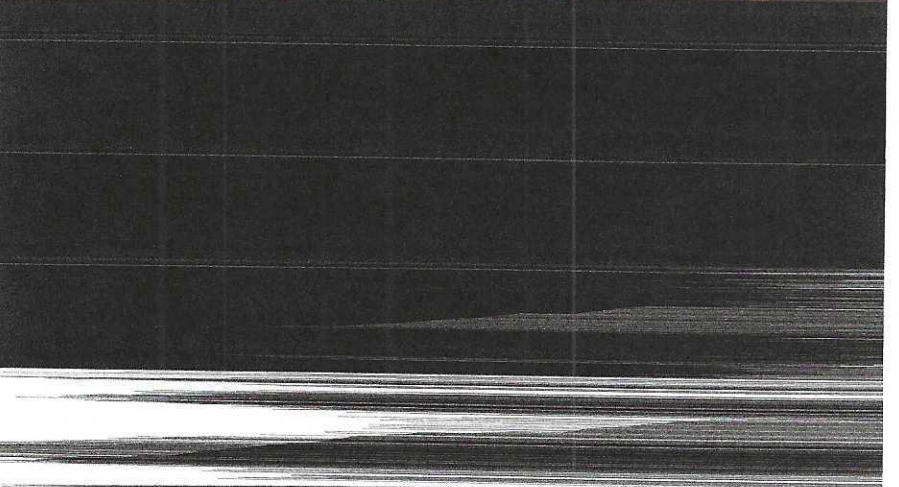
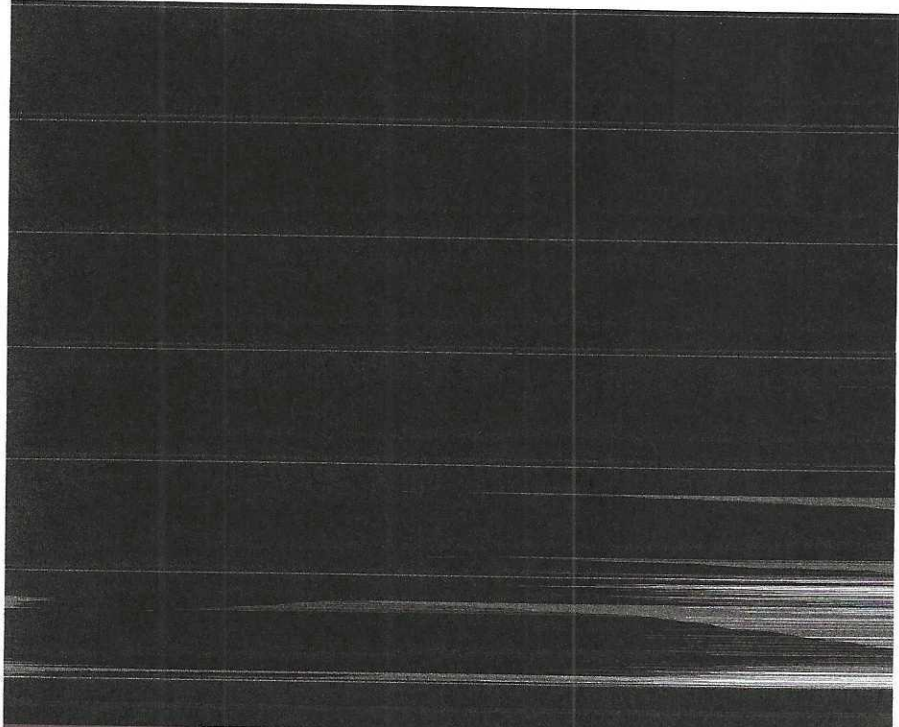


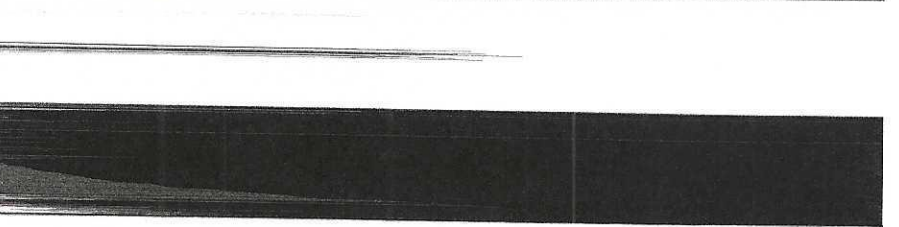
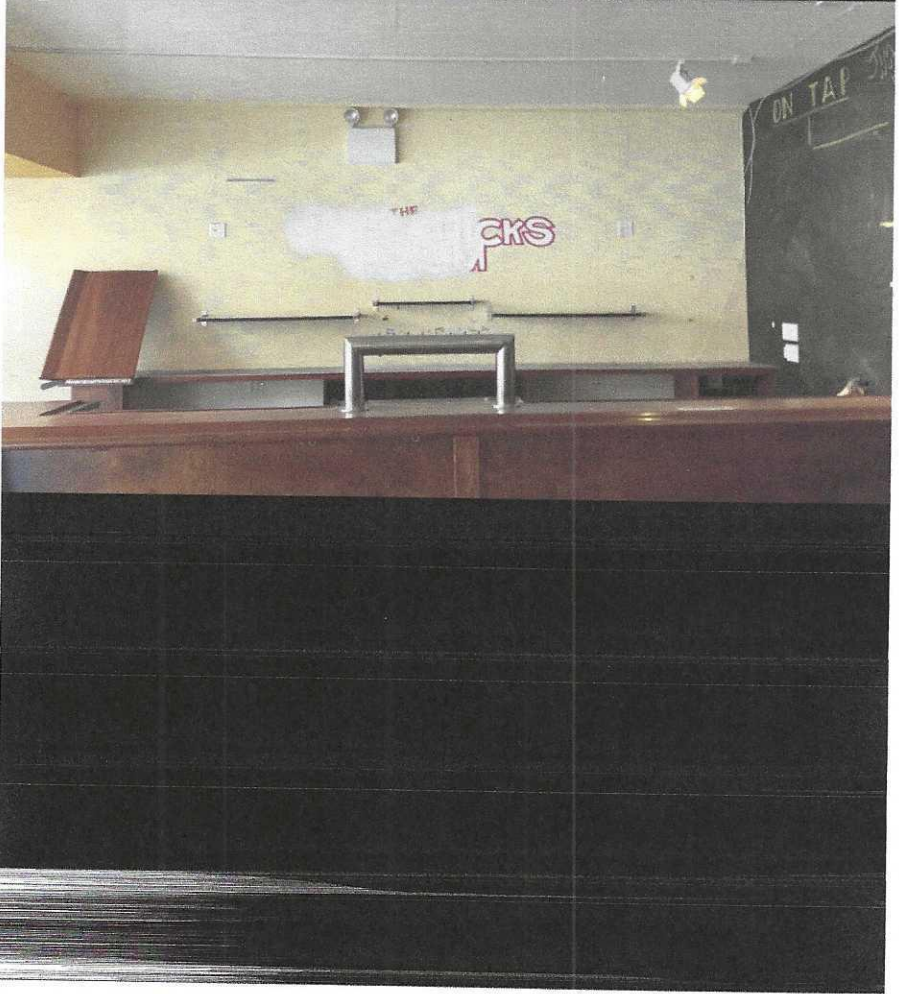
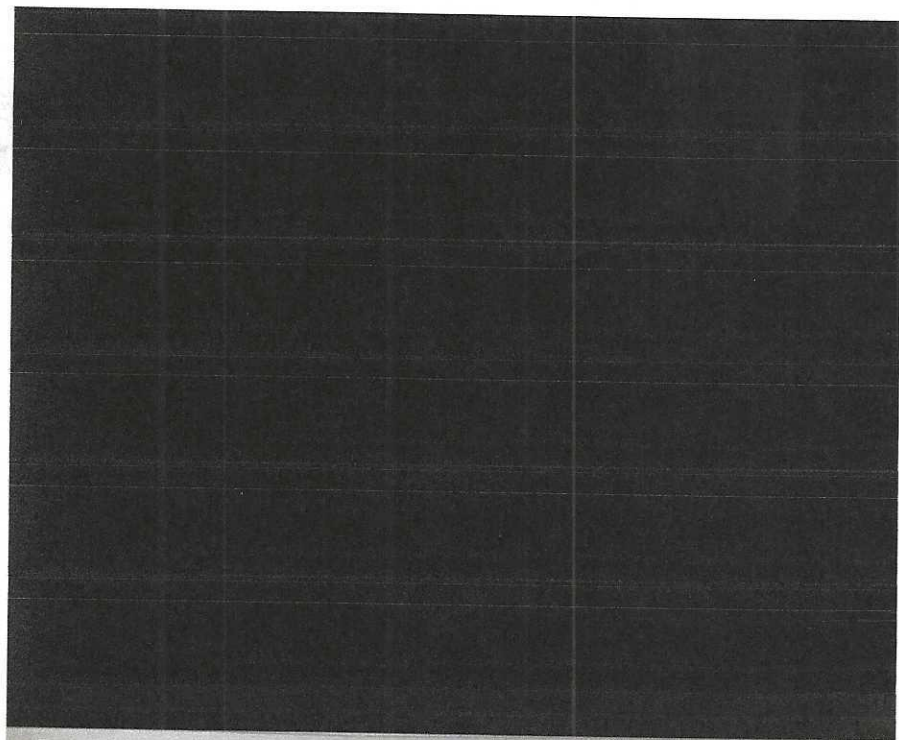




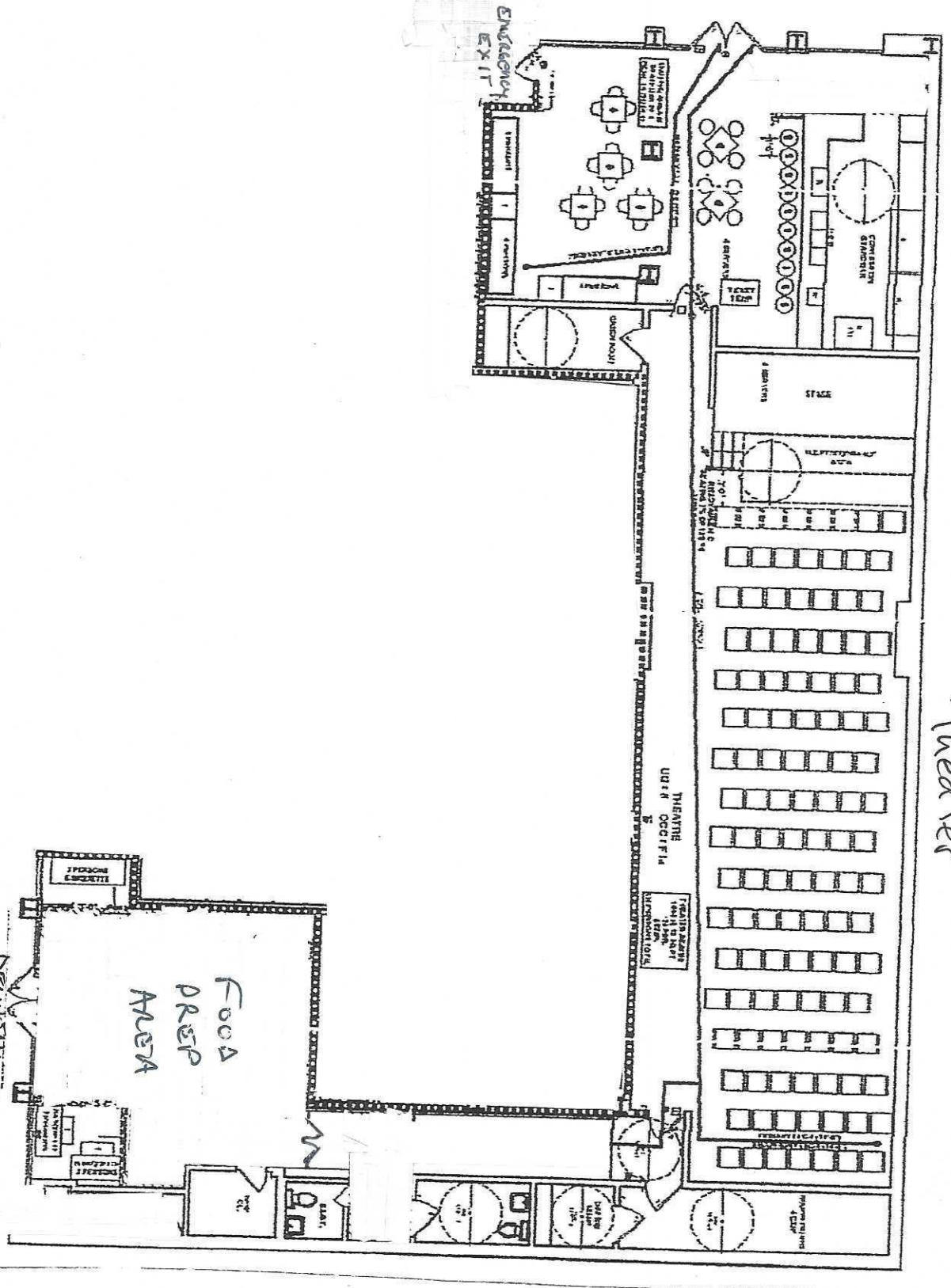








Theater





**involtini di bresaola
mozzarella caprese
cous cous con
pomodoro e
formaggio
antipasto all
italiana tuna
carpaccio Beef
carpaccio bufalo
mozzarella kale
salad humus
israeliano
prosciutto spagnolo
calamaro fritti
falafel**



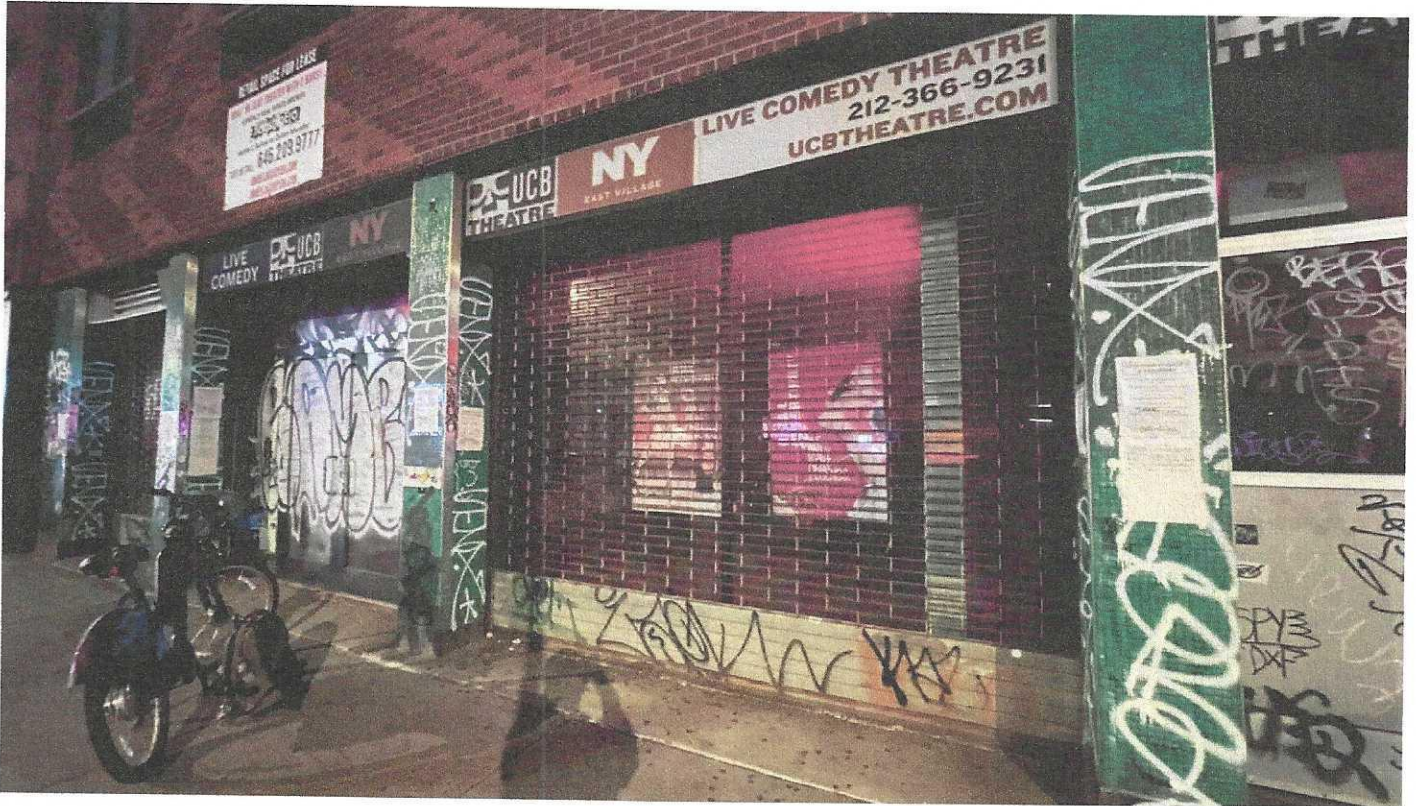
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1 message

Marcello Assante <marcelloassante@yahoo.com>

Fri, May 28, 2021 at 10:16 AM

To: Mike Kelly <kellymlk136@gmail.com>



Sent from Yahoo Mail for iPhone

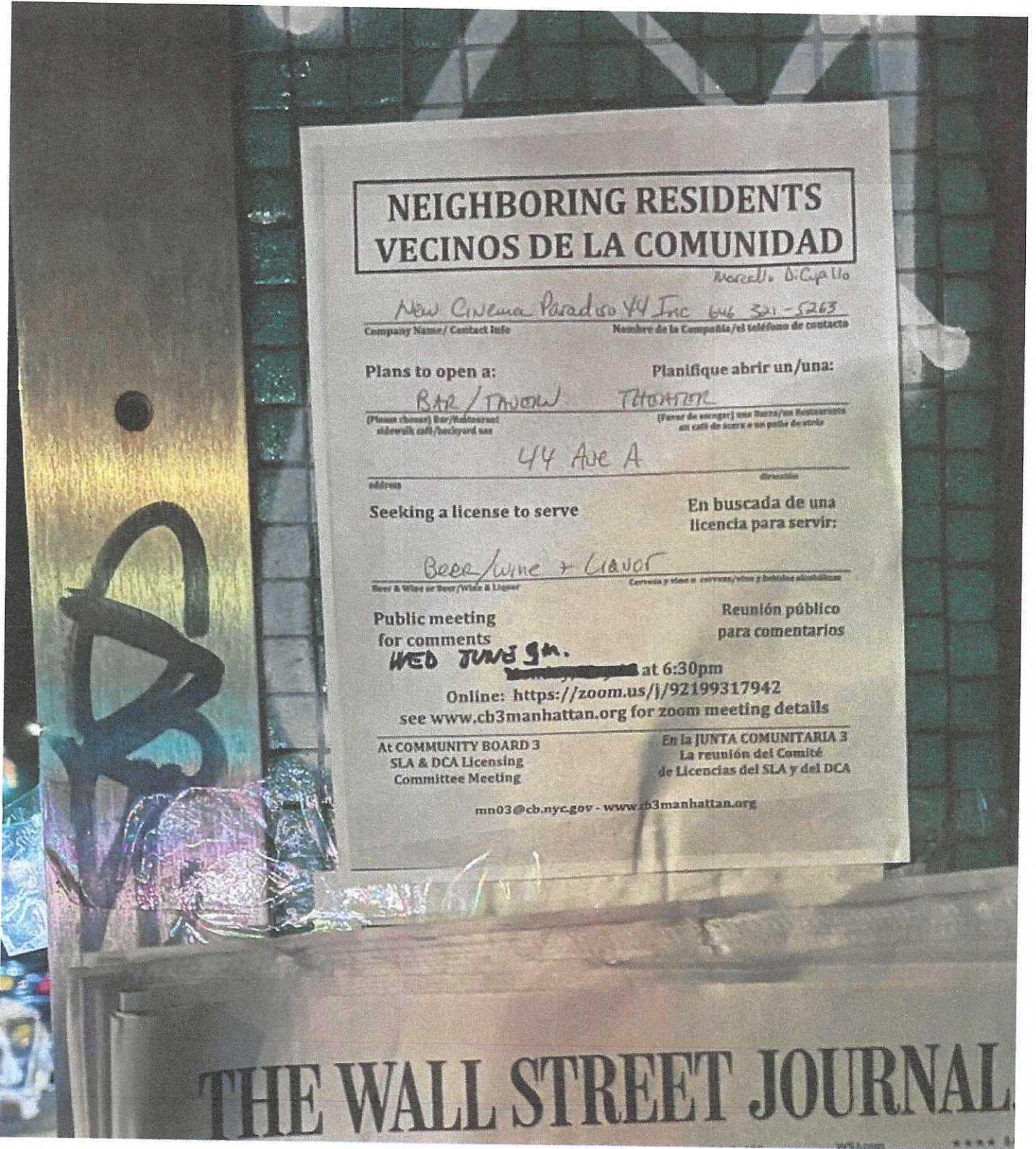
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1 message

Marcello Assante <marcelloassante@yahoo.com>

Fri, May 28, 2021 at 10:15 AM

To: Mike Kelly <kellymlk136@gmail.com>





Sent from Yahoo Mail for iPhone