

The Stone Rabbit LLC

4-6 Bleecker Street / New York, New York 10012

Questionnaire for Applications for a Liquor License and Temporary Retail Permit

1. Diagrams
2. Photographs
3. Menus
4. Area Survey together with List of Measurements and Public Interest Statement
5. NY State Liquor Authority Application
6. Signed Lease Excerpts
7. Acoustic Report

BERNSTEIN REDO & SAVITSKY PC

1177 Avenue of the Americas, 5th floor

New York, NY 10036

Tel. 212.651.3100

www.brpclaw.com

Meeting Date: August 5, 2025

APPLICANT INFORMATION:

Name of applicant(s): The Stone Rabbit LLC

Trade name (DBA): To be determined

Premises address: 4-6 Bleecker Street / New York, NY 10012

Cross Streets and other addresses used for building/premise:
Bowery and Elizabeth Street

CONTACT INFORMATION:

Principal(s) Name(s): Marianna Vaidman Stone

Office or Home Address: 4-6 Bleecker Street

City, State, Zip: New York, New York 10012

Telephone #: [REDACTED] email : [REDACTED]

Landlord Name / Contact: Salman Capital Leasing

Landlord's Telephone and Fax: [REDACTED]

NAMES OF ALL PRINCIPAL(s): NAMES / LOCATIONS OF PAST / CURRENT LICENSES HELD

Marianna Vaidman Stone N/A

Briefly describe the proposed operation (i.e. "We are a family restaurant that will focus on..."):

The venue will be a café and bookstore. It is inspired by Parisian book cafes that are gathering places for guests who want to participate in intelligent conversations about history, current events and great works of literature past and present. The cafe will offer breakfast, lunch and dinner with a menu featuring but not limited to selections such as muffins, a yogurt bowl, a smoked salmon bagel, assorted tea sandwiches, a Mediterranean mezze plate, a charcuterie and cheese board selection, spiced lamb meatballs and mini empanadas.

WHAT TYPE(S) OF LICENSE(S) ARE YOU APPLYING FOR (MARK ALL THAT APPLY):

a new liquor license (Restaurant Tavern / On premise liquor Other)

an UPGRADE of an existing Liquor License

an ALTERATION of an existing Liquor License

a TRANSFER of an existing Liquor License

a HOTEL Liquor License

a DCA CABARET License

a CATERING / CABARET Liquor License

a BEER and WINE License

a RENEWAL of an existing Liquor License

an OFF-PREMISE License (retail)

OTHER : Temporary Retail Permit

If upgrade, alteration, or transfer, please describe specific nature of changes:

(Please include physical or operational changes including hours, services, occupancy, ownership, etc.)

N/A

If this is for a new application, please list previous use of location for the last 5 years:

Ghost Donkey operated with a full liquor license from 2016 to around 2023.

Is any license under the ABC Law currently active at this location? yes no

If yes, what is the name of current / previous licensee, license # and expiration date: N/A

N/A

Have any other licenses under the ABC Law been in effect in the last 10 years at this location?

yes no

If yes, please list DBA names and dates of operation:

Ghost Donkey operated with a full liquor license from 2016 to around 2023.

PREMISES:

By what right does the applicant have possession of the premises?

Own Lease Sub-lease Binding Contract to acquire real property other: _____

Type of Building: Residential Commercial Mixed (Res/Com) Other: _____

Number of floor: **4 floors** Year Built : **Estimated 1910**

Describe neighboring buildings:

Mixed

Zoning Designation: **C1-5 / R6A**

Zoning Overlay or Special Designation (applicable) **None**

Block and Lot Number: **521** / **73**

Does the premise occupy more than one building, zoning lot, tax lot or more than one floor? yes no

Is the premise located in a historic district? yes no

(if yes, have all exterior changes or changes governed by the Landmarks Preservation Commission (LPC) been approved by the LPC? yes no, please explain : **To be filed**

Will any outside area or sidewalk café be used for the sale or consumption of alcoholic beverages? (including sidewalk, roof and yard space) no yes : explain _____

What is the proposed Occupancy? **Under 75**

Does the premise currently have a valid Certificate of Occupancy (C of O) and all appropriate permits?

no* yes***Applicant will apply to DOB for a Letter of No Objection (LNO)**

If yes, what is the maximum occupancy for the premises? **Under 75 and will show on the issued LNO**

If yes, what is the use group for the premises? **Use Group 6**

If yes, is proposed occupancy permitted? yes no, explain : _____

When the LNO issues the occupancy will be permitted

If your occupancy is 75 or greater, do you plan to apply for Public Assembly permit? yes no

Do you plan to file for changes to the Certificate of Occupancy? yes* no
(if yes, please provide copy of application to the NYC DOB)

***The applicant will apply to DOB for an LNO**

Will the façade or signage be changed from what currently exist at the premise? no yes

(if yes, please describe: **New signage**

INTERIOR OF PREMISES:

What is the total licensed square footage of the premises? 3,600 square feet

If more than one floor, please specify square footage by floors: 1st floor 1,800 square feet,
Cellar 1,800 square feet

If there is a sidewalk café, rear yard, rooftop, or outside space, what is the square footage of the area?

N/A

If more than one floor, what is the access between floors? Staircases

How many entrances are there? 1 How many exits? 1 How many bathrooms? 4

Is there access to other parts of the building? X no ___ yes, explain: _____

OVERALL SEATING INFORMATION:

Total number of tables? 18 Total table seats? 40

Total number of bars? One Total bar seats? 10

Total number of "other" seats? _____ please explain : N/A

Total OVERALL number of seats in Premises : 50

BARS:

How many *stand-up bars / bar seats are being applied for on the premises? Bars One Seats 10

How many service bars are being applied for on the premises? None

Any food counters? X no* ___ yes, describe : The customer bar also serves as a food and coffee counter

For Alterations and Upgrades:

Please describe all current and existing bars / bar seats and specific changes: N/A

* A stand-up bar is any bar or counter (whether seating or not) over which a member of the public can order, pay for and receive food and alcoholic beverages.

PROPOSED METHOD OF OPERATION:

What type of establishment will this be? (check all that apply)

___ Bar X Bar & Food ___ Restaurant ___ Club/ Cabaret ___ Hotel ___ Other: Cafe with bookstore

What are the Hours of Operation?

Sunday: Monday: Tuesday: Wednesday: Thursday: Friday: Saturday:
8am to 12am 8am to 12am 8am to 12am 8am to 12am 8am to 12am 8am to 1am 8am to 1am

Will the business employ a manager? ___ no yes, name / experience if known : **Marianna Vaidman Stone**
The owner will be the manager.

Will there be security personnel? no ___ yes(if yes, what nights and how many?) N/A

Do you have or plan to install French doors, accordion doors or windows that open? no ___ yes

If yes, please describe : _____

Will you have TV's ? no ___ yes (how many?) _____

Type of MUSIC / ENTERTAINMENT: ___ Live Music ___ Live DJ ___ Juke Box Ipod / CDs ___ none

Expected Volume level: Background (quiet) ___ Entertainment level ___ Amplified Music
(check all that apply)

Do you have or plan to install soundproofing? ___ no yes

IF YES, will you be using a professional sound engineer? Yes

Please describe your sound system and sound proofing:

See enclosed sound report.

Will you be permitting: ___ promoted events ___ scheduled performances ___ outside promoters

any events at which a cover fee is charged?* private parties*

***Estimated 12 per year**

Do you have plans to manage or address vehicular traffic and crowd control on the sidewalk caused by your establishment? no ___ yes (if yes, please attach plans)

Will you be utilizing ___ ropes ___ movable barriers ___ other outside equipment (describe) _____

Are your premises within 200 feet of any school, church or place of worship? no ___ yes

If there is a school, church or place of worship within 200 feet of your premises or on the same block, please submit a block plot diagram or area map showing its' location in proximity to your applicant premises (no larger than 8 ½ " x 11").

Indicate the distance in feet from the proposed premise:

Name of School / Church: _____

Address: _____ Distance: _____

Name of School / Church: _____

Address: _____ Distance: _____

Name of School / Church: _____

Address: _____ Distance: _____

Please provide contact information for Residents / Community Board and confirm that if complaints are made you will address it immediately.

Contact Person: **Marianna Vaidman Stone** Phone: [REDACTED]

Address: **4-6 Bleecker Street / New York, NY 10012**

Email : [REDACTED]

Application submitted on
behalf of the applicant by:

Benjamin Savitsky

Signature

Print or Type Name **Benjamin Savitsky**

Title **Counsel for applicant**

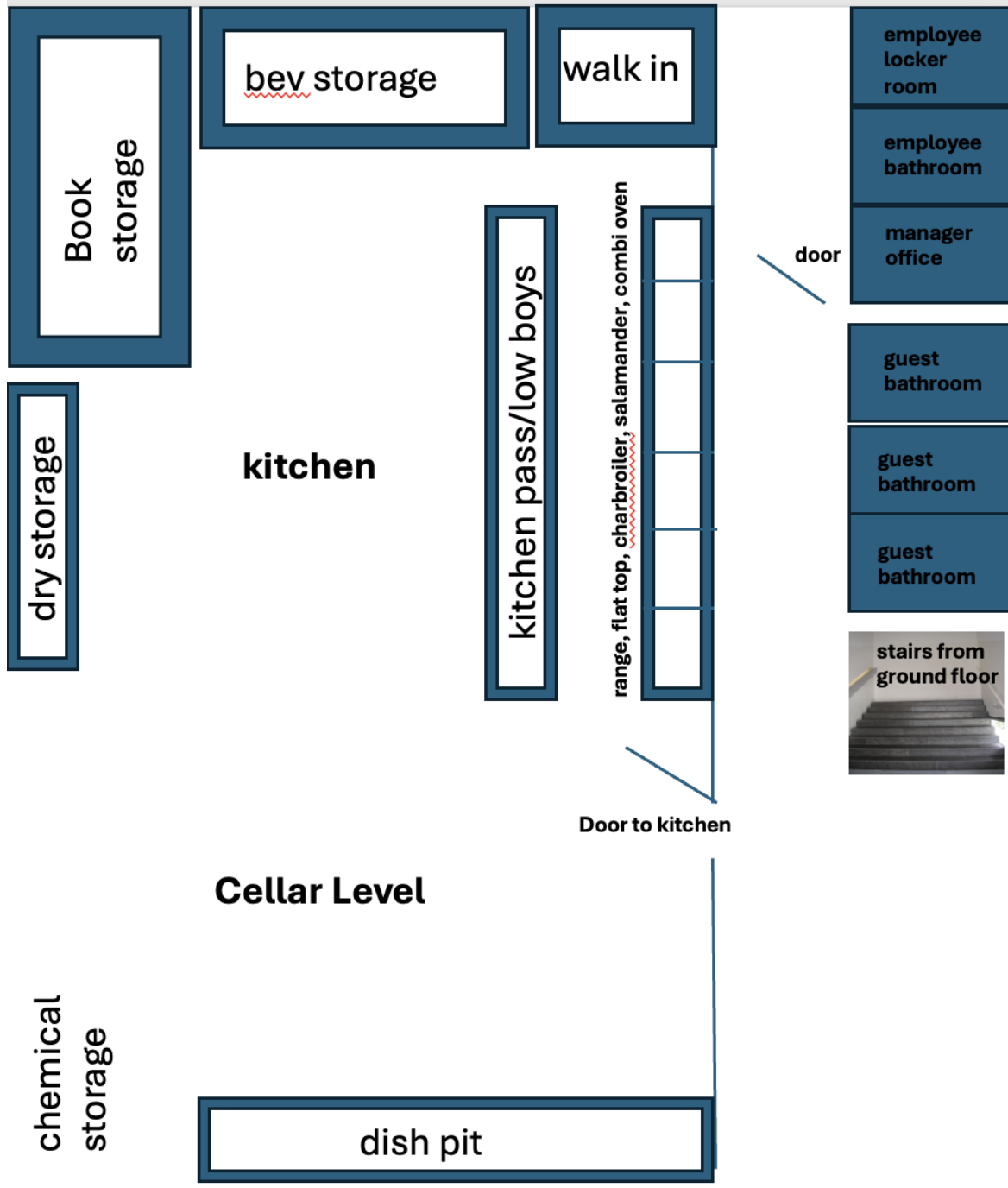
Thank you for your cooperation. Please return this questionnaire along with the other required documents as soon as you can. This will expedite your application and avoid any unnecessary delays. Use additional pages if necessary.



Community Board 2,
Manhattan SLA Licensing Committee
Donna Raftery, Co-Chair
Robert Ely, Co-Chair

The Stone Rabbit LLC / 4-6 Bleecker Street / New York, New York 10012

Cellar space not for patron use, except public restrooms
1,800 square feet



The Stone Rabbit LLC
4-6 Bleecker Street
New York, New York 10012



The Stone Rabbit LLC
4-6 Bleecker Street
New York, New York 10012



The Stone Rabbit LLC
4-6 Bleecker Street
New York, New York 10012



The Stone Rabbit Menu

Breakfast

House-Baked Savory Scones – rotating: cheddar-scallion, herb-feta, smoked paprika

Sweet Muffins of the Day – e.g., blueberry-lavender, spiced banana

House Yogurt Bowl – granola, local honey, dried figs, and toasted nuts

Avocado Tartine – multigrain toast, chili flakes, microgreens, citrus oil

Smoked Salmon Bagel Board – herbed cream cheese, cucumber, tomato, red onion, capers

Boiled Egg & Soldiers – soft-cooked egg with buttered toast spears

Lunch

Assorted Tea Sandwiches

- Cucumber Mint Creme Fraiche
- Curried Chicken Salad on Brioche
- Banh Mi Pickled Veg & Tofu

Mediterranean Mezze Plate – hummus, olives, feta, grilled pita, marinated veggies

Korean Rice Bowl – kimchi, sesame spinach, soft egg, gochujang vinaigrette

Heirloom Tomato Toast – whipped ricotta, basil oil, cracked pepper

Charcuterie & Cheese Board – artisanal selection with fig jam and toasted nuts

Evening Fare

Global Small Plates

- Spiced Lamb Meatballs – yogurt sauce, mint, pomegranate
- Miso Glazed Eggplant – sesame, scallion, chili crisp
- Mini Empanadas – seasonal filling, chimichurri
- Truffle Popcorn – parmesan, rosemary

Toasted Sandwiches

- Gruyère & Caramelized Onion – on sourdough, toasted golden
- Prosciutto, Brie & Fig Jam – pressed ciabatta, warm and melty
- Mushroom Melt – cremini mushrooms, thyme aioli, fontina, on multigrain

Snacks and Sweets

- Asian Bar Snack Mix – peanuts, seaweed, chili crunch
- Warm Fudge Brownie – sea salt, optional vanilla ice cream
- Daily Cookies & Dessert Bars – rotating flavors

Photo 1: Noise Meter at Location 1 – Interior Site



Photo 2: Noise Meter at Location 2 – Bleecker St



Photo 3: Noise Meter at Location 3 – Bowery



2. NYC NOISE CODE

The local noise code is set forth in Title 24, Chapter 2 of the New York City Administrative Code.

3.1 § 24-218 General Prohibitions

Section §24-218 addresses unreasonable noise that is not covered by another section of the code. The following sound levels are prohibited by this section:

- Non-impulsive sound measured at 7 dB(A) or more above the ambient sound level at the receiver between the hours of 10:00 P.M. and 7:00 A.M.
- Non-impulsive sound measured at 10 dB(A) or more above the ambient sound level at the receiver between the hours of 7:00 A.M. and 10:00 P.M.
- Impulsive sound measured at 15 dB(A) or more above the above the ambient sound level at the receiver.

2.3 § 24-231 Commercial Music

Section §24-231 addresses music originating from commercial establishments, when measured inside dwelling units. The following limits are provided in this section:

- 42 dB(A) overall sound level.
- 45 dB(A) sound level in any one-third octave band from 65 hertz to 500 hertz.
- 6 dB(C) increase over ambient level, provided that ambient is in excess of 62 dB(C).

3. ACOUSTICAL INVESTIGATION

The proposed licensed space is to be located on the ground floor facing Bleecker Street. The space is split into two portions, with the bar and kitchen stairs center between the two. The ceilings in the two rooms are nearly identical, besides one room having a wood laminate layer in addition to the base found in both rooms. For calculation purposes we will assume the worst-case scenario with the ceiling section without wood laminate. Further details of the ceiling/floor assembly will be discussed in more detail in another section below. External walls will be unchanged and typically offer 20-30 dB(A) of attenuation via transmission loss. In combination with closed windows this transmission loss is usually between 10-20 dB(A). Sound Transmission Class (STC) is a single number metric also used to identify transmission loss performance and can be found readily online for typical ceiling, wall, or window construction.

There are no windows beyond the front wall at the entrance, so the key possible noise paths to residences are through the front windows and doors, and through the ceiling and floor assembly between the first and second floors.

This analysis only considers the primary transmission paths through walls, windows, doors and ceilings/floors. The analysis uses a conservative estimate of all sound isolation properties of the construction but does assume for careful construction with no gaps or leaks between layers. GZA will provide general construction recommendations for some common interior acoustic pitfalls attached separately from this report, including finding and filling leaks and gaps.

4.1 Ambient Sound Measurements

To establish existing baseline ambient sound levels, measurements were performed at the interior of the pre-construction site (Noise Monitoring Location 1), street level on the sidewalk of Bleecker Street (Noise Monitoring Location 2), as well as street level on the sidewalk of Bowery (Noise Monitoring Location 3). The noise monitoring locations are shown as **Figure 3** below. **Table 1** below shows the results of the noise monitoring.

Table 1 – Evening Ambient Noise Monitoring Results



<i>Friday July 18th, 2025</i>			
Location	1 (Interior)	2 (Street Level, Bleecker)	2 (Street Level, Bowery)
Duration	0:20:00	0:20:00	0:20:00
LAeq	51.2	69.9	70.5
LASmin	41.7	63.4	60.8
LASmax	73.7	80.1	91.5
LAS 10%	54.0	72.2	70.9
LAS 50%	45.6	68.9	67.0
LAS 90%	43.6	66.1	63.3

These noise readings were collected during evening operating hours to represent the ambient noise conditions during the proposed hours of operation without rush hour contribution to ambient levels. It is expected that the sound levels will increase above the recorded nighttime levels by approximately 10 dB(A) during daytime hours.

Figure 3 – Ambient Noise Monitoring Locations



LEGEND

-  4-6 BLEECKER STREET
-  NOISE MONITORING LOCATION

4.2 Measurement Equipment

Measurements of the airborne sound pressure levels were performed using a Type 1 Larson Davis SoundExpert 821 sound level meter with wind screen. The monitor was placed on a tripod at a height of approximately five feet above the ground, away from any other noise-reflective surfaces when possible. The monitor was calibrated prior to and following the monitoring session. Noise meter calibration certification and backup data can be provided upon request.

4.3 Interior Noise Evaluation Results

The bookstore and small plate restaurant will have light background music and normal restaurant ambience from patrons. The hours of operation are specified in **Table 2** below.

Table 2 – Internal Hours of Operation

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Bookstore	8:00 am – 12:00 am	8:00 am – 12:00 am	8:00 am – 12:00 am	8:00 am – 12:00 am	8:00 am – 1:00 am	8:00 am – 1:00 am	8:00 am – 12:00 am
Bar/Restaurant	8:00 am – 12:00 am	8:00 am – 12:00 am	8:00 am – 12:00 am	8:00 am – 12:00 am	8:00 am – 1:00 am	8:00 am – 1:00 am	8:00 am – 12:00 am

The analysis is broken into two sections: the first section is regarding contribution to street level ambient noise, and the second section is pertaining to transmission through the first and second floor ceiling and floor assembly and walls. Possible contribution to increasing street level noise will consider transmission loss between the interior and street level measurements, and the reciprocal transmission of interior projected noise to the outside of the building. Since the exterior walls and windows are unlikely to be changed in renovation this calculation has very little uncertainty. For the second section, this analysis relies on the initial assessment of the building construction and first draft design plans of the space from the architect, which are subject to change, to determine the transmission loss for the path from the interior site to the residential units above and through the western wall at 10 Bleecker Street. The likely ceiling/floor assembly will be discussed in detail along with analysis of residential focused portions of the noise code.

In both areas of focus, the projected source level is needed to quantify noise levels after transmission through the structure. A first draft floor plan was shared that showed seating scattered along the floorplan, with a likelihood of some small clusters at tables. To conservatively estimate possible noise from human speech, full capacity of 75 seats were considered across the whole square footage, equating to about 1 person per 16sf. The maximum sound pressure level at a single point at the center of each of the two sections of the site were considered with normal human speech sources distributed every 16sf and light background music with the low frequencies (bass) reduced at 3 dB/octave starting at 250 Hz. An assumed in-situ signal to noise ratio (SNR) of 15 dB between speech and background music was used in calculations to set the overall music level. The table below shows the contribution of speech, background music, and the two combined, in both A and C weighting.

Table 3 – Projected Site Sound Pressure Levels

	125 Hz	250 Hz	500 Hz	1000 Hz	2000 Hz	4000 Hz	8000 Hz	Total
Total Speech (dB(A))	49.5	59.8	67.1	64.1	60.8	58.8	54.0	70.4
Total Speech (dB(C))	65.4	68.4	70.3	64.1	59.4	57.0	52.1	74.0
Background Music Level (dB(A))	43.9	48.4	53.8	54	55.2	46	34.9	59.8
Background Music Level (dB(C))	59.8	57	57	54	53.8	44.2	33	63.9
Combined (dB(A))	50.5	60.1	67.3	64.5	61.9	59.0	54.1	70.8
Combined (dB(C))	66.4	68.7	70.5	64.5	60.5	57.2	52.2	74.4

With a known exterior and interior sound pressure level from noise monitoring on Site, the exterior window wall transmission loss can be calculated as the difference between them. Using the combined interior average source level and known transmission loss, the contribution to ambient was calculated as well as the increase over ambient shown in **Table 4** below. The overall increase over ambient on Bleecker Street is 0.1 dB(A) - far below the 7 dB(A) nighttime increase over ambient code limit. Per NYC CEQR TM 19-3: human hearing is such that a change of 3 dB is just noticeable, a change of 5 dB is clearly noticeable, and a change of 10 dB is perceived as a doubling of perceived sound level. Referring to this standard, this change to ambient at Bleecker Street is not noticeable to the human ear.

Table 4 – Projected Noise Contribution to Sidewalk Ambient Level in dB(A)

Projected Interior Level at Site	70.9
Exterior Window/Wall Transmission Loss	18.7
Interior Level at Street	52.2
Ambient	68.9
Interior Level + Street Ambient	69.0
Increase Over Ambient	0.1

Without finalized construction in the space, composite transmission loss of the ceiling and floor between the first and second floor had to be theoretically calculated. According to surveying and initial plans from the architect of record on the project the ceiling/floor assembly (from floor down) is: finish flooring in 2nd floor apartment (typically 3/4" wood or 1/8" porcelain tile on 1/2" setting bed in common hall), 1"x4" subfloor with 1/8" gaps between boards, 2"x8" wood joists, 2"x4" flat furring / framing below wood joists, 6" foil faced fiberglass batt in joist space 1/2" gypsum board. Worst case assumptions were chosen for possible materials of wood and flooring, and all construction is assumed to be properly supported and caulked as to be air tight along edges of layers and intersections of walls.

Using Insul, a program for calculating composite transmission loss for interior/exterior partitions including common window, wall, ceiling, and floor assemblies, the theoretical transmission loss was calculated using the worst-case portion of the ceiling and walls. The combined floor-ceiling assembly achieved STC 48. Further transmission loss data from this program can be shared upon request.

Comparing against ambient measurements inside the building, the overall levels in the adjacent apartments were calculated with transmission from the proposed Site through the ceiling/floor assembly

and through external walls to 1st floor apartments at 10 Bleecker St. The only residential adjacent neighbors on the first floor are separated by an external brick wall, which will have a much greater transmission loss than the ceiling/floor assembly between the first and second floor of 4-6 Bleecker Street. Since the source will be equal in both cases, the transmission through the ceiling/floor will be a worst-case scenario and shall be calculated in detail below.

In both cases the noise code calls for limits for overall levels, and overall increase over ambient in both A and C weighting shown in **Table 5**, **Table 6** and **Table 7** below.

Table 5 – Projected Adjacent Apartment Interior Sound Pressure Levels in dB(A)

Projected Interior Level at Site	70.8
Projected Interior Level at 2nd Floor	29.7
Ambient at 2 nd Floor	51.3
Projected Interior Level + Ambient	51.4
Increase Over Ambient	0.0

Table 6 – Projected Adjacent Apartment Interior Third Octave Sound Pressure Levels in dB(A)

	63 Hz	80 Hz	100 Hz	125 Hz	160 Hz	200 Hz	250 Hz	315 Hz	400 Hz	500 Hz
Projected Interior Level at Site	29.7	37.7	45.7	45.7	45.7	55.3	55.3	55.3	62.5	62.5
Transmission Loss of Ceiling/Floor	24.0	29.0	32.0	34.0	36.0	38.0	39.0	41.0	42.0	43.0
2nd Floor Sound Pressure Level	5.7	8.7	13.7	11.7	9.7	17.3	16.3	14.3	20.5	19.5

Table 7 – Projected Adjacent Apartment Interior Sound Pressure Levels in dB(C)

Projected Interior Level at Site	74.4
Projected Interior Level at 2nd Floor	42.8
Ambient at 2 nd Floor	55.8
Projected Interior Level + Ambient	56.0
Increase Over Ambient	0.2

From discussion of the noise code in section 2 above, there are four relevant limits: 42 dB(A) overall, below 45 dB(A) in all third octave bands from 63-500 Hz, less than 7 dB(A) increase over ambient at night, and less than 6 dB(C) overall increase over ambient. An explanation is required based on the background measurements, specifically regarding the 42 dB(A) overall limit. The site levels transmitted to the 2nd floor are 29.7 dB(A), far below the 42 dB(A) limit, but the overall pre-existing ambient level on the 2nd floor is above the 42 dB(A) limit. Even if the ambient was 41 dB(A), giving only 1 dB(A) room for overall noise increase, the addition of the 29.7 dB(A) amount from the proposed site would not amount to an exceedance of code over 42 dB(A).

Considering the explanation above and the three tables above, the proposed bookstore including a small plates restaurant will not exceed noise code and falls far below limits for each section of the commercial noise code.

The projected overall increases calculated are not perceptible by the human ear as an increase in perceived loudness. Per NYC CEQR TM 19-3 as specified earlier above Table 4, the overall increase over ambient for adjacent apartments will not be noticeable given current construction.

4.4 Recommendations

Based on the results shown from the projected sound transmission above, three recommendations are suggested to meet the sound isolation that was modeled. Following these recommendations will ultimately result in similar or better sound isolation between the proposed Site and nearby neighbors or street level. The first two recommendations were assumed or included in projections and calculations in the above section. The third is a proactive suggestion to increase sound isolation beyond what was modeled, which already shows no impact to adjacent residents.

The first is related to the sound system playing background music in the bookstore. The speakers should be isolated from the ceiling by either suspended cabling or mounted at ear height with isolation stands. As stated above, a gentle high pass filter will remove some of the low frequency (bass) from the music. Last, an overall music level limit will be set of 61 dB(A) and 65 dB(C) within the interior of the site.

The second recommendation is focused on the base layer of sound isolation before additional construction and renovation. From the calculations done above, there should be no perceivable addition of background noise to adjacent residential units – but this relies on an assumption of properly constructed and sealed walls, floors, windows, and doors. Given past complaints of highly audible transmission of noise from previous programming of the space to upper residential units (the use of which was significantly more intense in terms of patron volumes and music which was played at concert level) – this is a likely culprit for a reduction in sound transmission loss (*measure of how much sound energy a barrier prevents from being transmitted*) through the ceiling. Therefore, it is recommended to carefully inspect the current ceiling and walls, repair any discontinuities and plug all gaps and holes to be airtight. In renovation, it is suggested to inspect possible leaks through HVAC, electrical outlets, and other gaps around pipes and lines – an insulate such elements where warranted. General recommendations about proper acoustic sealing for interior construction will be attached separately. Before any additional mitigation is added, a contractor should review these recommendations and check for quality sealing and other acoustic leak paths.

The last recommendation is for additional sound isolation on top of existing construction. Though the sound study shows no impact on adjacent residential units based on planned use, an additional layer of QuietRock 530 to the ceiling is recommended. This is an acoustically high performing, fire rated, 5/8" impact resistant sound damping gypsum panel equipped with a thin layer of steel in the center. With possible leak paths mitigated from recommendation two above, this is one extra layer of sound isolation to further reduce any possibility of impact to upstairs neighbors in the case of uncertainty or age of the baseline ceiling.

4.5 Conclusion

The results of the acoustic monitoring and simulation of potential noise generation associated with the proposed bookstore and small plate restaurant indicated that even under worst case noise generation assumptions, the combined new use and proposed renovations would not result in exceedances of the New York City Noise Code or any perceptible increase in noise at any residential dwellings near the Project Site with given operation hours. The evaluation of potential noise impact was developed on a worst-case basis to assess potential impact, i.e. the combination of the lowest outdoor ambient noise monitored and the consideration of continuous noise levels at maximum occupancy of the proposed establishment.

If you have any questions, please do not hesitate to contact me at ethan.wagner@gza.com or (732-915-6942).

Very truly yours,

GZA GEOENVIRONMENTAL, INC.



Ethan Wagner
Acoustic Project Manager



Gene Bove
Consultant Reviewer



Kevin Williams, AICP, PP
Associate Principal

Attachments:

Limitations



USE OF REPORT

1. GZA GeoEnvironmental, Inc. (GZA) has prepared this report on behalf of, and for the exclusive use of Client for the stated purpose(s) and location(s) identified in the Report. Use of this report, in whole or in part, at other locations, or for other purposes, may lead to inappropriate conclusions; and we do not accept any responsibility for the consequences of such use(s). Further, reliance by any party not identified in the agreement, for any use, without our prior written permission, shall be at that party's sole risk, and without any liability to GZA.

STANDARD OF CARE

2. The conclusions presented in this report were based solely upon the services described in this report, and not on scientific tasks or procedures beyond the scope of described services or the time and budgetary constraints imposed by Client. Conditions at the facility are subject to change, therefore the compliance status at any given time could differ from the status at the time of our report.
3. This report describes the compliance status with respect to the environmental regulatory program(s) outlined in the report. Compliance with regulatory programs or specific regulatory requirements other than the program(s) outlined in this report have not been evaluated.
4. Information pertaining to the facility, structures, and operations and activities conducted at the facility was provided to GZA by Client as indicated within the report. In performing the services described in the report, GZA has relied on the information provided by Client, including the accuracy and completeness thereof.
5. The purpose of this study was to review the regulatory compliance of current operations and activities conducted at the facility within the limits of the objective and scope of work described in our proposal and/or report. We did not attempt to assess the compliance status of present or past owners or operators of the facility.
6. Unless otherwise specified in the report, GZA did not perform testing or analyses to determine the presence or concentration of any chemicals, oils, asbestos, or polychlorinated biphenyls at the site, within site buildings, or in the environment at the site. Where such analyses have been conducted by an outside laboratory, GZA has relied upon the data provided, and has not conducted an independent evaluation of the reliability of these data.

COMPLIANCE WITH CODES AND REGULATIONS

7. The regulatory compliance status described in this report has been evaluated based on our interpretation of regulations, and where appropriate, the interpretations provided by the applicable regulatory authority personnel at the time of our study. In some cases, these interpretations require subjective judgment and we cannot guarantee that all applicable regulatory authority personnel will interpret the regulations in the same manner as we have, or in the manner that the agency personnel we may have spoken to have. Applicable regulatory authorities' interpretations, requirements, and enforcement policies vary from district office to district office, from state to state, and between federal and state agencies. In addition, statutes, rules, standards, and regulations may be legislatively changed and inter-agency and intra-agency policies may be changed from present practices from time to time.
8. In preparing this report, GZA has relied on certain information provided by federal, State, or local applicable regulatory authorities and other parties referenced herein, and on information contained in the files of federal, State, and/or local applicable regulatory authorities available to GZA at the time of our compliance study. Although there may have been some degree of overlap in the information provided by these various sources, GZA did not attempt to independently verify the accuracy or completeness of all information reviewed or received during the course of the study. Where information provided by Client was not complete, representations regarding the regulatory compliance of such operations and activities has not been made.



INTERPRETATION OF DATA

9. GZA's work was performed in accordance with generally accepted practices of other consultants undertaking similar studies at the same time and in the same geographical area, and GZA observed that degree of care and skill generally exercised by other consultants under similar circumstances and conditions. GZA's findings and conclusions must be considered not as scientific certainties, but rather as our professional opinion concerning the significance of the limited data gathered during the course of the study. No warranty, express or implied, is made. Specifically, GZA does not and cannot represent that the Site contains no hazardous material, oil, or other latent condition beyond that observed by GZA during its study. Additionally, GZA makes no warranty that any response action or recommended action will achieve all of its objectives or that the findings of this study will be upheld by an applicable regulatory authority.

NEW INFORMATION

10. In the event that the Client or others authorized to use this report obtain information on environmental regulatory compliance issues at the facility not contained in this report, such information shall be brought to GZA's attention forthwith. GZA will evaluate such information and, on the basis of this study, may modify the conclusions stated in this report.