

**Manhattan Community Board 4**  
(All Fields Must Be Completed)

Liquor License/Sidewalk Cafe Stipulations Application

CORPORATION NAME <b>V &amp; J 37 Ventures LLC</b>		DOING BUSINESS AS (DBA) <b>MARGAY'S</b>	
STREET ADDRESS <b>477-483 10th Avenue</b>		CROSS STREETS <b>W. 36th St &amp; W. 37th St</b>	ZIP CODE <b>10018</b>
OWNER <small>(Attach a list of all the people that will be associated/listed with the license)</small>	NAME: <b>Alan Phillips &amp; Jonah Phillips</b>	ATTORNEY/ REPRESENTATIVE	NAME: <b>Rosa M. Ruiz</b>
	PHONE: <b>212 362-4165</b>		PHONE: <b>212 484 2290</b>
	EMAIL: <b>RAYAS3443@yahoo.com</b>		EMAIL: <b>ROSA@ROSA M RUIZ.COM</b>
MANAGER	NAME: <b>TBD</b>	LANDLORD	NAME: <b>500 W. 37th Street Co. c/o Senhan Capital LLC</b>
	PHONE:		PHONE: <b>212 273 4920</b>
	EMAIL:		EMAIL:
<b>APPLICATION TYPE (Check One)</b>			
<input checked="" type="radio"/> <b>New</b>	Has applicant owned or managed a similar business?	<input checked="" type="radio"/> YES	<input type="radio"/> NO
	What is/was the name and address of establishment?	<b>Please see attached Rider</b>	
	What were the dates applicant was involved with this former premise?		
<input type="radio"/> <b>Corp</b> <b>Change/Class Change/Removal</b>	What is the license # and expiration date?		
	Is applicant making any alterations or operational changes?	<input type="radio"/> YES	<input type="radio"/> NO
	<i>If alterations or operational changes are being made, please describe/list all changes.</i>		
<input type="radio"/> <b>Alteration</b>	What is the current license # and expiration date?		
	<i>Please list/describe the nature of all the changes and attach the plans.</i>		
<b>METHOD OF OPERATION</b>			
TYPE OF ALCOHOL	<input type="radio"/> Liquor/Wine/Beer & Cider <input type="radio"/> Beer & Cider <input checked="" type="radio"/> Wine/Beer & Cider		
ESTABLISHMENT TYPE	<input checked="" type="radio"/> Restaurant <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input type="radio"/> Bar/Tavern <input type="radio"/> Catering Establishment <input checked="" type="radio"/> <b>Coffee Shop</b> <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Club (Fraternal Organization - Members Only)		
Has applicant/owner filed with the SLA? If yes, when? If no, when do you plan to file?	YES	<input checked="" type="radio"/> NO	<b>After CB meeting</b>
Is the 500 Foot Rule applicable? If yes, please attach a diagram of the On-Premise liquor license establishments within a 500 ft. radius of your establishment and the Public Interest Statement.	YES	<input checked="" type="radio"/> NO	
Is the 200 Foot Rule applicable? If yes, please attach a diagram of the schools and houses of worship that trigger the rule.	YES	<input checked="" type="radio"/> NO	
Has applicant/owner(s) read MCB4 Policy Regarding Concentration and Location of Alcoholic-Serving Establishments?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	

**OPERATIONAL DETAILS** (\*Closing time will be when establishment is vacated of all patrons)

		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
HOURS* (Indoor Only)	Operation	7am - 10pm	7am - 10pm	7am - 10pm	7am - 10pm	7am - 10pm	7am - 10pm	7am - 10pm
	Kitchen	7am - 9pm	7am - 9pm	7am - 9pm	7am - 9pm	7am - 9pm	7am - 9pm	7am - 9pm
	Music	7am - 10pm	7am - 10pm	7am - 10pm	7am - 10pm	7am - 10pm	7am - 10pm	7am - 10pm
If you plan to have music, what type(s)? (Circle all that apply)			<input checked="" type="checkbox"/> BACKGROUND	<input type="checkbox"/> LIVE MUSIC	<input type="checkbox"/> DJ	<input type="checkbox"/> JUKE BOX	<input type="checkbox"/> KARAOKE	

**OCCUPANCY**

	Capacity (Certificate of Occupancy)	Maximum # of Persons You Anticipate Occupying Premises (Including Employees)	Number of Tables	Number of Seats	Number of Service Only Bars	Number of Stand-Up Bars	Number of Seats at Stand-Up Bar
INSIDE	40	40	6	25	0	0	N/A
OUTSIDE (Other than sidewalk cafe)	N/A						
SIDEWALK CAFE	N/A						

How many floors are there? What is the capacity for each floor? 2 ground fl and Basement

How frequently will the owner(s) be at the establishment? day to day BASIS

Will you be applying or intending to apply for a cabaret license with DCA? If yes, will there be dancing?	YES	<input checked="" type="radio"/> NO	
Will applicant have bottle or table service for beverage alcohol?	YES	<input checked="" type="radio"/> NO	
Will you be hosting private, promotional or corporate events?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	upon Request
Will outside promoters be used on a regular basis? If yes please describe.	YES	<input checked="" type="radio"/> NO	
Will you have a security plan? If, yes please attach.	YES	NO	N/A
Will security plan be implemented?	YES	NO	N/A
Will State certified security personnel be used?	YES	NO	N/A
Will New York Nightlife Association and NYPD Best Practices be followed?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant be using delivery bicycles? If yes, how many?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	1-2
Will delivery bicycles be clearly marked with the name of the restaurant and will staff wear attire clearly noting name as described by NYC Law?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Where will delivery bicycles be stored during the day when not in use?	In the Basement		

LOCATION & ZONING			
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	Hudson Yards
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Is a Public Assembly permit required?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	
Are your plans filed with DOB?	<input type="radio"/> YES	<input type="radio"/> NO	N/A

Community Notification/Relations		
<b>NOTIFICATION:</b> List all block associations; tenant associations, co-op boards or condo boards of residential buildings; and community groups that applicant has notified regarding its application. For each please list both the organization and individual you contacted	# 1	Please see Attached Rider
	# 2	
	# 3	
	# 4	
	# 5	
Please provide dates when applicant met with the groups listed above.		
Who was your contact person at each group you met with?		
When did applicant post the notice that was provided?		please see attached photos
Where did applicant post the notice that was provided?		please see Attached photos
Will applicant provide owner cell phone number to neighbors and respond to complaints that arise? Please provide number in space provided.	<input checked="" type="radio"/> YES	<input type="radio"/> NO
Will applicant inform the Community Board office of its job openings and/or provide a hyperlink to applicants jobs webpage?	<input checked="" type="radio"/> YES	<input type="radio"/> NO

**BUILDING DESIGN**

State the name and type of business previously located in the space.	The Cafe Grind / Coffee Shop		
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.	YES	<input checked="" type="radio"/> NO	
Do you plan any changes to the existing façade? If yes, please describe.	YES	<input checked="" type="radio"/> NO	
Will applicant have a vestibule within the establishment?	YES	<input checked="" type="radio"/> NO	
Will applicant use a storm enclosure?	YES	<input checked="" type="radio"/> NO	
Will applicant not place any items or obstructions on the sidewalk, for example, sandwich boards, sidewalk signs, freestanding menus and plants, as per the law?	<input checked="" type="radio"/> YES	NO	
Will applicant comply with the NYC noise code?	<input checked="" type="radio"/> YES	NO	
Will the establishment have any of the following: (circle all that apply)	N/A	FRENCH DOORS	GARAGE DOORS
		WINDOWS THAT CAN BE OPENED	
Will applicant close all windows, French doors, garage doors when any music or amplified sound (including televisions) is played inside the establishment?	<input checked="" type="radio"/> YES	NO	
Will applicant close all windows, French doors, garage doors by 11 PM Friday and Saturday and 10 PM on all other days even if no music or amplified sound is played inside the establishment?	<input checked="" type="radio"/> YES	NO	
Has applicant obtained an acoustical report from a certified sound engineer to assess potential noise disturbance to the neighboring residents and buildings?	YES	NO	N/A
Will applicant follow the recommendations of a certified sound engineer to mitigate potential noise disturbance to the neighboring residents and buildings, including placing speakers on the floor of the establishment?	YES	NO	N/A
Will the kitchen exhaust system extend to the roof?	YES	NO	
Will the establishment have an illuminated sign?	YES	<input checked="" type="radio"/> NO	
Will the establishment have a canopy extending over the sidewalk?	YES	<input checked="" type="radio"/> NO	
Where will the air conditioner be located? What type is it?	on the Roof		
When was the air conditioner installed?	u/k.		

N/A - no outdoor use

OUTDOOR ITEMS - OTHER THEN SIDEWALK CAFE		
Has the applicant/owner(s) read MCB 4 Rear Yard Rooftop Policy?	YES	NO
Will applicant use any outdoor spaces: rooftop, rear yard, patio, porch, balcony, pavilion, tents, deck or gazebo? If yes, which one(s)?	YES	NO
Are the floorplans for the outdoor space(s) included?	YES	NO
Will applicant close and vacate the outdoor space(s) by 11PM on Friday & Saturday and 10 PM on all other days?	YES	NO
Will the service and consumption of alcohol in any outdoor space only be via seated food service?	YES	NO
Will applicant not allow standing space for patrons to drink or smoke in any outdoor space(s)?	YES	NO
Will there be no amplified music, as per the law?	YES	NO
If amplified sound is played inside the establishment, will windows and doors be closed?	YES	NO
Will applicant agree to post signs outside asking customers to respect the neighbors?	YES	NO
Will applicant agree to train staff to encourage a peaceful environment?	YES	NO
Will applicant provide effective sound control (landscaping enclosure, soundproofing tenants apartments)	YES	NO
Will there be a lighting plan that allows safe usage of the outdoor space without disrupting neighbors?	YES	NO

N/A - no SWC

OUTDOOR ITEMS – SIDEWALK CAFÉ			
Has the applicant/owner(s) read MCB4 Sidewalk Café Policy?	YES	NO	
Will applicant be applying for a sidewalk café now or in the future?	YES	NO	
Is applicant in this application seeking to include a sidewalk café in its liquor license?	YES	NO	
If yes, has applicant submitted an application and plans to NYC Dept. of Consumer Affairs? Please attach application and plans.	YES	NO	
Will applicant close and vacate the sidewalk café by 11 PM on Friday & Saturday and 10 PM on all other days?	YES	NO	
Will applicant be serving alcohol in the sidewalk café? If so, will you have waiter service?	YES	NO	
Will the café have a 3 ft. wide serving aisle running the entire length of the sidewalk café?	YES	NO	
Will applicant mark the perimeter of the café on the sidewalk?	YES	NO	
Will the service and consumption of alcohol in the sidewalk café only be via seated food service?	YES	NO	
Will the sidewalk café not provide standing space for drinking or smoking?	YES	NO	
Will applicant use any portable natural gas heaters? If so, do you have the requisite approvals from DOB & the Fire Department?	YES	NO	
Will applicant have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	
Will all furniture, plants and barricades be stored inside between the evening closing hours and the morning opening hours?	YES	NO	
Will all furniture be stored inside between December 21 <sup>st</sup> and March 21 <sup>st</sup> , and any other day when it rains or snows?	YES	NO	
Will applicant use umbrellas?	YES	NO	
If construction or construction protection has reduced the sidewalk width, will applicant always maintain an 8 foot clear path of sidewalk between the perimeter of the café and the closes obstruction including construction barricades?	YES	NO	

**ADDITIONAL STIPULATIONS: (Office Use Only)**

*To the extent any additional stipulation on pages 7 and 8 of this application conflicts with any response on pages 1 – 6 of this application, the stipulations on pages 7 and 8 control.*

**ADDITIONAL STIPULATIONS: (Office Use Only), *Continued***

*To the extent any additional stipulation on pages 7 and 8 of this application conflicts with any response on pages 1 – 6 of this application, the stipulations on pages 7 and 8 control.*



Manhattan Community Board 4 (MCB4) recommends:

(MCB4's recommendation is based on a vote taken at its 1/3/18 full board meeting, with 35 members voting in favor of the recommendation, 1 members opposed, 0 members abstaining and 0 present but not eligible)

Denial unless all stipulations agreed to by applicant/owner are part of the method of operation

Denial  Approval

**CB4 REPRESENTATIVES**

  
Nelly Gonzalez  
CB4 Assistant District Manager

  
Frank Holozubiec  
CB4 BLP Committee Co-Chair

  
Burt Lazarin  
CB4 BLP Committee Co-Chair

**APPLICANT AGREEMENT WITH THE COMMUNITY**

Applicant agrees to these stipulations as the basis for the community support of this application and acknowledges that all of these stipulations are essential prerequisites to the MCB4 recommendation regarding this application. Applicant agrees to have these stipulations incorporated in the method of operation of its liquor license. The stipulations in this application constitute the entire agreement between MCB4 and applicant and may only be altered in writing signed by MCB4 and applicant. These stipulations supersede any oral statements or representations in connection with this application.

SIGN HERE →

  
PRINT NAME OF APPLICANT

  
SIGNATURE OF APPLICANT

12/12/17  
DATE

Alan Phillips CB4 Questionnaire Rider

2896 Broadway Food Service Corp  
2893 Broadway  
New York, NY 10025  
Serial#:1111539

Lilis 200 West 57<sup>th</sup> Corp  
200 West 5<sup>th</sup> Street  
North Store  
New York, NY 10019  
Serial#:1155122

792 Restaurant Food Corp  
792 Lexington Avenue  
New York, NY 10021  
Serial#: 1180468

Chelsea Market Deli LLC  
75 9<sup>th</sup> Avenue  
New York, NY 10011  
Serial#: 1280068

Site 25 Restaurant Concepts LLC  
102 North End Avenue  
Site 107  
New York, NY 10282  
Serial#: 1257289

Friedman's 31<sup>st</sup> Street LLC  
31 Penn Plaza a/k/a 132 West 31<sup>st</sup> Street  
New York, New York 10023  
Serial#: 1271598

Phillips 35 Inc.  
450 10<sup>th</sup> Avenue  
New York, NY 10018  
Serial#: 1279904

MAYFAIR WEST AT CHELSEA MARKET LLC  
1187 AMSTERDAM AVE  
New York, New York 10027  
Serial#: 1286544

JVB Ventures LLC  
3141 Broadway  
New York, NY 10025  
Serial #1292133

Jonah Phillips CB4 Questionnaire Rider

792 Restaurant Food Corp  
792 Lexington Avenue  
New York, NY 10021  
Serial#: 1180468

Chelsea Market Deli LLC  
75 9<sup>th</sup> Avenue  
New York, NY 10011  
Serial#: 1280068

MAYFAIR WEST AT CHELSEA MARKET LLC  
1187 AMSTERDAM AVE  
New York, New York 10027  
Serial#: 1286544

444 Tenth F&B LLC  
444 10<sup>th</sup> Avenue  
New York, NY 10001  
Serial #129732

First name	Last name	ORGANIZATION	E-MAIL
Kathleen	Treat	HKNA (incl. Dog Run)	kathleentreat123@gmail.com
Frank	Strock	West 36th Street	mcgee19@aol.com
Joe	Restuccia	CHDC (incl. Bob's & bird parks)	
Brian	Keheo	500-506 West 42nd Street T.A.	
Eduardo	Zeiger	West 43rd Street (b. 9th/10th)	
Linda	Ashley	Manhattan Plaza T.A. (400 W. 43rd St.)	eduardozeiger@compuserve.com
Renee & Gordon	Stanley	West 44 Street Better Block Association	nppta@mpnenants.com
Rudy	Papiri	West 44th Street (b. 9th/10th)	ashley1@aol.com
Tim	Tanner	West 44th Street (b. 9th/10th)	twocatsid@worldnet.att.net
David C.	Stuart	West 45th Street BA	Rudi Papiri@timemagazine.com
Chana	Widawski	West 45th Street BA	iangolanner@gmail.com, west45ba@gmail.com
Allison	Tupper	West 45th Street (b. 9th/12th)	west45ba@gmail.com
Steve	Fanto	West 46th Street (8th Ave to 12th Ave)	chanawid@gmail.com
Phil	Kassen	West 46 Street Block Association (8th Ave to 12th Ave)	AllisonTupper@verizon.net
Elke	Fears	West 47th/48th Streets	stephenfanto@gmail.com
Larry	Roberts	West 47th/48th Streets	
Jim	Bogues	West 47th/48th Streets	aefearshk@earthlink.net
Chuck	Vassallo	West 47th/48th Streets	larrymichaelsroberts@gmail.com
Stefan	Riedl	West 47th/48th Streets	jamesbogues@gmail.com
Nancy	Roylance	West 47th/48th Streets	chasmy@hotmail.com
Karen	Nightengale	West 47th/48th Streets	chluderermyc@yahoo.com
Maria	Guzman	Flats Tenants Association	nancyroylance@ymail.com
Ellen	Celnik	Harborview Terrace T.A. (525 W. 55th St.)	
Richard	Pimentel	The Aurora	marjagmys@aol.com
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Nancy	Kyriacou	The Colonnade	dsage@commonground.org
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Paul	Loeb	Midtown North/South Pct. Council	john.mudd@usa.net
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Steve	Belida	300 W 55th St	(212) 541-5996
Jeff	Robins	West 55th Block Association	plceb315@aol.com
Raul	Larios	50/51st Street Block Association	west55ba@gmail.com
Amanda	Cernitz	50/51st Street Block Association	hk5051@gmail.com
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Jesse	Bondy	Westmore 333 W 57	rlarios@hotmail.com
		Parc Vendome 340 W 57th Street	acernitz@gmail.com
		Colonnade 347 W 57th Street	awm3333@aol.com
			jessbondy@aol.com











