

Manhattan Community Board 4

Liquor License/Sidewalk Cafe Stipulations Application

(All Fields Must Be Completed)

CORPORATION NAME 287 Venue Holdings LLC		DOING BUSINESS AS (DBA) Not Applicable	
STREET ADDRESS 287 Tenth Avenue, New York, NY		CROSS STREETS West 26th & 27th Streets	ZIP CODE 10001
OWNER <i>(Attach a list of all the people that will be associated/listed with the license)</i>	NAME: Noah Tepperberg	ATTORNEY/ REPRESENTATIVE	NAME: Thomas J McCallen Esq
	PHONE: 212 776-9220		PHONE: 212 732-3640
	EMAIL: noah@taogroup.com		EMAIL: sla@carrerasmccallen.com
MANAGER	NAME: To be determined	LANDLORD	NAME: Dominick Incantalupo
	PHONE: N/A		PHONE: 908 745-9505
	EMAIL: N/A		EMAIL: Not Available
APPLICATION TYPE (<input checked="" type="checkbox"/> <i>Liquor License</i> <input type="checkbox"/> <i>Unenclosed Sidewalk Cafe</i>)			
<input type="radio"/> New	Has applicant owned or managed a similar business?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
	What is/was the name and address of establishment?		
	What were the dates applicant was involved with this former premise?		
<input checked="" type="radio"/> Corp Change/Class Change/Removal	What is the license # and expiration date?	1283855 - 02/28/2021	
	Is applicant making any alterations or operational changes?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
	If alterations or operational changes are being made, please describe/list all changes: Conversion from Catering Establishment to Restaurant/Pizzeria		
<input checked="" type="radio"/> Alteration	What is the current license # and expiration date?	1283855 - 02/28/2021	
	Please list/describe the nature of all the changes and attach the plans: Conversion from Catering Establishment to Restaurant/Pizzeria		
METHOD OF OPERATION			
TYPE OF ALCOHOL	<input checked="" type="checkbox"/> Liquor/Wine/Beer & Cider <input type="checkbox"/> Beer & Cider <input type="checkbox"/> Wine/Beer & Cider		
ESTABLISHMENT TYPE	<input checked="" type="checkbox"/> Restaurant <input type="checkbox"/> Cabaret <input type="checkbox"/> Night Club <input type="checkbox"/> Hotel <input type="checkbox"/> Bar/Tavern <input type="checkbox"/> Catering Establishment <input type="checkbox"/> Adult Entertainment <input type="checkbox"/> Wine Bar <input type="checkbox"/> Dance Club <input type="checkbox"/> Sports Bar <input type="checkbox"/> Club (Fraternal Organization - Members Only)		
Has applicant/owner filed with the SLA? If yes, when? If no, when do you plan to file?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
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.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
Is the 200 Foot Rule applicable? If yes, please attach a diagram of the schools and houses of worship that trigger the rule.	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
Has applicant/owner(s) read MCB4 Policy Regarding Concentration and Location of Alcoholic-Serving Establishments?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	

OPERATIONAL DETAILS (*Closing time will be when establishment is vacated of all patrons)									
HOURS* <i>(Indoor Only)</i>		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY	
	Operation	Hours of Operation are Monday to Sunday from 11:00 AM to 4:00 AM							
	Kitchen	Hours of Kitchen are Monday to Sunday from 11:00 AM to 4:00 AM							
	Music	Hours of Music are Monday to Sunday from 11:00 AM to 4:00 AM							
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	74	74	6	12		1	9		
OUTSIDE <i>(Other than sidewalk café)</i>	32	32	8	32					
SIDEWALK CAFÉ	N/A								
How many floors are there? What is the capacity for each floor?					Ground Floor - 74 persons				
How frequently will the owner(s) be at the establishment?					Daily Management with weekly Ownership oversight				
Will you be applying or intending to apply for a cabaret license with DCA? If yes, will there be dancing?					YES	<input checked="" type="checkbox"/> NO			
Will applicant have bottle or table service for beverage alcohol?					YES	<input checked="" type="checkbox"/> NO			
Will you be hosting private, promotional or corporate events?					YES	<input checked="" type="checkbox"/> NO			
Will outside promoters be used on a regular basis? If yes please describe.					YES	<input checked="" type="checkbox"/> NO			
Will you have a security plan? If, yes please attach.					<input checked="" type="checkbox"/> YES	NO			
Will security plan be implemented?					<input checked="" type="checkbox"/> YES	NO	Adherence to ABC law, rules & regulations		
Will State certified security personnel be used?					<input checked="" type="checkbox"/> YES	NO	and ID check for proof of age of patrons		
Will New York Nightlife Association and NYPD Best Practices be followed?					<input checked="" type="checkbox"/> YES	NO			
Will applicant be using delivery bicycles? If yes, how many?					YES	<input checked="" type="checkbox"/> NO			
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?					YES	NO	Not Applicable		
Where will delivery bicycles be stored during the day when not in use?					Not Applicable				

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

Community Notification/Relations			
NOTIFICATION: 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	Council Chelsea Block Association - Bill Borock - wborock@hotmail.com	
	# 2	Chelsea-Eliot Tenant Association - Florance Dent - fdenthunter@gmail.com	
	# 3	Chelsea-Eliot Tenant Association - Darlene Waters - dwatersh@gmail.com	
	# 4	Neighborhood Posting	
	# 5		
Please provide dates when applicant met with the groups listed above.		To be provided, if applicable	
Who was your contact person at each group you met with?		To be provided, if applicable	
When did applicant post the notice that was provided?		06/03/2019	
Where did applicant post the notice that was provided?		To be provided	
Will applicant provide owner cell phone number to neighbors and respond to complaints that arise? Please provide number in space provided.		YES ✓	NO
Will applicant inform the Community Board office of its job openings and/or provide a hyperlink to applicants jobs webpage?		YES ✓	NO

BUILDING DESIGN			
State the name and type of business previously located in the space.	287 Venue Holdings LLC		
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.	YES ✓	NO	
Do you plan any changes to the existing façade? If yes, please describe.	YES	✓NO	
Has the applicant/owner(s) read MCB 4 ADA Guidelines Memo?	✓YES	NO	
Is the entrance ADA Compliant?	✓YES	NO	
Do you plan any changes to the existing façade? If yes, please describe.	YES	✓NO	
Will applicant have a vestibule within the establishment?	YES	✓NO	
Will applicant use a storm enclosure?	YES	✓NO	
Will applicant agree not to place any items or obstructions on the sidewalk, for example, sandwich boards, sidewalk signs, freestanding menus and plants, as per the law?	✓YES	NO	
Will applicant comply with the NYC noise code?	✓YES	NO	
Will the establishment have any of the following: (circle all that apply)	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?	YES	NO	Not Applicable
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?	YES	NO	Not Applicable
Has applicant obtained an acoustical report from a certified sound engineer to assess potential noise disturbance to the neighboring residents and buildings?	YES	✓NO	
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	
Will the kitchen exhaust system extend to the roof?	YES	NO	Not Applicable
Will the establishment have an illuminated sign?	✓YES	NO	
Will the establishment have a canopy extending over the sidewalk?	YES	✓NO	
Where will the air conditioner be located? What type is it?	Wall Unit		
When was the air conditioner installed?	To be provided		

OUTDOOR ITEMS - OTHER THEN SIDEWALK CAFÉ

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	Rear Yard
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	

OUTDOOR ITEMS – SIDEWALK CAFÉ

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

ADDITIONAL STIPULATIONS: (Office Use Only)

- No music or amplifies sound in outdoor space
- Connection and door between this space and Marque (next door) will be used only by staff. No patron or customers will be allowed to move between this space and Marquee
- Rear Yard will be closed and vacated no later than midnight Sunday to Wednesday, 1 a.m. Thursday to Saturday
- Doors to rear yard will be closed at all times (except when used for entering/existing) when any amplified music or sound is playing inside. Doors will be equipped with automatic closing mechanism

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:

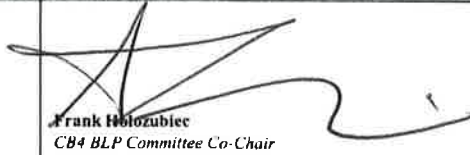
(MCB4's recommendation is based on a vote taken at its July 24, 2019 full board meeting, with 35 members voting in favor of the recommendation, 0 members opposed, 0 members abstaining and 0 present but not eligible)

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


Yoni Bokser
CB4 BLP Committee Co-Chair

APPLICANT AGREEMENT WITH THE COMMUNITY

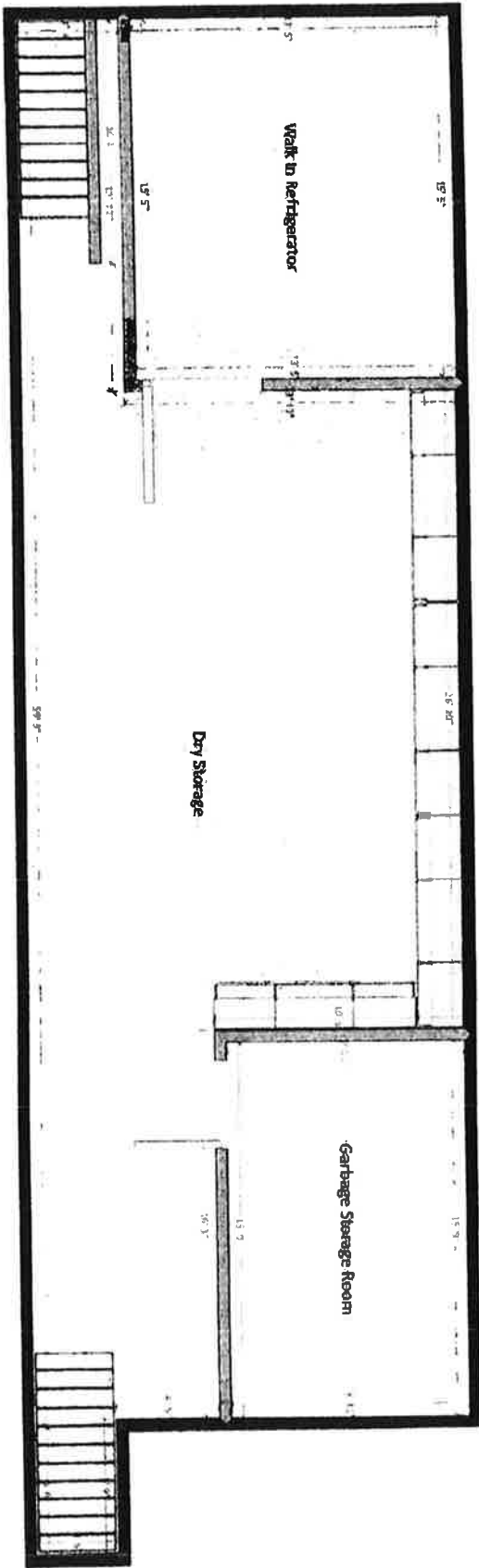
Applicant agrees to these stipulations as the basis for the community support of this application and acknowledges that all of these stipulations are essential prerequisites to the MCB4 recommendation regarding this application. Applicant agrees to have these stipulations incorporated in the method of 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 →

Noah Tepperberg
PRINT NAME OF APPLICANT

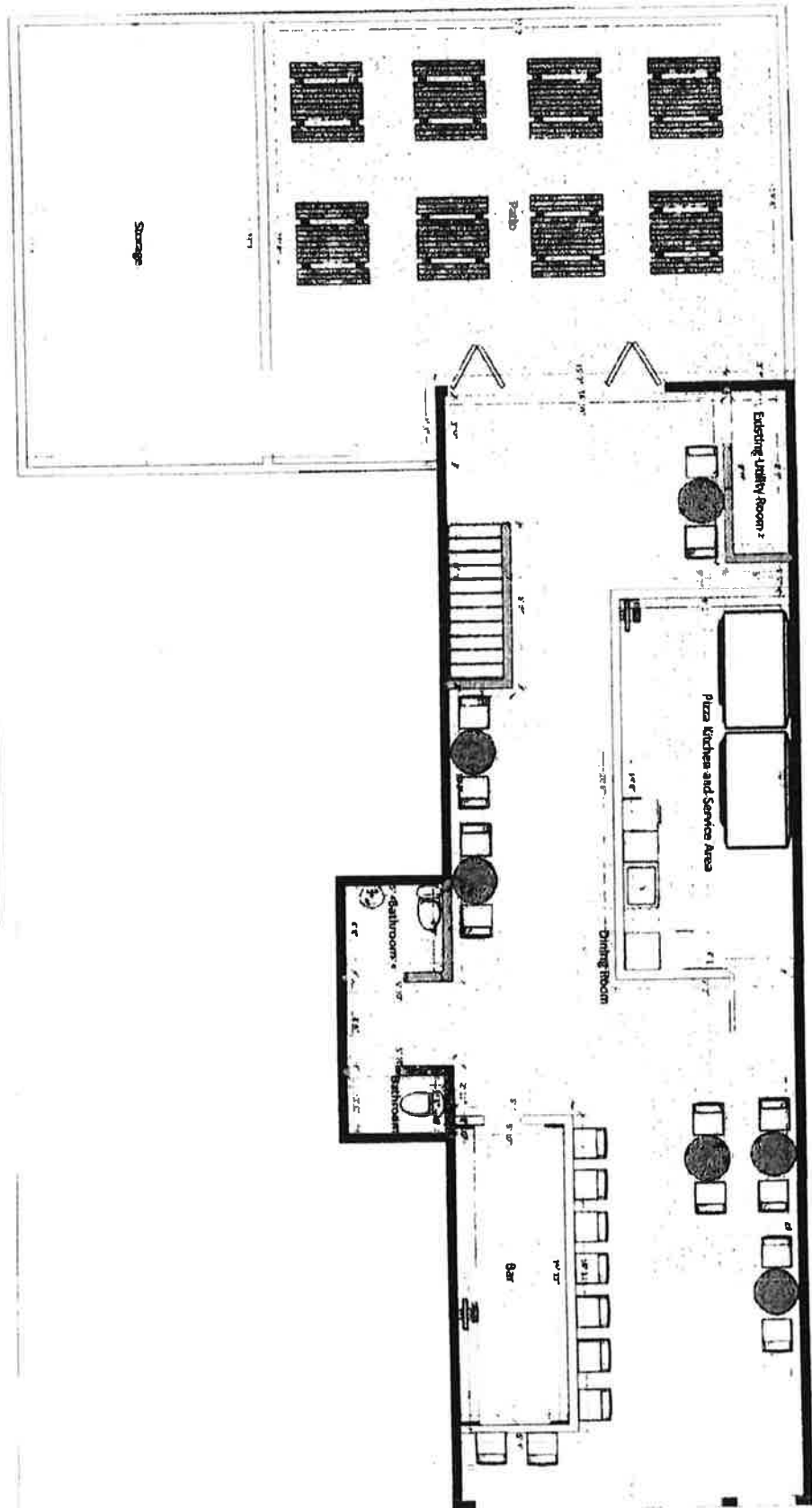

SIGNATURE OF APPLICANT

6/11/19
DATE



BASEMENT FLOOR

TENTH AVENUE



GROUND FLOOR

TENTH AVENUE

Pizza:

Margherita – *Our spin on the traditional plain slice thin crust pie, topped with our secret blend of mozzarella and grated cheeses, plum tomatoes, fresh basil, olive oil.*

Sicilian - *Twice baked thick crust pie topped with our secret blend of mozzarella and grated cheeses, plum tomatoes, fresh basil, olive oil.*

Spinach & Artichoke – *This thick crust pie is topped with artichoke hearts, spinach, cream sauce, mozzarella, Pecorino Romano.*

Crab Slice - *Thin crispy crust pie topped with crab sauce and Surimi stuffing.*

Meatball Parm Pie – *Thin Crust pie with homemade meatballs, pork based cooked tom sauce and mozzarella cheese*

Not Pizza:

Bread Sticks – *baked doe with garlic parsley and pecorino Romano cheese with marinara sauce for dipping.*

Tomato & Mozzarella Salad - *Tomatoes, fresh mozzarella, fresh basil, and red onions pitted Kalamata olives dressed in olive oil.*

House Salad – *Arugula, tomato, red onion, artichoke, House Vinaigrette*

— OUTDOOR / INDOOR —
EVENT SPACE FOR RENT
WWW.287GALLERY.COM 646-473-1287

Emergency To
Evacuate Building
KEEP RIGHT





W 28th St

Manhattan Mini Storage

AVA High Line

Think Coffee

W 31st St

Porchlight

AVA High Line

10th Ave

Dyer Ave

Go Buses

Kaufman Hall

La Colombe Coffee Roasters

Eagle NYC

Burning in Water Art

W 30th St

Printed Matter, Inc

W 26th St

Gallow Green

Ovest Pizzeria

10th Ave

United Postal S

11th Ave

Marborough Contemporary

George bikkis

Hotel Americano

Soccer Field at Chelsea Park

Ideal Marketplace

Gagosian

Agora Gallery

International Print Center

Avenues: The World School

Hudson Guild Elliott Center

Church of the Holy Apostles

Irea Rosen Gallery

Matthew Marks Gallery

W 24th St

10th Ave

Botlino Liquor License

Public School 33

9th Ave

Chelsea Recreation Center

Jun-Men

W 26th St

Haul of Chelsea

W 23rd St



Proximity Report for Location:

June 3, 2019

287 10 Ave, New York, NY, 10001

* 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.

Closest Liquor Stores

Name	Address	Approx. Distance
CITARELLA HUDSON WINES & SPIRITS LLC	20 HUDSON YARDS	970 ft
MWC RETAIL LLC	606 W 28TH ST SUITE A	985 ft
ADB&SAB LLC	554 W 30TH ST	1030 ft
ALGA WINES & SPIRITS LTD	221 9TH AVENUE	1180 ft
156 10TH AVENUE WINE & LIQUOR INC	156 10TH AVE	1770 ft
MIDTOWN SPIRITS INC	177 9TH AVE UNIT C	1800 ft
MEENA SAMANI CORPORATION	460 W 34TH ST	1885 ft

Churches within 500 Feet

Name	Approx. Distance
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Schools within 500 Feet

Name	Address	Approx. Distance
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On-Premise Licenses within 750 Feet

Name	Address	Approx. Distance
287 VENUE LLC	287 10TH AVE	10 ft
289 HOSPITALITY LLC	289 10TH AVE	35 ft
PORTENO LLC	299 10TH AVE	205 ft
W 27 HIGHLINE OWNER LLC	516 518 W 27TH ST	230 ft
CAFFE PICASSO LTD	513 W 27TH STREET	235 ft
SLEEPNOMORE NA LLC	530 W 27TH STREET	395 ft
PINYIN KITCHEN INC	254 10TH AVE	475 ft
PICCOLO BY GAMBRINUS LLC	506 W 28TH ST	485 ft
CLUB AZURE LLC	533 535 W 27TH ST	490 ft
BOTTINO CORP	246 248 10TH AVE	530 ft
PINCH FOOD DESIGN LLC	537 W 27TH ST	540 ft
27 WEST CHELSEA INC	544 W 27TH ST	555 ft
RHYTHMS OF CUBA LLC	544 W 27TH ST	565 ft
CHELSEA CORPORATE EVENTS LLC	545 W 25TH ST FLS 14 & 21	580 ft
242 TENTH AVENUE LLC	242 10TH AVE	605 ft
EAGLE OPEN KITCHEN LLC	554 WEST 28TH ST	635 ft
WHITMANS WESTSIDE LLC	500 W 30TH ST	725 ft

Pending Licenses within 750 Feet

Name	Address	Approx. Distance
W 27 HIGHLINE OWNER LLC	516 518 W 27TH ST	245 ft
216 KHJ CORP	303 10TH AVE	275 ft
ONE 27 ROOF LLC	530 542 W 27TH ST	430 ft

Unmapped licenses within zipcode of report location

Name	Address
RAJ WINE LLC	PENN STATION



Thomas McCallen <sla@carrerasmccallen.com>

Re: 287 Tenth Avenue (between West 26th & 27th Streets) - Notice of Proposed Business

1 message

Thomas McCallen <sla@carrerasmccallen.com>

Mon, Jun 3, 2019 at 5:10 PM

To: wborock@hotmail.com, fdenthunter@gmail.com, dwatersh@gmail.com

Chelsea Block Association(s)

Please accept this eMail as Notice of Proposed Business pursuant to Manhattan Community Board # 4 (MCB4) guidelines.

Attached please find Applicant's Liquor License Stipulations Application to be submitted to MCB4.

This application will appear on the MCB4 Business Licenses & Permits Committee meeting on 06/11/2019 @ 6:30 PM, Fountain House, 425 West 47th Street, Lower Level.

Please contact this firm if you have any questions regarding the foregoing.

Please acknowledge receipt of this eMail.

Carreras & McCallen PLLC
11 Park Place, Suite 1210
New York, NY 10007
Telephone: 212.732.3640
Facsimile: 212.732.3670
eMail: sla@carrerasmccallen.com

 **287Venue.MCB4.Stipulation.Application.pdf**
1851K

INTERESTED IN LEARNING ABOUT THE PROPOSED PIZZERIA?

COME TO A NEIGHBORHOOD INFORMATIONAL PRESENTATION

The operators of 287 Gallery LLC (located between 26th & 27th streets) would like to provide you with information on the pizzeria they would like to open.

Please inquire at the email address below should this week or time not work.

287 Tenth Avenue

Tuesday June 4, 2018 at 10am and 5pm

If you would like to attend, please RSVP and let us know which presentation you would like to attend to: judy.tepperberg@gmail.com

We look forward to seeing you!