

# Manhattan Community Board 4

(All Fields Must Be Completed)

## Liquor License/Sidewalk Cafe Stipulations Application

CORPORATION NAME <b>DUANGJAI CORP.</b>		DOING BUSINESS AS (DBA) <b>ATADA</b>	
STREET ADDRESS <b>75 Ninth Ave, NY, NY</b>		CROSS STREETS <b>15th &amp; 16th</b>	ZIP CODE <b>10011</b>
OWNER <small>(Attach a list of all the people that will be associated/listed with the license)</small>	NAME: <b>DUANGJAI THAMMASIT</b>	ATTORNEY/ REPRESENTATIVE	NAME: <b>BRUCE FENTON, ESQ</b>
	PHONE: <b>(917) 284-5341</b>		PHONE: <b>(646) 338-4841</b>
	EMAIL: <b>a.jadamaitthai@gmail.com</b>		EMAIL: <b>b.fentonlaw@yahoo.com</b>
MANAGER	NAME: <b>Nawanet Choetwongrong</b>	LANDLORD	NAME: <b>Manhattan Chelsea Market LLC</b>
	PHONE: <b>347 757-9852</b>		PHONE: <b>(212) 220-3920</b>
	EMAIL: <b>wow_pueng@hotmail.com</b>		EMAIL: <b>kyle.allen@jonestownLP.com</b>
APPLICATION TYPE (Check One)			
<input checked="" type="radio"/> New	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>ATADA THAI, 77-08 Woodside Ave, Elmhurst, NY 11373</b>
	What were the dates applicant was involved with this former premise?		<b>13 years, still in operation</b>
<input type="radio"/> Corp Change/Class Change/Removal	What is the license # and expiration date?		<b>5/31/2019</b>
	Is applicant making any alterations or operational changes?		<input type="radio"/> YES <input type="radio"/> NO
	If alterations or operational changes are being made, please describe/list all changes.		
<input type="radio"/> Alteration	What is the current license # and expiration date?		
	Please list/describe the nature of all the changes and attach the plans:		
METHOD OF OPERATION			
TYPE OF ALCOHOL	<input checked="" type="radio"/> Liquor/Wine/Beer & Cider <input type="radio"/> Beer & Cider <input 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 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.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<b>Proximity list attached</b>
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)									
HOURS* (Indoor Only)		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY	
	Operation	10:30-10:30	- all seven days						
	Kitchen	11-10:30	- all seven days						
	Music	11-10:30	- all seven days						
If you plan to have music, what type(s)? (Circle all that apply)		BACKGROUND		LIVE MUSIC	DJ	JUKE BOX	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	44	22	2	1- for wait staff	0	0		
OUTSIDE (Other than sidewalk café)	n/a								
SIDEWALK CAFÉ	n/a								
How many floors are there? What is the capacity for each floor?					1st floor				
How frequently will the owner(s) be at the establishment?					owner will devote full time to the business				
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?					YES	<input checked="" type="radio"/> NO			
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	<input checked="" type="radio"/> NO	plan not needed, this is a restaurant only. No bar		
Will security plan be implemented?					YES	<input checked="" type="radio"/> NO			
Will State certified security personnel be used?					YES	<input checked="" type="radio"/> NO			
Will New York Nightlife Association and NYPD Best Practices be followed?					<input checked="" type="radio"/> YES	NO			
Will applicant be using delivery bicycles? If yes, how many?					<input checked="" type="radio"/> YES	NO	One		
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	NO			
Where will delivery bicycles be stored during the day when not in use?					Inside the storage area of the mall				

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	West Chelsea
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 checked="" type="radio"/> YES	<input type="radio"/> NO	
Are your plans filed with DOB?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	Being filed, loan just signed

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	100/200 West 15 <sup>th</sup> Street
	# 2	300 West 15 <sup>th</sup> Street
	# 3	100 West 16 <sup>th</sup> Street
	# 4	200 West 16 <sup>th</sup> Street
	# 5	Fulton House Tenant Association
Please provide dates when applicant met with the groups listed above.		Just sent questionnaire to the associates
Who was your contact person at each group you met with?		Did not yet meet anyone
When did applicant post the notice that was provided?		April 26, 2018
Where did applicant post the notice that was provided?		Front of premises
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 (917) 284-5341
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.	Chelsey Thai		
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.	YES	NO	Do not know
Do you plan any changes to the existing façade? If yes, please describe.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	New door, new sign
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?	YES	<input checked="" type="radio"/> NO	
Will applicant comply with the NYC noise code?	<input checked="" type="radio"/> YES	<input type="radio"/> 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	<input type="radio"/> 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	<input type="radio"/> NO	
Has applicant obtained an acoustical report from a certified sound engineer to assess potential noise disturbance to the neighboring residents and buildings?	YES	<input checked="" type="radio"/> 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?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will the kitchen exhaust system extend to the roof?	<input checked="" type="radio"/> YES	<input type="radio"/> 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?	Building roof		
When was the air conditioner installed?	not yet installed		

**OUTDOOR ITEMS - OTHER THEN SIDEWALK CAFE**

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

### OUTDOOR ITEMS – SIDEWALK CAFÉ

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

**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  
6/6/18 full board meeting, with 35 members voting in favor  
 of the recommendation, 0 members opposed, 0 members  
 abstaining and 1 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 Bolser  
 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.


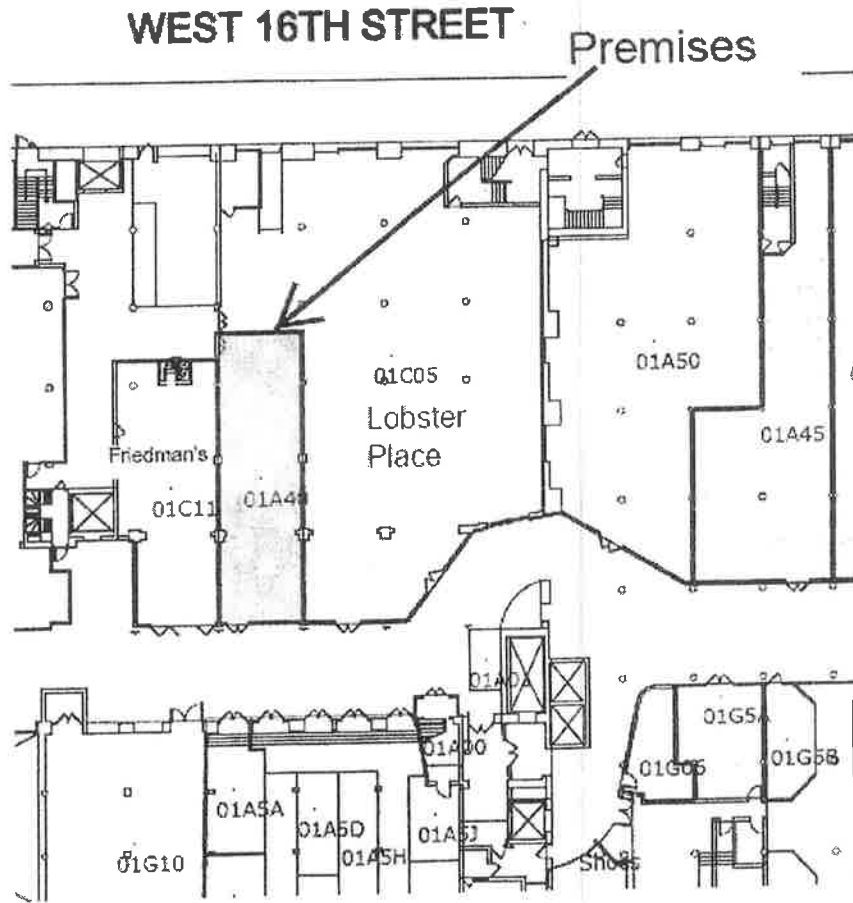
SIGN HERE →	DUANGJAI TRAMMABAT PRINT NAME OF APPLICANT	 SIGNATURE OF APPLICANT	05/08/18 DATE
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EXHIBIT B-1

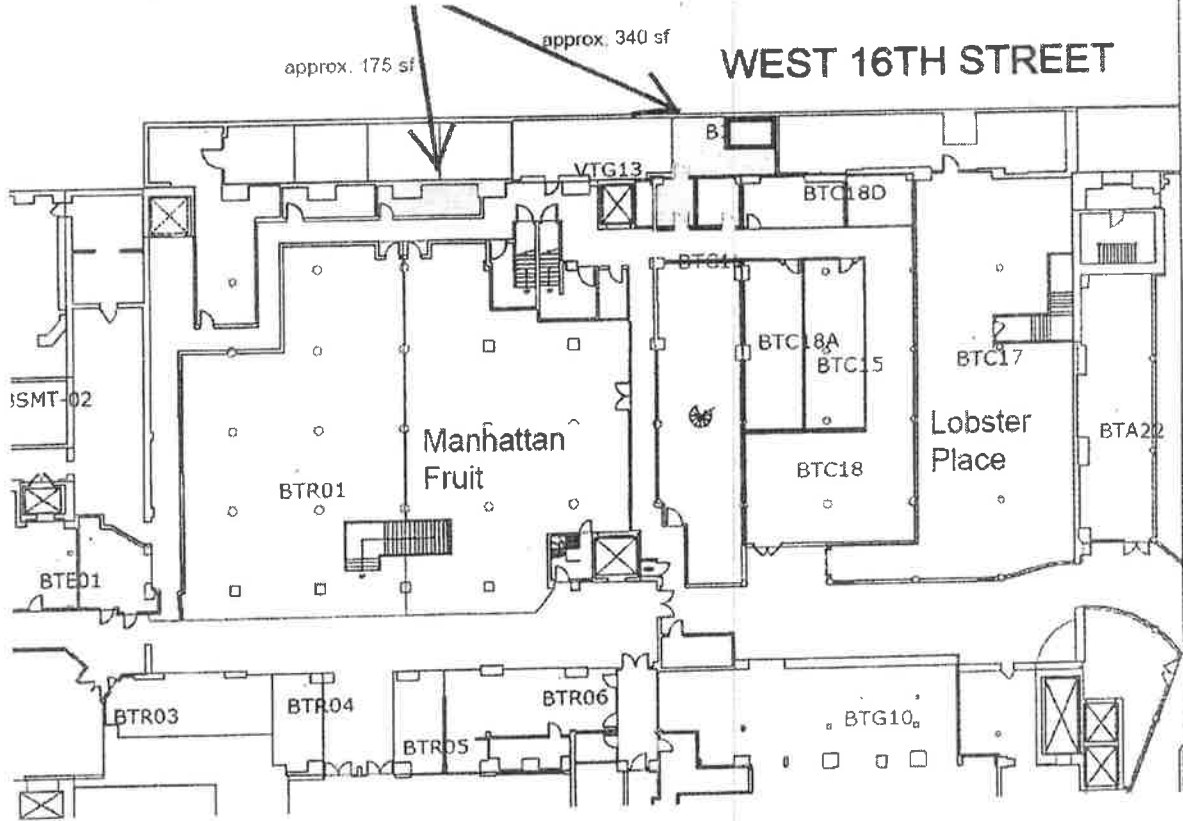
FLOOR PLAN (GROUND FLOOR)

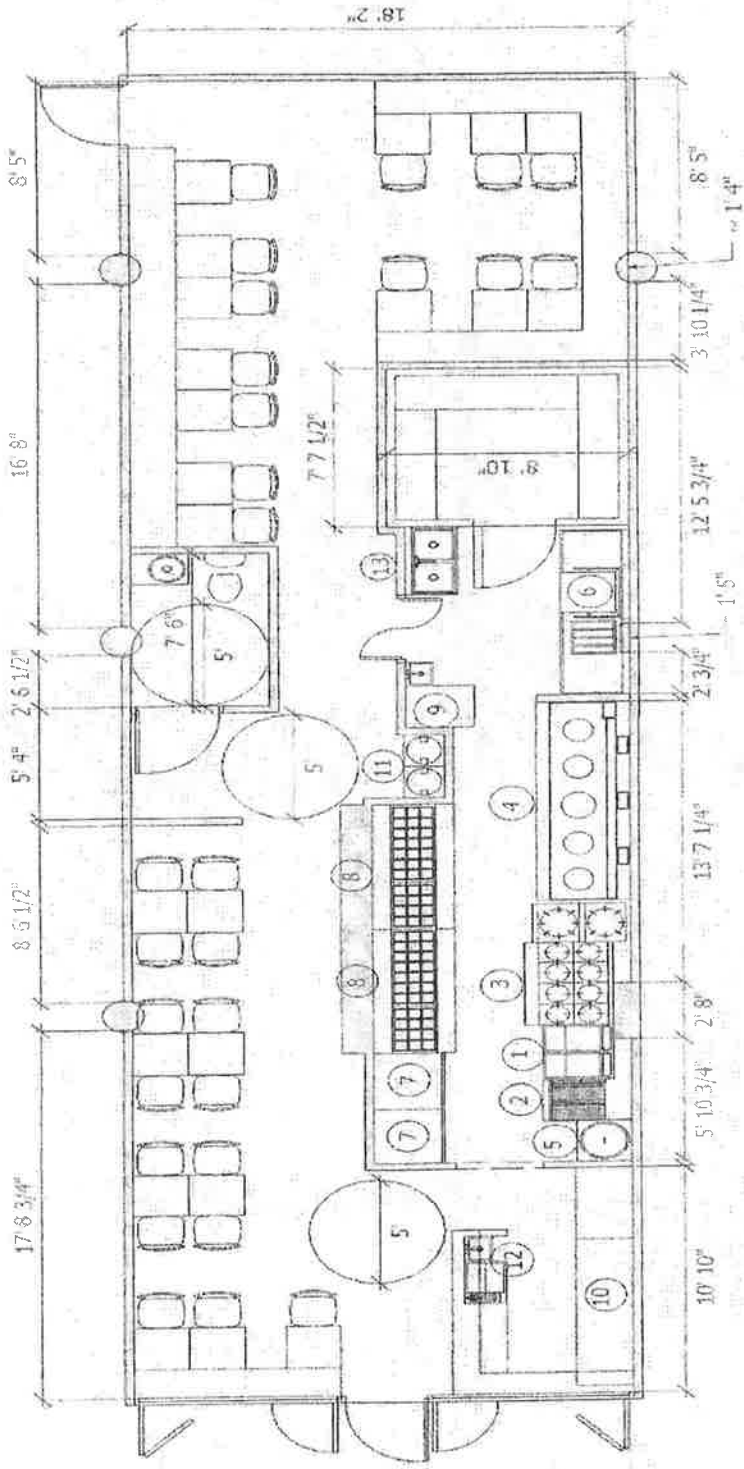


**EXHIBIT B-2**

**FLOOR PLAN (BASEMENT LICENSE PREMISES)**

**Basement License Premises**





1	Deep Fryer	5	Gas Rice Cooker	9	Ice Maker	13	2 Com. Sink
2	Charbroiler	6	Dishwasher Machine	10	Back Bar Ref.		
3	8 Burners Range	7	Upright Freezer	11	Elec. Rice Warmer		
4	5 Burners Wok Range	8	6' Sandwich Ref.	12	Hand Sink/Ice Bin		

**EXHIBIT F**

**MENU**

**Appetizer**

Steamed Dumpling	6
Fried Spring Roll	7
Crab Roll	7
Fried Tofu	7
Shrimp in The Blanket	8
Chive Dumpling	7.50
Fried Calamari	9
Fried Chicken Wings	8

**Soup**

Tom Yum Soup	7
Tom Kha Soup	7

**Salad**

Green Salad	7
Papaya Salad with Peanut	10
Papaya Salad with Seafood	14

Seafood Mango Salad 14

Crispy Chinese Watercress Salad 18

Crispy Catfish Salad 18

### **Fied Rice**

Thai Fried Rice 14

Basil Fried Rice 14

Pineapple Fried Rice 14

Crab Meat Fried Rice 18

### **Noodle**

Pad Thai Noodle 14

Pad Cee Ew Noodle 14

Pad Kua Gai Noodle 14

Drunken Noodle 14

### **A La Carte**

Sauteed Chinese Broccoli Crispy Pork 15

Sauteed Chinese Watercress 15

Sauteed Meat with Basil 14

Sauteed Meat with Ginger 14

Sauteed Meat with Shrimp Paste and Cashew 14

### **Curry**

Green Curry 14

Red Curry 14

Massaman Curry 14

Duck Panang Curry 25

### **Side Order**

Jasmine Rice 3

Sticky Rice 3

Steamed Mixed Vegetable 6

Steamed Broccoli 6

Peanut Sauce 2

### **Drink**

Soda 2.50

Hot Tea 3

Thai Ice Tea 5

Black Thai Ice Tea 5

Lemon Thai Ice Tea 5

Thai Ice Coffee	5
Black Thai Coffee	5
Juice	5
Coconut/ Sugar Palm/ Mango/ Lychee/ Pineapple/ or Cranberry	
Fresh Lychee Lemonnade	6

### **Dessert**

Taro Custard	7
Coconut Pudding	7
Mixed Fruit Coconut Ice Cream	8
Mango Sticky Rice	Seasonal

### **Lunch Special**

Served with Soup or Salad

#### **Choice of Meat**

**Chicken/ Pork/ Tofu or Vegetable** 12.99

**Beef or Shrimp** 13.99

**Seafood** 14.99

Pad Thai Noodle

Pad Cee Ew Noodle

Drunken Noodle



Green Curry

Red Curry

Pad Ginger

Pad Khee Mao

Pad Kra Prow

Thai Fried Rice

Basil Fried Rice

## Proximity Report for Location:

April 26, 2018

75 9 Ave, New York, NY, 10011

\* 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
CHELSEA WINERY LTD	75 9TH AVENUE	440 ft
HOME OF CHEERS CORP	188 90 8TH AVE	1020 ft
HAYMARKET WINE LLC	19 LITTLE WEST 12TH ST	1035 ft
LITTLE WEST WINE AND SPIRITS INC	19 LITTLE W 12TH ST	1035 ft
MIDTOWN SPIRITS INC	177 9TH AVE UNIT C	1155 ft
HIGHLINE WINE MARKET CORP	156 10TH AVE	1260 ft
MAHADEV INC	242 W 14TH ST	1340 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
URBAN DAIRY LLC	75 9TH AVE	0 ft
CHELSEA RETAIL PARTNERS LLC AND DCCM LLC	75 9TH AVE	0 ft
MIZNON AT CHELSEA LLC	75 9TH AVE	0 ft
DZGF2 LLC	75 9TH AVE	0 ft
GRAND CREW NYC LLC	75 9TH AVE	0 ft
LOBSTER PLACE INC, THE	75 9TH AVE	0 ft
RESTAURANT ASSOCIATES LLC	75 9TH AVE	0 ft
RESTAURANT ASSOCIATES LLC	75 9TH AVE	0 ft
RESTAURANT ASSOCIATES LLC	75 9TH AVE	0 ft
HUDSON RIVER INN LLC E&S HOTEL OWNERS INC AS MGR	88 9TH AVENUE	195 ft
MARITIMA LLC	88 9TH AVE	205 ft
MARITIME F&B LLC E&S HOTEL OWNERS INC AS MGR	88 9TH AVE 2ND FLOOR	210 ft
LDV 16 LLC	357 WEST 16TH ST	260 ft
MARISCOS CHELSEA LLC	409 W 15TH ST	280 ft

Name	Address	Approx. Distance
408 W 15 MEMBERS LLC & BOWERY HOSPITALITY GROUP	408 410 W 15TH ST	345 ft
BD STANHOPE LLC AND E&S HOTEL OWNERS INC AS MGR	369 W 16TH ST	345 ft
CLEAVER COMPANY INC, THE	428 W 16TH ST AKA 75 9TH AVE	345 ft
ORIGINAL HOMESTEAD,THE	56 9TH AVENUE	345 ft
DT HOSPITALITY GROUP INC	110 9TH AVE	385 ft
BUDDAKAN NY LP	75 9TH AVE CHELSEA MARKET	410 ft
RANA USA LLC	75 9TH AVE STE 01A55	420 ft
MKT GROUP LLC	75 9TH AVENUE	420 ft
GREENWICH VILLAGE ENTERTAINMENT GROUP LLC	431 WEST 16TH STREET 2ND FL	440 ft
FATBIRD I LLC	44 9TH AVE	470 ft
ELECTRIC ROOM 16 LLC STRATEGIC DREAM LOUNGE LLC	355 W 16TH ST	475 ft
SAHARA DREAMS LLC, AVE REST LLC & STRATEGIC DREAM	355 W 16TH STREET	475 ft
346 LOUNGE LLC & STRATEGIC DREAM ROOFTOP LLC	355 W 16TH STREET	475 ft
SUTOL OPERATING CO LLC	409 411 W 14TH STREET	500 ft
DLP GROUP LLC	132 9TH AVE	640 ft
DLP GROUP LLC	134 9TH AVE	665 ft
VIRCAN GROUP LLC	136 9TH AVE	685 ft
675 HUDSON VAULT LLC	675 HUDSON STREET	700 ft
SOHO HOUSE NEW YORK LLC	29 35 9TH AVENUE	705 ft
REHANDARI LLC	24 9TH AVENUE	740 ft

### Pending Licenses within 750 Feet

Name	Address	Approx. Distance
CHELSEA MUSIC HALL LLC	75 9TH AVE	0 ft
SIREN RETAIL CORPORATION	61 9TH AVE	305 ft
LAS RAMBLAS RESTAURANT LLC	355 W 16TH STREET	475 ft
TMSI INC AND USE LX LLC	412 W 14TH ST	585 ft
W 14 MARKET LLC	353 W 14TH ST	695 ft
DEAN & DELUCA SMALL FORMAT LQ LLC	29 35 9TH AVE	695 ft
29 33 NINTH AVENUE LLC	29 35 9TH AVE	750 ft

### Unmapped licenses within zipcode of report location

Name	Address

# BRUCE FENTON

ATTORNEY AT LAW

48 Wall Street, Suite 1100  
New York, New York 10005  
Tel.: (646) 338-4841 fax (212) 732-0294  
bfentonlaw@yahoo.com

April 30, 2018

Community Board #4 - Manhattan  
330 West 42nd Street, 26th floor  
New York, N.Y. 10036

re: Duangjai Corp. d/b/a Ayada  
75 Ninth Avenue, New York, N.Y. (Chelsea Market)

Dear Sir or Madam,

The undersigned represents the above named applicant.

It would be in the public interest and convenience for my client to operate their Thai restaurant with an on premises liquor license at this location which is in the Chelsea Market.

The Chelsea Market is a tourist attraction with a large number of quality food establishments.

Currently there are no Thai restaurants in the Chelsea Market. It would add to the ambiance of the Market and the neighborhood to have a quality Thai restaurant serving quality and alcohol at reasonable prices.

The service of alcohol will merely be a complement to the food. The menu is being developed to ensure that the main attraction will be the food and that people will be coming to the premises NOT for the purpose of drinking but for having a good meal with alcohol only to complement the food. There is no bar for customers to have a drink.

There is no outdoor space and the restaurant is located inside the mall so noise will NOT be an issue.

The closing hours are not very late, the latest closings are

# BRUCE FENTON

ATTORNEY AT LAW

48 Wall Street, Suite 1100  
New York, New York 10005  
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bfentonlaw@yahoo.com

Friday and Saturday night and even then the restaurant will close at midnight so clearly people will NOT be coming to the premises for a night of drinking. On the other five days the restaurant will close by 11 PM.

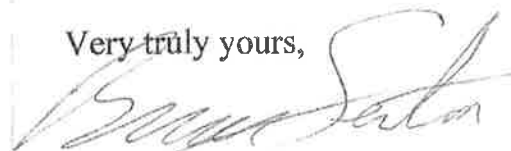
The restaurant is of moderate size with no more than seats at the tables and NO. bar. Based on this we do NOT anticipate having any issues with crowd control. Our staff will be trained on the issues of security and crowd control and the principals has extensive experience in the restaurant field.

The Chelsea Market also has its own security staff.

There should be almost no parking issues as the majority of the clientele will generally walk to the restaurant or take public transportation.

Thank you for your consideration.

Very truly yours,



Bruce Fenton

BF/sn