

Manhattan Community Board 4

(All Fields Must Be Completed)

Liquor License/Sidewalk Cafe Stipulations Application

CORPORATION NAME		DOING BUSINESS AS (DBA)	
Hudson 46 Inc.		Harbor NYC	
STREET ADDRESS		CROSS STREETS	ZIP CODE
621 West 46 St., NY, NY		11th & 12th Aves.	10036
OWNER <small>(Attach a list of all the people that will be associated/listed with the license)</small>	NAME: Joseph Licul	ATTORNEY/ REPRESENTAIVE	NAME: Martin P. Mehler
	PHONE: 917-993-4001		PHONE: 212-962-4688
	EMAIL: jlicul@cloud.com		EMAIL: mehlerbuscemi@aol.com
MANAGER	NAME:	LANDLORD	NAME: Andrew Impagliazzo
	PHONE:		PHONE: 212-564-2246
	EMAIL:		EMAIL: andrew.a.impaliazzo@gmail.com
APPLICATION TYPE (<input checked="" type="checkbox"/> <i>Liquor License</i> <input type="checkbox"/> <i>Unenclosed Sidewalk Cafe</i>)			
<input checked="" type="radio"/> New	Has applicant owned or managed a similar business? yes	YES	NO
	What is/was the name and address of establishment?	Jimmy's 156 W. 38 St., NY, NY 10018	
	What were the dates applicant was involved with this former premise?	2019 to present	
<input type="radio"/> Corp Change/Class Change/Removal	What is the license # and expiration date?		
	Is applicant making any alterations or operational changes?	YES	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 checked="" 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	NO	After cb meeting
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	NO	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	NO	no
Has applicant/owner(s) read MCB4 Policy Regarding Concentration and Location of Alcoholic-Serving Establishments?	YES	NO	yes

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	4pm-2am	4pm-2am	4pm-2am	4pm-2am	4pm-4am	10am-4am	10am-2am
	Kitchen	"	"	"	"	"	"	"
	Music	"	"	"	"	"	"	"
If you plan to have music, what type(s)? (Circle all that apply)			<u>BACKGROUND</u>	<u>LIVE MUSIC</u>	<u>DJ</u>	<u>JUKE BOX</u>	<u>KARAOKE</u>	

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	220 2nd fl.	220	36	100	0	1	tbd
OUTSIDE <i>(Other than sidewalk café)</i>	retractable glass roof for third floor approx 400	app. 400	32	80 -100		2	tbd
SIDEWALK CAFÉ	na						

How many floors are there? What is the capacity for each floor?	220 2nd fl., 400 3rd fl.		
How frequently will the owner(s) be at the establishment?	at all times that the premises is open		
Will there be dancing?	YES	NO	yes
Will applicant have bottle or table service for beverage alcohol?	YES	NO	yes
Will you be hosting private; promotional or corporate events?	YES	NO	yes
Will outside promoters be used on a regular basis? If yes please describe.	YES	NO	no
Will you have a security plan? If, yes please attach.	YES	NO	pending
Will security plan be implemented?	YES	NO	yes
Will State certified security personnel be used?	YES	NO	yes
Will New York Nightlife Association and NYPD Best Practices be followed?	YES	NO	yes
Will applicant be using delivery bicycles? If yes, how many?	YES	NO	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	na
Where will delivery bicycles be stored during the day when not in use?	na		

LOCATION & ZONING

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

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	see attached		
	# 2			
	# 3			
	# 4			
	# 5			
Please provide dates when applicant met with the groups listed above.		see attached		
Who was your contact person at each group you met with?		see		
When did applicant post the notice that was provided?		11-18-2020		
Where did applicant post the notice that was provided?		Entrance		
Will applicant provide owner cell phone number to neighbors and respond to complaints that arise? Please provide number in space provided.		YES	NO	yes 917-993-4001
Will applicant inform the Community Board office of its job openings and/or provide a hyperlink to applicants jobs webpage?		YES	NO	yes

BUILDING DESIGN

State the name and type of business previously located in the space.	Hudson Terrace, cabaret			
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.	YES	NO	yes 621 Events LLC dba Hudson Terrace ser. no. 1195299	
Do you plan any changes to the existing façade? If yes, please describe.	YES	NO	no	
Has the applicant/owner(s) read MCB 4 ADA Guidelines Memo?	YES	NO	yes	
Is the entrance ADA Compliant?	YES	NO	yes	
Do you plan any changes to the existing façade? If yes, please describe.	YES	NO	no	
Will applicant have a vestibule within the establishment?	YES	NO	no	
Will applicant use a storm enclosure?	YES	NO	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	yes	
Will applicant comply with the NYC noise code?	YES	NO	yes	
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	yes	
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	yes	
Has applicant obtained an acoustical report from a certified sound engineer to assess potential noise disturbance to the neighboring residents and buildings?	YES	NO	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	yes if needed	
Will the kitchen exhaust system extend to the roof?	YES	NO	yes	
Will the establishment have an illuminated sign?	YES	NO	no	
Will the establishment have a canopy extending over the sidewalk?	YES	NO	no	
Where will the air conditioner be located? What type is it?	roof, Viking Unit			
When was the air conditioner installed?	2020			

OUTDOOR ITEMS - OTHER THAN SIDEWALK CAFÉ

Has the applicant/owner(s) read MCB 4 Rear Yard Rooftop Policy?	YES	NO	yes
Will applicant use any outdoor spaces: rooftop, rear yard, patio, porch, balcony, pavilion, tents, deck or gazebo? If yes, which one(s)?	YES	NO	The 3rd fl. has a retractable glass roof
Are the floorplans for the outdoor space(s) included?	YES	NO	yes
Will applicant close and vacate the outdoor space(s) by 11PM on Friday & Saturday and 10 PM on all other days?	YES	NO	It will close thr roof to comply
Will the service and consumption of alcohol in any outdoor space only be via seated food service?	YES	NO	The 3rd floor is an existing cabaret
Will applicant not allow standing space for patrons to drink or smoke in any outdoor space(s)?	YES	NO	There will be no smoking
Will there be no amplified music, as per the law?	YES	NO	yes
If amplified sound is played inside the establishment, will windows and doors be closed?	YES	NO	yes
Will applicant agree to post signs outside asking customers to respect the neighbors'?	YES	NO	yes
Will applicant agree to train staff to encourage a peaceful environment?	YES	NO	yes
Will applicant provide effective sound control (landscaping enclosure, soundproofing tenants apartments)	YES	NO	yes
Will there be a lighting plan that allows safe usage of the outdoor space without disrupting neighbors?	YES	NO	yes

OUTDOOR ITEMS – SIDEWALK CAFÉ

Has the applicant/owner(s) read MCB4 Sidewalk Café Policy?	YES	NO	yes
Will applicant be applying for a sidewalk café now or in the future?	YES	NO	no
Is applicant in this application seeking to include a sidewalk café in its liquor license?	YES	NO	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 cafe?	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 st and March 21 st , 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)

- Retractable roof on 3rd Floor will be fully closed - so that the outdoor space is fully enclosed - no later than 12am nightly
- There will be no music or amplified sound on 3rd Floor outdoor space, while the retractable roof is open
- There will be no unlimited drink offerings at anytime

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.

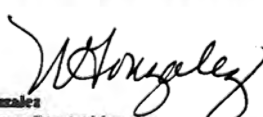


ADDITIONAL STIPULATIONS: (Office Use Only), *Continued*

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
 January 6, 2021 full board meeting, with 39 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

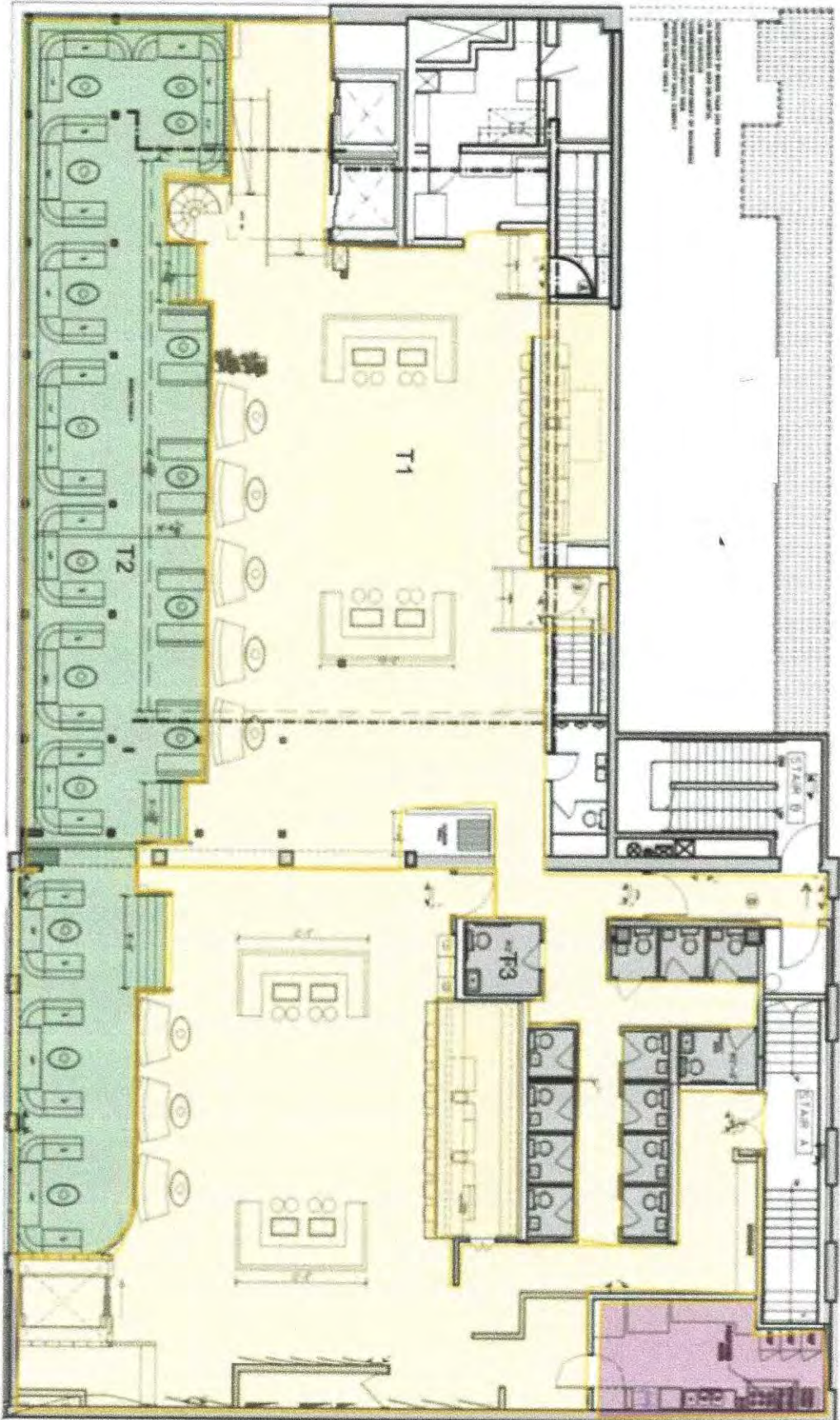
CB4 REPRESENTATIVES

 Nelly Gonzalez CB4 Assistant District Manager	 Frank Holczuhiec CB4 BLP Committee Co-Chair	 Surt Lazarin CB4 BLP Committee Co-Chair
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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 →	Joseph Licul PRINT NAME OF APPLICANT	 SIGNATURE OF APPLICANT	11/18/20 DATE
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3rd Floor

HARBOR NYC MENU -

SEAFOOD

TAPAS CRISPY

CALAMARI | \$14 lemon
zest, parsley, spicy aioli

CRAB AND CORN FRITTERS | \$15
roasted tomatoes, chickpeas, smoked paprika

STEAMED CLAMS | \$16
roasted tomatoes, parsley, white wine

SHRIMP TACOS | \$15
red onion, cabbage, green sauce

CHARRED OCTOPUS | \$18
roasted tomatoes, chickpeas, smoked paprika

MEAT TAPAS

SOPPRESSATA PANINI | \$12
fresh mozzarella, basil, roasted garlic

PULLED PORK TACOS |
\$15 red onions, cabbage, green
sauce

SEARED NEW ZEALAND LAMB
CHOPS | \$18 hummus, cumin, rosemary

FRIED CHICKEN TENDERS |
\$15 hot sauce, smoked salt, blue
cheese

PETITE PRIME RIBEYE STEAK (6oz)
| \$20 creamed mushrooms, parmesan, roasted
garlic

VEGETABLE

TAPAS ENDIVE

SALAD | \$12

apples, cranberries, walnuts, blue cheese

CAESAR SALAD | \$12

creamy dressing, parmesan, garlic breadcrumbs

MUSHROOM RISOTTO |

\$14 white wine, parmesan,
truffle oil

CRISPY POTATOES |

\$9 roasted garlic aioli,
rosemary

ENTREE

MACARONI AND CHEESE |

\$20 bacon, gruyere, parmesan

SPAGHETTI | \$22

beef ragu, tomato sauce, parmesan

PENNE | \$22

sautéed chicken, roasted mushrooms, marsala wine

BACON GRUYERE BURGER |

\$20 red onions, pickles, aioli, crispy
potatoes

FINO PAELLA (for two) | \$43

chicken, chorizo, shrimp, clams, rice

THREE CHEESES

18 *warm bread, tapenade, grape compote

BRIE

cow, soft, Denmark

PECORINO

TOSCANO sheep, firm,
Italy

BLEU

cow, blue, Denmark

THREE CURED

MEATS 18 *warm bread, tapenade,
mustard, cornichon

SERRANO
HAM Spain

SOPRESSATT
A Italy

CHORIZ
O Spain

DESSERTS

WARM CHOCOLATE
CAKE | \$9 vanilla ice cream

ESPRESSO PANNA COTTA
| \$9 almonds, kahlua

APPLE AND CRANBERRY
CRISP | \$9 vanilla ice cream

HUDSON TERRACE



HUDSON TERRACE

621

Ready Refresh
WATER FILTER
AND DISPENSER
621 W 46th St.

Ready Refresh
WATER FILTER
AND DISPENSER
621 W 46th St.

Multiple notices and signs posted on the glass doors, including a yellow warning sign and various NYC-related documents.

Multiple notices and signs posted on the glass doors, including a large letter 'A' sign and various NYC-related documents.

SPRINKLER THROUGHOUT BUILDING

FIRE

HUDS





3rd floor

MEHLER & BUSCEMI
ATTORNEYS AT LAW

305 BROADWAY - NEW YORK, N.Y. 10007-2082
(212) 962- 4688
TELECOPIER (212) 964-0643

FRANCIS R. BUSCEMI
MARTIN P. MEHLER

December 14, 2020

Via Email

Manhattan Community Board No. 4

Re: **Hudson 46 Inc.**

Ladies/Gentlemen:

Last week your committee that oversees liquor license applications wanted to see a security plan for the above listed corporation. The application is for an on-premises liquor license for the premises located at 621 West 46th Street, New York, NY. The premises will be that of a night club that will also feature a full kitchen for dining.

The premises will open seven days a week and will close by 2am on weekdays and 4am on weekends. During the week, it anticipates mostly corporate events during weekdays that do not require any security and on weekends it will employ security guards pursuant to the NYC Night Life Association's guidelines of one for every 75 patrons that will be within the premises. The applicant will use a security company licensed by the State of New York that is fully insured.

There will be adequate security guards present at all times the premises are open during weekends for business. On weekends it is anticipated that there will be a minimum of ten guards present but it could reach as much as fifteen if there is an anticipated larger crowd. There will be a minimum of three guards outside (two male and one female).

Upon entering the premises all patrons will be screened and properly ID'd to ensure that no one under the age of 21 can gain entry. Six to eight guards will be placed strategically within the premises that will move throughout the premises during the hours that patrons will be there.

Duties of the guards will include getting patrons to and from the establishment in an orderly fashion; clearing the block surrounding the premises of anyone lingering around; assisting patrons to their cars, obtaining taxi/ubers for those that want them and getting patrons to the nearest subway in a quiet and orderly manner.

As the premise is ready to close, lights will go on and the music inside will be lowered. Patrons will be lined up to get their coats, if necessary and the process of

letting them out will begin. The patrons will be let out at staggered times so as not to have too many exit at one time. The instructions to the security guards are to get people out of the area as soon as possible and not to allow people to linger.


The police will be informed if there is going to be a larger than a normally anticipated crowd because of some kind of promotion. The applicant will not use outside promoters and will only use the staff that he hires.

The premises are in a totally commercial zone and the building has a certificate of occupancy that specifically calls for a nightclub. It was given this designation because of the lack of residents in the area. The applicant will not tolerate any disorder in or around the premises.

It is hoped that his answers yours questions but if you have any, please let me know.

Thanking you for your courtesy herein, I am

Very truly yours,



Martin P. Mehler

Agreed to:



Joseph Licul