

Manhattan Community Board 4

(All Fields Must Be Completed)

Liquor License/Sidewalk Cafe Stipulations Application

CORPORATION NAME De Sousa LLC		DOING BUSINESS AS (DBA) Nelore Grill	
STREET ADDRESS 744 9th Avenue		CROSS STREETS corner of 50th and 9th ave.	ZIP CODE 10019
OWNER <small>(Attach a list of all the people that will be associated/listed with the license)</small>	NAME: Xiomara DeSousa	ATTORNEY/ REPRESENTATIVE	NAME: Pat DeLuca
	PHONE: 917-755-5913		PHONE: 631-264-2700
	EMAIL: neloregrill.nyc@gmail.com		EMAIL: liquorlicense@yahoo.com
OWNER MANAGER	NAME: Erin DeSousa	LANDLORD	NAME: Alan Chun
	PHONE: 917-635-2290		PHONE: 201-286-9915
	EMAIL: neloregrill.nyc@gmail.com		EMAIL: clmanagement9ave@gmail.com
APPLICATION TYPE (<input checked="" type="checkbox"/> Liquor License <input type="checkbox"/> Unenclosed Sidewalk Cafe)			
<input checked="" type="radio"/> New	Has applicant owned or managed a similar business?		YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
	What is/was the name and address of establishment?		
	What were the dates applicant was involved with this former premise?		
<input type="radio"/> Corp Change/Class Change/Removal	What is the license # and expiration date?		
	Is applicant making any alterations or operational changes?		YES <input type="checkbox"/> NO <input type="checkbox"/>
	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	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.		YES	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
Has applicant/owner(s) read MCB4 Policy Regarding Concentration and Location of Alcoholic-Serving Establishments?		<input checked="" type="checkbox"/> YES	NO

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

		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
HOURS* <i>(Indoor Only)</i>	Operation	10pm 4pm-9pm	10pm 12pm-9pm	10pm 12pm-9pm	10pm 12pm-9pm	11pm 12pm-10pm	12pm-11pm 12pm-10pm	12pm-10pm 12pm-10pm
	Kitchen	10pm 4pm-10pm	10pm 12pm-10pm	10pm 12pm-9pm	10pm 12pm-9pm	11pm 12pm-10pm	12pm-11pm 12pm-10pm	12pm-10pm 12pm-10pm
	Music	10pm 4pm-10pm	10pm 12pm-9pm	10pm 12pm-9pm	10pm 12pm-9pm	11pm 12pm-10pm	12pm-11pm 12pm-10pm	12pm-10pm 12pm-10pm

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 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	22 18 ppl	22 ppl	9	18	N/A	N/A	N/A
OUTSIDE <i>(Other than sidewalk café)</i>	N/A	N/A	N/A	N/A	N/A	N/A	N/A
DCA APPROVED UNENCLOSED SIDEWALK CAFÉ	N/A	N/A	N/A	N/A			

How many floors are there? What is the capacity for each floor?

2

main floor 18 ppl - basement

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

always (chef is co-owner)

Will there be dancing?

YES

NO

Will applicant have bottle or table service for beverage alcohol?

YES

NO

Will applicant be hosting private; promotional or corporate events?

YES

NO

Will outside promoters be used on a regular basis? If yes please describe.

YES

NO

Will applicant have a security plan? If, yes please attach.

YES

NO

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?

YES

NO

N/A

Does applicant agree to notify MCB4 prior to making changes to its method of operation?

YES

NO

Will applicant be using delivery bicycles? If yes, how many?

YES

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

N/A

Where will delivery bicycles be stored during the day when not in use?

MULTIPLE SPACES/FLOORS CAPACITY BREAKDOWN

Space/Floor	Description/Use of Space	Capacity	Hours	# of Tables	# of Seats	# of Service Only Bars	# of Stand-Up Bars/Seats at Bar	Music
main floor	dinning tables	22 15 ppl	12pm-4pm 4pm-12pm 9pm-12am (Fri-Th) 12pm-10pm (Sat) 10pm-2am	9	18	∅	∅	yes background

LOCATION & ZONING		
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	<input checked="" type="radio"/> YES	NO Clinton
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	YES	<input checked="" type="radio"/> NO
Is a Public Assembly permit required?	YES	<input checked="" type="radio"/> NO
Are your plans filed with DOB?	YES	<input checked="" type="radio"/> 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	Landlord for 744 9th Ave. Residential Bldg Alan Chun 201-286-9915
	# 2	746 9th Avenue - 212-353-8223 email Lisa Management - Dan Cohen dcohen@lisamgmt.com
	# 3	748 9th Avenue - 646-485-0910 Tri-hill Mngt. LLC - Lemus Brayan - info@trihill.com
	# 4	950 9th Avenue Alan Chun - emailed/called 201-286-9915 CLmanagement90ave@gmail.com
	# 5	752 9th Ave LLC - 212-541-4477 A.J. Clarke Re Corp. acekic@ajclarke.nyc.com
Please provide dates when applicant met with the groups listed above.		email sent on 3/29 to list provided by CBU.
Who was your contact person at each group you met with?		
When did applicant post the notice that was provided?		
Where did applicant post the notice that was provided?		
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	NO 917-755-5913
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	NO

Clinton/Hell's Kitchen Block Associations/Tenant Associations/Community Groups List

Block/Tenant Association & Community Groups	First name	Last name	E-MAIL	Meeting
Hudson Yards Hell's Kitchen Alliance	Bob	Benfatto	rjbenfatto@hyhkaalliance.org	
Hudson Yards Hell's Kitchen Alliance	Patty	Gouris	pgouris@hyhkaalliance.org	
HKNA (incl. Dog Run)	Kathleen	Treat	kathleentreat123@gmail.com	
West 36th Street	Frank	Strook	mcgee79@aol.com	
Chekpeds	Christine	Berthel	cberthel@me.com	
CHDC (incl. Bob's & bird parks)	Joe	Restuccia	info@clintonhousing.org	
CHDC (incl. Bob's & bird parks)	Ryan	Marcano	marcano@clintonhousing.org	
West 43rd Street Block Association	Natalie	Frazier	West43rdStreetNYC@gmail.com	
Manhattan Plaza T.A. (400 W. 43rd St.)			mpa@mpltenants.com	
West 44 Street Better Block Association	Linda	Ashley	ashleyll@aol.com	Fourth Tuesday of the Month
West 44th Street (b. 9th/10th)	Renee & Gordon	Stanley	twocatsid@worldnet.att.net	
West 45th Street BA	Tim	Tanner	lanocatlanner@gmail.com	
West 45th Street BA	David C.	Stuart	west45ba@gmail.com	
West 45th Street (b. 9th/12th)	Chana	Widawski	chana.widawski@gmail.com	
West 45th Street (8/9) Block Association	John	Fisher	block45@hellskitchen.net	
West 46th Street Block Association (8th Ave to 12th Ave)	Steve	Fanto	stephenfanto@gmail.com	First Tuesday of month
West 46th Street Block Association (8th Ave to 12th Ave)	Allison	Tupper	Allison1upper@verizon.net	First Tuesday of month
West 46th Street Block Association (8th Ave to 12th Ave)	Brandon	Hudson	hudson62747@hotmail.com	First Tuesday of the month @ 7:30pm
West 47th/48th Streets Block Association	Elke	Fears	aefearshk@earthlink.net	First Tuesday of the month @ 7:30pm
West 47th/48th Streets Block Association	Larry	Roberts	larrymichaeroberts@gmail.com	First Tuesday of the month @ 7:30pm
West 47th/48th Streets Block Association	Jim	Bogues	jamesbogues@gmail.com	First Tuesday of the month @ 7:30pm
Harborview Terrace T.A. (525 W. 55th St.)	Maria	Guzman	mariaagnys@aol.com	
The Aurora	Richard	Pimentel	rpimentel@commonground.org	
The Aurora	Derrick	Sage	dsage@commonground.org	
Oasis Gardens 10th Ave., b. 51/52	Nancy	Kyriacou	nkryriacou@yahoo.com	
Oasis Gardens II 52nd St/10th Ave.	Gary	Dipasquale	gdclay@aol.com	
Midtown North Pct. Council	Delores	Rubin	delores.rubin@aol.com	Third Tuesday of the month
Midtown South Pct. Council	Brian	Weber	brianscottweber@gmail.com	
Midtown South Community Council	John	Mudd	john.mudd@usa.net	
Housing Conservation Coordinators [10th Ave., b.52/53]			info@hcc-nyc.org	
300 W 55th St	Paul	Loeb	ploeb315@aol.com	
West 55th Block Association	Christine	Gorman	west55ba@gmail.com	the second Monday of the month.
HK49-53 Block Alliance	Steve	Belida	hk5051@gmail.com	Third Wednesday of the month @ 6:30pm
350 W 51st Street Tenant Association			tenants350west51st@gmail.com	
Hudson Hotel Residents				
Westmore 333 W 57	Amanda	Cernitz	acernitz@gmail.com	
Parc Vendome 340 W 57th Street	Anita	McDonagh	awm3333@me.com	
Colonnade 347 W 57th Street	Jesse	Bondy	jessbondy@aol.com	
American Red Cross Greater New York Region	John	Waldman	john.waldman@redcross.org	
Hell's Kitchen Block Association (W 33rd/34th/35th Streets (8th to 12th Ave))	Julia	Campbell	HellskBA@gmail.com	Last Wednesday of the month, except August or November
W36th Block Association (8/9)	Brian	Weber	brianscottweber@gmail.com	
W36th Block Association (8/9)	Cressida	Connelly	cressidac@gmail.com	
Hudson Tenants Association (HTA)	Peggy	Chane	peggychane@gmail.com	
West Side Neighborhood Alliance	Jorgy	Flecha	jflechas@hcc-nyc.org	Third Thursday of the month
West Side Neighborhood Alliance	Leah	James	ljames@hcc-nyc.org	Third Thursday of the month

When sending emails please bcc everyone on the list

BUILDING DESIGN

State the name and type of business previously located in the space.			
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	Dream Team LLC
Do you plan any changes to the existing façade? If yes, please describe.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Has the applicant/owner(s) read MCB 4 ADA Guidelines Memo?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Is the entrance ADA Compliant?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Do you plan any changes to the existing façade? If yes, please describe.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant have a vestibule within the establishment?	<input checked="" type="radio"/> YES	<input checked="" type="radio"/> NO	
Will applicant use a storm enclosure?	<input checked="" type="radio"/> YES	<input checked="" type="radio"/> NO	
Does applicant agree to keep the sidewalk clear of all items or obstructions, such as sandwich boards, sidewalk signs, freestanding menus and plants, as per the law?	<input checked="" type="radio"/> YES	<input 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)	<input checked="" type="radio"/> FRENCH DOORS	<input type="radio"/> GARAGE DOORS	<input type="radio"/> 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?	<input checked="" type="radio"/> YES	<input 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	N/A
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?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will the establishment have a canopy extending over the sidewalk?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Where will the air conditioner be located? What type is it?	We have fans, no A/C		
When was the air conditioner installed?			

OUTDOOR ITEMS - OTHER THAN SIDEWALK CAFÉ

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

DCA APPROVED UNENCLOSED 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	
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 cafe?	<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 type="radio"/> NO	N/A
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 st and March 21 st , 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 closest obstruction including construction barricades?	<input type="radio"/> YES	<input type="radio"/> NO	N/A
If open dining is in the parking lane, will applicant agree to remove its sidewalk café?	<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.


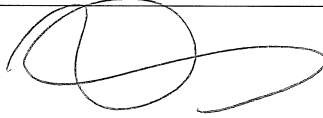
Manhattan Community Board 4 (MCB4) recommends: <i>(MCB4's recommendation is based on a vote taken at its May 4, 2022 full board meeting, with 39 members voting in favor of the recommendation, 0 members opposed, 0 members abstaining and 0 present but not eligible)</i>	<input checked="" type="radio"/> Denial unless all stipulations agreed to by applicant/owner are part of the method of operation <input type="radio"/> Denial <input type="radio"/> Approval
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CB4 REPRESENTATIVES

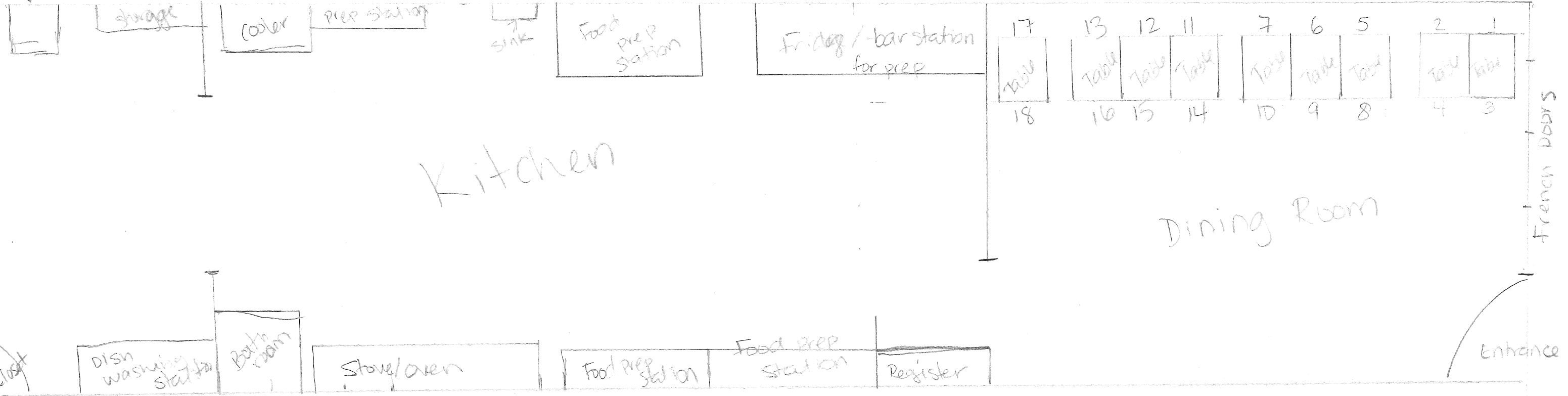
 Nelly Gonzalez <i>CB4 Assistant District Manager</i>	 Frank Holozubiec <i>CB4 BLP Committee Co-Chair</i>	 Burt Lazarin <i>CB4 BLP Committee Co-Chair</i>
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APPLICANT AGREEMENT WITH THE COMMUNITY

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 	<i>Xiomara DeSousa</i> PRINT NAME OF APPLICANT	 SIGNATURE OF APPLICANT	<i>3/29/2022</i> DATE
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Stairs to Basement



Kitchen

Dining Room

* This is not an accurate depiction of size, but represents table set-up and where things are located (approximately).

