

Manhattan Community Board 4

Liquor License/Sidewalk Cafe Stipulations Application

(All Fields Must Be Completed)

CORPORATION NAME		DOING BUSINESS AS (DBA)	
MVLH Hospitality Group LLC		LOULOU	
STREET ADDRESS		CROSS STREETS	ZIP CODE
176 8th Avenue, New York, NY		18th & 19th	10011
OWNER <small>(Attach a list of all the people that will be associated/listed with the license)</small>	NAME:	Mathias Van Leyden	NAME:
	PHONE:	917-292-5624	PHONE:
	EMAIL:	Mathias.vanleyden@gmail.com	EMAIL:
MANAGER	NAME:		NAME:
	PHONE:		PHONE:
	EMAIL:		EMAIL:
		ATTORNEY/ REPRESENTATIVE	
		LANDLORD	
APPLICATION TYPE (<input type="checkbox"/> <i>Liquor License</i> <input checked="" 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 <small>(Change) Class Change/Removal</small>	What is the license # and expiration date?		1/31/2024
	Is applicant making any alterations or operational changes?		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
XX Method of Operation		If alterations or operational changes are being made, please describe/list all changes. Small Jazz band in lower level.	
<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?		<input type="checkbox"/> YES <input checked="" type="checkbox"/> (NO)	After CB 4 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.		<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)

		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
HOURS* <i>(Indoor Only)</i>	Operation	11am-2am	11am-2am	11am-2am	11am-2am	10am-2am	10am-2am	10am-2am
	Kitchen	same as above						
	Music	Same as above						
If you plan to have music, what type(s)? (Circle all that apply)			(<u>BACKGROUND</u>)	(<u>LIVE MUSIC</u>)	(<u>DJ</u>)	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	1st 89 Basement 73	85 45	18 6	58 32	0 0	1 1	20 5
OUTSIDE <i>(Other than sidewalk café)</i>	N/A	62	17	58	0	0	0
DCA APPROVED UNENCLOSED SIDEWALK CAFÉ	N/A	32	10	30			

How many floors are there? What is the capacity for each floor?	2	
How frequently will the owner(s) be at the establishment?	Daily	
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
Will State certified security personnel be used?	(YES)	NO
Will New York Nightlife Association and NYPD Best Practices be followed?	(YES)	NO
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
Where will delivery bicycles be stored during the day when not in use?	N/A	

LOCATION & ZONING		
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	(NO)
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	all on the list supplied by CB4
	# 2	
	# 3	
	# 4	
	# 5	
Please provide dates when applicant met with the groups listed above.	Via email	
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.	(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.	LOULOU		
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Loulou & Haro
Do you plan any changes to the existing façade? If yes, please describe.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
Has the applicant/owner(s) read MCB 4 ADA Guidelines Memo?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
Is the entrance ADA Compliant?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
Do you plan any changes to the existing façade? If yes, please describe.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
Will applicant have a vestibule within the establishment?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
Will applicant use a storm enclosure?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> 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="checkbox"/> YES	<input type="checkbox"/> NO	
Will applicant comply with the NYC noise code?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
Will the establishment have any of the following: (circle all that apply)	<input checked="" type="checkbox"/> FRENCH DOORS	<input type="checkbox"/> GARAGE DOORS	<input type="checkbox"/> 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="checkbox"/> YES	<input type="checkbox"/> 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="checkbox"/> YES	<input type="checkbox"/> 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="checkbox"/> YES	<input type="checkbox"/> 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="checkbox"/> YES	<input type="checkbox"/> NO	
Will the kitchen exhaust system extend to the roof?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
Will the establishment have an illuminated sign?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
Will the establishment have a canopy extending over the sidewalk?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
Where will the air conditioner be located? What type is it?	Roof Existing		
When was the air conditioner installed?	Unknown		

OUTDOOR ITEMS - OTHER THAN SIDEWALK CAFE

Has the applicant/owner(s) read MCB 4 Rear Yard Rooftop Policy?	<u>(YES)</u>	NO	
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)?	<u>(YES)</u>	NO	parking lane
Are the floorplans for the outdoor space(s) included?	<u>(YES)</u>	NO	
Will applicant close and vacate the outdoor space(s) by 11PM on Friday & Saturday and 10 PM on all other days?	<u>(YES)</u>	NO	11:00pm everyday
Will the service and consumption of alcohol in any outdoor space only be via seated food service?	<u>(YES)</u>	NO	
Will applicant not allow standing space for patrons to drink or smoke in any outdoor space(s) or on the sidewalk?	<u>(YES)</u>	NO	
Will there be no amplified music, as per the law?	<u>(YES)</u>	NO	
If amplified sound is played inside the establishment, will windows and doors be closed?	<u>(YES)</u>	NO	
Will applicant agree to post signs outside asking customers to respect the neighbors?	<u>(YES)</u>	NO	
Will applicant agree to train staff to encourage a peaceful environment?	<u>(YES)</u>	NO	
Will applicant provide effective sound control (landscaping enclosure, soundproofing tenants apartments)	<u>(YES)</u>	NO	
Will there be a lighting plan that allows safe usage of the outdoor space without disrupting neighbors?	<u>(YES)</u>	NO	
If open dining in the parking lane, will applicant agree to leave the sidewalk free of any furniture?	YES	NO	Outside structure is locked at closing
If open dining, will you comply with all NYC DOT guidelines?	<u>(YES)</u>	NO	
If open dining, will the installation be year-round?	<u>(YES)</u>	NO	

DCA APPROVED UNENCLOSED SIDEWALK CAFÉ

Has the applicant/owner(s) read MCB4 Sidewalk Café Policy?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
Will applicant be applying for a sidewalk café now or in the future?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
Is applicant in this application seeking to include a sidewalk café in its liquor license?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
If yes, has applicant submitted an application and plans to NYC Dept. of Consumer Affairs? Please attach application and plans.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
Will applicant close and vacate the sidewalk café by 11 PM on Friday & Saturday and 10 PM on all other days?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	11:00pm everyday
Will applicant be serving alcohol in the sidewalk café? If so, will you have waiter service?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
Will the café have a 3 ft. wide serving aisle running the entire length of the sidewalk café?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
Will applicant mark the perimeter of the café on the sidewalk?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
Will the service and consumption of alcohol in the sidewalk café only be via seated food service?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
Will the sidewalk café not provide standing space for drinking or smoking?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
Will applicant use any portable natural gas heaters? If so, do you have the requisite approvals from DOB & the Fire Department?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
Will applicant have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
Will all furniture, plants and barricades be stored inside between the evening closing hours and the morning opening hours?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
Will all furniture be stored inside between December 21 st and March 21 st , and any other day when it rains or snows?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
Will applicant use umbrellas?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> 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 closest obstruction including construction barricades?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
If open dining is in the parking lane, will applicant agree to remove its sidewalk café?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	

ADDITIONAL STIPULATIONS: (Office Use Only)

- There will be no outdoor speakers
- All doors and windows will be kept closed whenever music or amplified sound is played inside the establishment
- Applicant will implement all recommendations of Acoustilog report dated 11/14/22
- Cellar occupancy will be limited to no more than 54 people
- Applicant will submit to MCB4 office by 1/22/23 the capacity numbers for the first floor, basement and outdoor space
- Any live music will be in basement only
- For live music in basement, there will be no announced show times and no tickets sold or advance reservations taken for music performances
- Live music in basement will be limited to the hours of 5pm to 11pm, limited to three musicians, and limited to three nights per week (Sunday, Tuesday & Friday 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.

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Manhattan Community Board 4 (MCB4) recommends:
 (MCB4's recommendation is based on a vote taken at its
 February 1, 2023 full board meeting, with 41 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 <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.

<p>SIGN HERE →</p>	<p>Mathias Van Leyden</p> <p>PRINT NAME OF APPLICANT</p>	 <p>SIGNATURE OF APPLICANT</p>	<p>1/12/23</p> <p>DATE</p>
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Certificate of Occupancy

CO Number: 1013890-0000003

This certifies that the premises described herein conforms substantially to the approved plans and specifications and to the requirements of all applicable laws, rules and regulations for the uses and occupancies specified. No change of use or occupancy shall be made unless a new Certificate of Occupancy is issued. *This document or a copy shall be available for inspection at the building at all reasonable times.*

A.	Borough: MANHATTAN Address: 176 EIGHTH AVENUE Building Identification Number(BIN): 1013890	Block Number: 768 Lot Number(s): 80 Additional Lot Number(s): Application Type: A1 - ALTERATION TYPE 1	Full Building Certificate Type: Temporary Date Issued: 11/25/2022
	This building is subject to this Building Code: Prior to 1968 This Certificate of Occupancy is associated with job# 122564723-01		
B.	Construction Classification: 3: NON-FIREPROOF STRUCTURES Building Occupancy Group classification: E - EDUCATIONAL Multiple Dwelling Law Classification: Not Available		
	No. of stories: 1	Height in feet: 12	No. of dwelling units: Not Available
C.	Fire Protection Equipment: Fire Suppression System		
D.	Parking Spaces and Loading Berths: Open Parking Spaces: 0 Enclosed Parking Spaces: 0 Total Loading Berths: Not available		
	This Certificate is issued with the following legal limitations: Restrictive Declaration: None Zoning Exhibit: None BSA Calendar Number(s): None CPC Calendar Number(s): None		
E.	Borough Comments:		

Borough Commissioner



Commissioner


 Acting Commissioner of Buildings

Permissible Use and Occupancy

FLOOR	Occ Group	Max. Persons Permitted	Live Loads (lbs per sq ft)	Zoning Use Group	Dwelling or Rooming Units	Job Reference	Certificate of Occupancy Type	CO Expiration Date
Cellar	A-2	73	OG	6		122564723	Temporary	02/23/2021
Description of Use: Eating and Drinking STORAGE, UTILITIES, EATING AND DRINKING ESTABLISHMENT						Exceptions:		
Floor 1	A-2	89	OG	6		122564723	Temporary	02/23/2021
Description of Use: Eating and Drinking EATING AND DRINKING ESTABLISHMENT						Exceptions:		

CofO Comments:

Borough Commissioner



Commissioner


 Acting Commissioner of Buildings



ACOUSTILOG[®] INC.

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November 14, 2022

Mr. Mino Habib
Loulou Petit Bistro
176 Eighth Avenue
New York, NY 10011

Re: New Cellar Live Jazz in Speakeasy

Dear Mr. Habib,

I have studied the noise issues at the above premises on November 14, 2022. I am providing recommendations to prevent noise disturbances to the neighbors from music and voices.

SUMMARY

You want to add live jazz to the existing cellar speakeasy in your restaurant. The cellar maximum occupancy would be 73 people.

The design of the sound system and the level of ambient noise in the area will keep sound levels within Noise Code limits for both music and voices. Recommendations are provided in this report.

DBA VS ONE-THIRD OCTAVE BAND MUSIC LEVELS

One way that the sound levels were measured was using the A-weighting decibel scale. The dB (A) decibel scale (see Noise Code Section §24-231 a1) is the most common type of sound measurement, which represents an overall measurement of all frequencies, but with a strong tendency to ignore the low-frequency "bass" sounds. A-weighted decibels require only a simple sound level meter to measure them. DBA is what the City DEP inspectors usually use, and they normally consider anything above 42 dBA to be unreasonable.

C-weighted decibels or dBC (see Noise Code Section §24-231 a3) are also an overall measurement of all frequencies, but this measurement includes the important low-frequency "bass" sounds. However, dBC readings pick up so many frequencies at the same time that they usually do not distinguish between normal background noise and music beats.

One-third-octave sound level readings were also analyzed (see Noise Code Section §24-231 a2). These are measured in decibels, or dB. Sounds with frequencies below 250 Hertz are called bass or low frequencies, which sound like thumping or vibration. This range of low frequencies is addressed in the Noise Code regulations and is the sound most likely to cause neighbor complaints. Bass and drums usually cause sounds in these frequency ranges. These sounds require a complex spectrum analyzer to measure them.

THE NOISE CODE - MUSIC

§24-231 Commercial music.

(a) No person shall make or cause or permit to be made or caused any music originating from or in connection with the operation of any commercial establishment or enterprise when the level of sound attributable to such music, as measured inside any receiving property dwelling unit:

- (1) is in excess of 42 dB(A) as measured with a sound level meter; or
- (2) is in excess of 45 dB in any one-third octave band having a center frequency between 63 hertz and 500 hertz (ANSI bands numbers 18 through 27, Inclusive), in accordance with American National Standards Institute standard S1.6-1984; or
- (3) causes a 6 dBC or more increase in the total sound level above the ambient sound level as measured in decibels in the "C" weighting network provided that the ambient sound level is in excess of 62 dBC.

THE NOISE CODE - UNREASONABLE NOISE

§24-203 General definitions. When used in the New York city noise control code the following terms shall have the following meanings:

(62) Unreasonable noise means any excessive or unusually loud sound that disturbs the peace, comfort or repose of a reasonable person of normal sensitivities, injures or endangers the health or safety of a reasonable person of normal sensitivities or which causes injury to plant or animal life, or damage to property or business.

§24-218 General prohibitions.

(a) No person shall make, continue or cause or permit to be made or continued any unreasonable noise.

(b) Unreasonable noise shall include but shall not be limited to sound, attributable to any device, that exceeds the following prohibited noise levels:

(1) Sound, other than impulsive sound, attributable to the source, measured at a level of 7 dB(A) or more above the ambient sound level at or after 10:00 p.m. and before 7:00 a.m., as measured at any point within a receiving property or as measured at a distance of 15 feet or more from the source on a public right-of-way.

(2) Sound, other than impulsive sound, attributable to the source, measured at a level of 10 dB(A) or more above the ambient sound level at or after 7:00 a.m. and before 10:00 p.m., as measured at any point within a receiving property or as measured at a distance of 15 feet or more from the source on a public right-of-way.

(3) Impulsive sound, attributable to the source, measured at a level of 15 dB(A) or more above the ambient sound level, as measured at any point within a receiving property or as measured at a distance of 15 feet or more from the source on a public right-of-way. Impulsive sound levels shall be measured in the A-weighting network with the sound level meter set to fast response. The ambient sound level shall be taken in the A-weighting network with the sound level meter set to slow response.

Note that Section §24-218 prohibits "unreasonable noise", not all noise. Section §24-218 (b) applies to devices, not to people, but is used in this report as a reasonable guideline.

MAP

The surrounding locations are shown in the Google Maps photo below.



TEST AND ANALYSIS

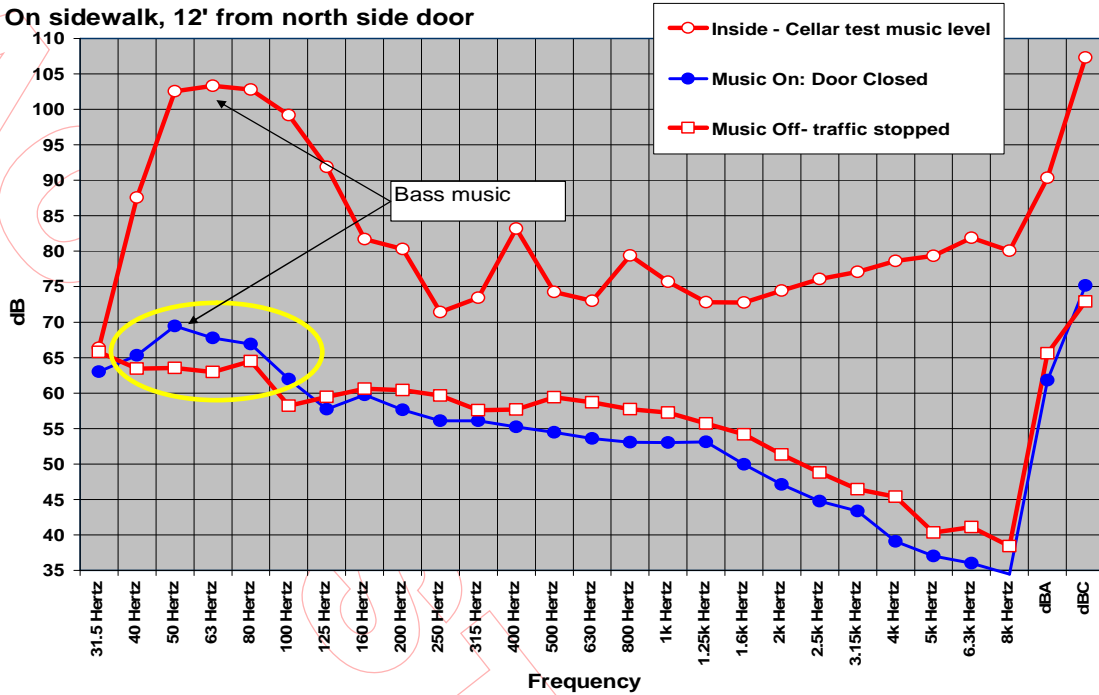
The existing sound system was played at a very high level of 107 decibels, C-weighted (dBC) and 90 dBA, slow response, as measured in the center of the room. This level was set to be louder than a jazz group would actually play, in order to ensure that the testing would overcome the outdoor ambient noise. I had to wear headphones to block out the sound for the few minutes I was inside testing the cellar.

Sound was measured in various locations in and outside the building. I measured sound on the sidewalk outside the north-facing side door and on the roof of the building.

I also measured across the street on the sidewalk directly in front of 265 West 19th Street, the most critical neighbor. This was across the street from the north-facing side door nearest to the center of the cellar speakeasy. Therefore, my analysis and recommendations will also be applicable to the other, more distant buildings.

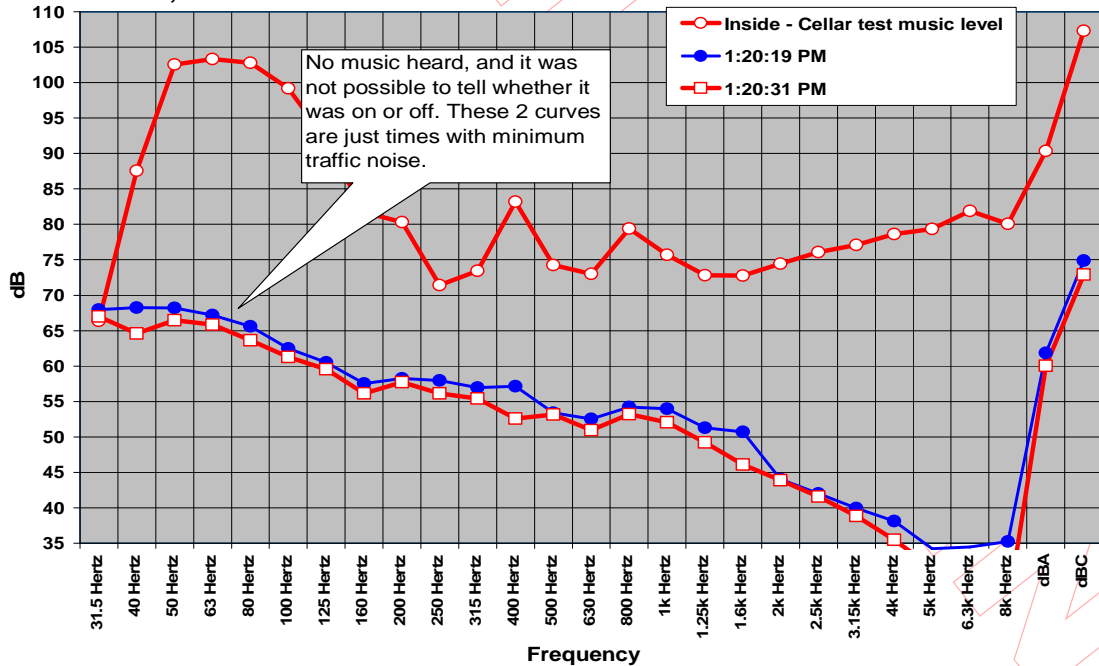
In the first graph below, the sound level in the cellar is compared to the sound level on the sidewalk directly in line with the side door of the restaurant. This was measured when traffic was not moving on 8th Avenue or on 13th Street, so the ambient noise was at a minimum. The music could be heard because the bass was 6 decibels above the ambient. Because the sound levels were measured a few seconds apart, the "music off" sound appears to be louder in the midrange and high frequencies. This is because the ambient varies a few decibels even with the traffic at a minimum. No midrange and high frequencies from the music were heard at all.

On sidewalk, 12' from north side door

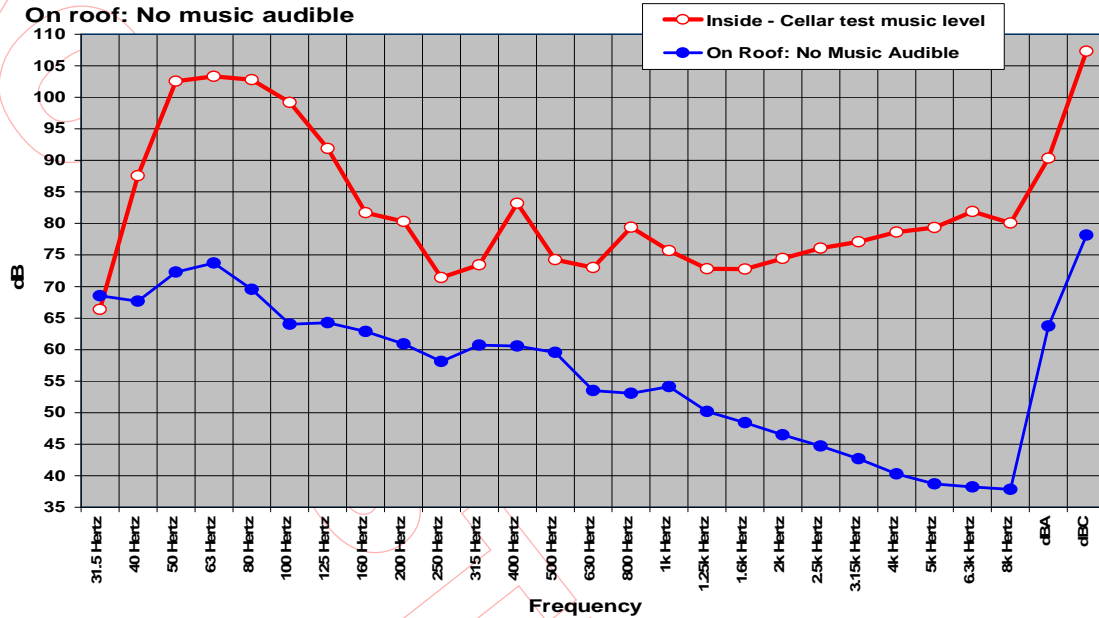


Directly across the street on the sidewalk in front of 265 West 19th Street, the sound from the cellar was not heard at all, even during a lull in ambient noise with no traffic moving. See the graph below. There was no significant difference between the music on/off levels.

Across street, in front of 265 West 19th Street- No music audible



The sound was also measured on the roof of the restaurant. At no point was the music from the cellar heard, and in fact no music was heard from the 1st floor sound system which was running at background music levels. Even listening to the exhaust vents, the music was inaudible. See the graph below.



ANALYSIS

Since the test music level was at least 5 decibels louder than what would occur in a jazz performance, the inaudible sound on the sidewalk in front of the nearest residence would become even more inaudible. That outdoor sound would be reduced even more after passing through a window, even if the window was open. For example, bass frequencies are reduced by at least 8 decibels at 63 Hertz when entering an open window. So this provides an even greater margin of inaudibility for the neighbors.

Although the lowest ambient noise is at night, the speakeasy is located in the front of the building at the very noisy corner of 8th Avenue. Late at night, when there is less traffic, the increased speed of the cars and trucks tends to offset the reduction in traffic density. In any case, the music will still be inaudible in the neighboring residences. This includes the bass frequencies, where the Music Code limit is 45 decibels.

The noise level from mid and high frequencies is completely inaudible outdoors and would typically drop and additional 11 dBA when measured 3 feet inside an open window. Therefore, the sound would also be inaudible indoors, even with an open window facing the restaurant. Since the sound from voices is primarily in the midrange frequencies, voices will also be inaudible.

RECOMMENDATIONS - SOUND SYSTEM

1. The existing sound system can be used, but the sound level must be electronically controlled.

2. The sound system will incorporate an equalizer. The equalizer will then feed into a limiter. Both functions can be accomplished with the existing DBX ZonePro 1261m 12x6 Digital Zone Processor.
- a. This processor is already installed in the system and is electronically locked with a password. It will prevent the sound system from exceeding a pre-determined sound level, set by the sound installer. If the sound system is turned up too high, the limiter will activate and guarantee that the actual sound never exceeds the desired maximum.
 - b. Using the graphic equalizer section, attenuate (lower) all frequencies 63 Hertz and below. Do this by setting a high-pass filter on both stereo channels to a cutoff frequency of 63 Hertz and a slope of 18 dB/octave.
 - c. Set the Stereo Output Limiters to COUPLE both channels together, which makes the Channel 1 controls affect both channels. The rest of the instructions are thus for the left channel only.
 - d. Set the limiter's Ratio control to infinity, the Peak Stop to off, the Attack and Release time to midway and Auto, Over-Easy to off, and the Threshold control so as to normally limit only 3 decibels during typical music playing. If the music tries to get louder for any reason, the sound will stay at the same volume.
 - e. The amplifiers must be set to maximum level during this process so they cannot be turned up further at a later time.
 - f. Using the unit's output level control, set the maximum sound level from the small speakers to 102 dBC measured in the center of the room. The sound installer can do this with a simple Radio Shack sound level meter (these are still available used). Set the meter to read "C", and "Slow". This will be a good starting point from which to operate the sound system.
 - g. To ensure the accuracy of the meter, you can bring it my office to be calibrated.
 - h. The DBX unit settings could also be confirmed in conjunction with tests made of noise levels in the neighboring buildings.
 - i. Please contact me after completion of the recommendations so that I can test for proper conformance with the Noise Code.

If I can be of further assistance, please call.

It is strongly recommended that all complicated construction projects get regular inspection visits at critical times, to make sure the system performs properly. This is an optional service which I can provide. All Acoustilog, Inc.-designed information supplied is for the original client and may not be copied in any way for different projects by any architect, consultant, engineer or other party. Copyright Acoustilog, Inc. © 2022. All rights reserved. No reproduction of any type permitted without written permission of Acoustilog, Inc.

Yours Truly,

Alan Fierstein



President
acoustilog1@verizon.net

All readings re: .0002 microbar. Readings taken with Bruel & Kjaer 2250/2260/2270 Analyzer, Bruel & Kjaer 4134, 4135, 4145, 4155, 4165, 4189 or 4190 Microphone, Acoustilog 232A Reverberation Timer. Calibrated to Bruel & Kjaer 4220 Sound Source or Quest CA-15.

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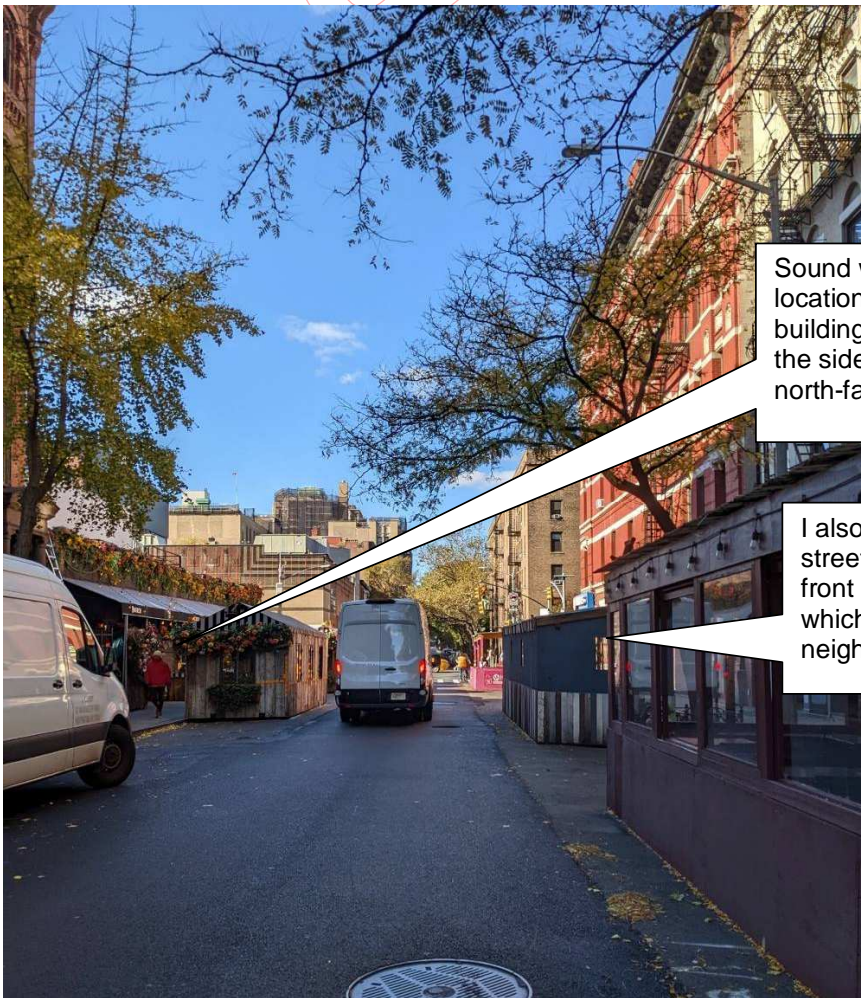
Acoustilog, Inc

email: acoustilog1@verizon.net

This page alone is not a complete report.



You want to add jazz performances to the existing cellar speakeasy in your restaurant. The cellar maximum occupancy would be 73 people.



Sound was measured in various locations in and outside the building. I measured sound on the sidewalk 10 ft from the north-facing side door.

I also measured across the street on the sidewalk directly in front of 265 West 19th Street, which is the most critical neighbor.





The speakeasy is located in the front of the building at the corner of 8th Avenue.



The sound was also measured on the roof of the restaurant. At no point was the music from the cellar heard.



The existing sound system can be used, but the sound level must be electronically controlled.



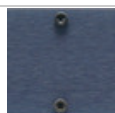
The existing DBX ZonePro 1261m 12x6 Digital Zone Processor can be used.

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1261m

12x6 Digital Zone Processor

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1261m

12x6 Digital Zone Processor

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The ZonePRO 1261m offers fixed I/O, pre-configured architecture, configurable insert processing and optional duplication of audio channels to another ZonePRO device via a link bus.

The 1261m features a total of 12 inputs and six outputs. Inputs include six balanced mic/line switchable terminal block inputs, four mono-summed pairs of unbalanced RCA inputs and one S/PDIF input for up to two digital channels. Hardware-controlled microphone gain allows adjustment of microphone gain per channel.

The 1261m device has a pre-configured architecture with input processing, a central matrix and output processing. Two input insert positions and one output insert position allow channel-specific insert processing to be configured. AutoWarmth®, a psychoacoustic function that maintains full frequency bandwidth even when the signal level has dropped, is permanently available on each output zone.

A link bus allows duplication of the first six audio channels to another ZonePRO device in applications where additional output zones are required.

The front panel of the 1261m features a power status LED, a network traffic LED,

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