Manhattan Community Board 4 (All Fields Must Be Completed)

Liquor License/Sidewalk Cafe Stipulations Application

CORPORATION NA	DOING BUSINESS AS (DBA)								
PMACS 9 LLC			TBD						
STREET ADDRESS	3		CROSS STREETS ZIP CO				ZIP CODE	ı	
795 8th Avenue)		West 48th	St./We	st 49th	n St.	10019		
OWNER	NAME:	Michael McNamee		1	NAME:	Michael Paleudis			
(Attach a list of all the people that will be associated/listed	PHONE:	(917) 517-2283	ATTORNEY/ REPRESENTA	AIVE I	PHONE:	(212) 837-8482			
with the license) See attached	EMAIL:	michael@pmacshospitality.com		1	EMAIL:	mjp@kplawyers.com			
	NAME:	Niall Barrett			NAME:	Bright Ma	anageme	ent Inc./David Schwartz	
MANAGER	PHONE:	(917) 244-5844	LANDLORD	1	PHONE:	(212) 265	(212) 265-8189		
	EMAIL:	niallobarrett@gmail.com		1	EMAIL:	janet.townhouse@gmail.com			
APPLICATIO	ON TYP	E (X Liquor License	. <u> </u>	(Inencl	osed Sidev	valk Cafe	ė)	
	Has applican	t owned or managed a similar business?			Ø	3	NO		
⊗ New	What is/was t	he name and address of establishment?	See attached						
Transfer	What were th	e dates applicant was involved with this former prem	ise?						
○ Corp	What is the li	cense# and expiration date?							
Change/Class	ls applicant n	naking any alterations or operational changes?				ES	NO		
Change/Removal	If alterations or operational changes are being made, please describe/list all changes.								
Alteration	What is the c	urrent license # and expiration date?							
Alteration	Please list/de	scribe the nature of all the changes and attach the p	lans:		-				
METHOD O	F OPER	ATION							
TYPE OF ALCOH	IOL		Ов	eer & Cid	ler		O Wine/E	Beer & Cider	
ESTABLISHMEN TYPE	_) Hotel	_	Bar/Tavem		atering Establishment all Organization – Members Only)			
Has applicant/owne you plan to file?	YES	NO	Appro	oximately o	one mon	th			
Is the 500 Foot Rule On-Premise liquor I establishment and t	ŒS	NO							
		? If yes, please attach a diagram of the that trigger the rule.	YES	NO					
Has applicant/owne Location of Alcoholi	CB4 Policy Regarding Concentration and stablishments?	ŒS	NO						

1 of 10

Principals of PMACS 9 LLC

- 1. Michael McNamee
- 2. Patrick McNamee
- 3. Michael Kelleher
- 4. Shane O'Leary

Entities Owned by Michael and Patrick McNamee

Ahascra, LLC

Vida Verde 248 West 55th Street New York, NY 10019 Serial Nos.: 1298035, 1298036 07/2014 - present

Castleknock Inc.

The Mean Fiddler 264 266 West 47th Street New York, NY 10036 Serial No. 1176912 03/2006 - present

Castleparknyc Inc.

Tanner Smith's 204 West 55th Street New York, NY 10019 Serial Nos.: 1181447, 1181448 06/2013 - present

Donegal Inc.

The Three Monkeys 236 West 54th Street New York, NY 10019 Serial Nos.: 1244977, 1281493 02/2010 - present

Knickerbocker Social LLC

Haswell Green 240 West 52nd Street New York, NY 10019 Serial Nos.: 1307838, 1307839 05/2017 – present

PMACS 8 LLC

Copper Johns Pub & Kitchen 160 West 54th Street New York, NY 10019 Serial Nos.: 1351939, 1351940 08/2022 – present

Entity Owned by Michael and Patrick McNamee with Michael Kelleher

PMACS 7 LLC

The Dickens 783 8th Avenue New York, NY 10036 Serial Nos.: 1347681, 1347682, 1347683 05/2022 – present

Entity Owned by Michael and Patrick McNamee with Shane O'Leary

Dutch Freds Inc.

Dutch Fred's 307 West 47th Street New York, NY 10036 Serial No.: 1291607 05/2015 - present

		MONDAY	TUESDAY	Y	WEDNESDA	Y THU	THURSDAY		FRIDAY		SATURDAY		UNDAY
HOURS*	OURS* Operation 12pm-4am		12pm-4am 12pm-4am			m 12p	12pm-4am 1		12pm-4am		12pm-4am 12		om-4am
(Indoor Only)	Kitchen	12pm-4am	12pm-4a	12pm-4am 12pm-4ar 12pm-4ar		m 12p	m-4am	12p	12pm-4am		m-4am	12p	m-4am
	Music	12pm-4am	12pm-4a			m 12p	12pm-4am		12pm-4am		m-4am	12p	m-4an
If you plan to have music, what type(s)?					LIVE MUS	ic C	DJ	J	UKE BOX		KAI	RAOKI	:
					occ	UPANCY							
	(Cert	pacity ificate of upancy)	Maximum # of Persons Occupying Premises (Including Employees)	Number of Tabl			oer of Servi only Bars	ice	Number Stand-Up I	000	Number of at Stand-Up	0.5410	
INSIDE	29	5	167	57	142		0		4		30		
OUTSIDE (Other than sidewalk café)	SIDE N/A		N/A	N/A	N/A	0	N/A		N/A		N/A		
DCA APPROVED UNENCLOSE SIDEWALK CAFÉ	N/A	A	N/A	N/A	N/A								
How many floors	are there? Wh	at is the capacit	y for each floor?)			4; Ground Floor - 115, Second Floor - 120, Third Floor - 45, Cellar - 5						
How frequently v	vill the owner(s) be at the estab	lishment?				s per w	- 10		,			
Will there be dar	ncing?					YES	NO						
Will applicant ha	ve bottle or tab	le service for be	verage alcohol?			YES	NO						
Will applicant be	hosting private	e; promotional or	corporate even	ts?		VES	NO	We plan to host corporate parties and private events. We will control the amount of guests					
Will outside pron	noters be used	on a regular bas	is? If yes please	e describ	е.	YES					At no point ound system		guests
Will applicant ha	ve a security p	an? If, yes pleas	se attach.			VES	NO	See	attached				
Will security plan	be implement	ed?				VES	NO						
Will State certifie	ed security pers	onnel be used?				VES	NO						
Will New York Nightlife Association and NYPD Best Practices be followed?					d?	VES	NO						
Does applicant agree to notify MCB4 prior to making changes to its method of operation?					od of	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	Ą				
Where will delivery bicycles be stored during the day when not in use?													



SECURITY POLICY

- 1. As a general guideline, there would be a minimum of one licensed and trained security guard on every floor when 75 or more patrons are present at the same time. For larger groups, there would be one such security guard for every 75 patrons present. Any full-time security supervisor shall be included when counting the total number of security guards employed. Discretion should be used by management to determine the appropriate number of security personnel based on the event or crowd to ensure safety and lawfulness.
- 2. PMACS use the services of self-employed security guards, they must be licensed by the NYS Department of State.
- 3. Security guards should be trained in techniques to de-escalate potential violent encounters and difficult situations.
- 4. Our Establishment policy would mandate that security separate and remove all potentially violent patrons in a manner, consistent with the law, that is designed to prevent a continuation of violent activity inside or outside the location. Establishments must call 911 to report criminal activity
- 5. We recommended that for every five (5) security guards there be one (1) security supervisor to ensure a minimum span of control of one (1) security supervisor for every five (5) subordinates.
- 6. We recommended that our security guards be distinctively and uniformly attired very easily identified.
- 7. It is recommended by us that our security guards be spread throughout the establishment and not just at the door.
- 8. Our Coat check will include the customer's ability to check bags. It is recommended that our establishments will install anti-theft environmental designs such as drawers, shelves and hooks for customers who choose not to check bags. We ensure control and order are maintained in coat check area, especially at closing time. Customers should be encouraged to check coats and bags to avoid thefts.
- 9 Our establishment should encourage employee witnesses to go to court and testify when requested and pay wages to them for their time.
- 10. Digital video of any unlawful conduct should be identified and provided to the NYPD when requested.
- 12. Identifying information on ejected and/or arrested patrons should be retained on a "banned list" database. These patrons should not be allowed subsequent re-entry.
- 13. We recommended that properly working and maintained digital cameras be mounted in front of the establishment (both inside and outside), at all entry doors and outside the bathroom doors.

14.It is helpful to learn if all these efforts are working. To that end, we hire an independent security consultant to ensure security and other laws and policies, including laws prohibiting sales to minors, are being adhered to.

15.Ensure that levels of lighting inside and outside the establishment are sufficient for observation by security.

17.At closing, security is to ensure orderliness when patrons are exiting the establishment.

Suggested schedule for the Location

Monday - 1 security on the main door and 1 on each open floor.

Tuesday - 1 security on the main door and 1 on each open floor.

Wed thru Sunday - 2 security on the main door and 1 on each open floor.

Doc ID: 73ba1430bb7412fc225c18200c779909bf3de8a4

Space Floor	Description/Use of Space	Capacity	Hours	# of Tables	# of Seats	# of Service Only Bars	# of Stand-Up Bars/Seats at Bar	Music
Cellar	Kitchen, Restroom, Refrigeration	5	12pm - 4am	0	0	0	0	No
First	Kitchen, Bar & Dining, Restroom, Hostess Station	115	12pm - 4am	5 2 Drink Rails	24	0	1/12	Yes
Second	Bar & Dining, Restroom	120	12pm - 4am	24	49	0	2/10	Yes
Third	Bar & Dining, Restroom	45	12pm - 4am	28	59	0	1/8	Yes
								-

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

Community Notification/Relations							
NOTIFICATION:	# 1	Please see atta	ttached email 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	# 2						
	# 3						
	# 4						
	# 5						
Please provide dates when applicant met v	vith the gro	oups listed above.	N/A; responses pending				
Who was your contact person at each grou	p you met	with?	N/A				
When did applicant post the notice that was	s provided	?	03/24/2023				
Where did applicant post the notice that was provided?			Establishment, each lamp pole on both sides of the block				
Will applicant provide owner cell phone nur complaints that arise? Please provide num			YES NO				
Will applicant inform the Community Board provide a hyperlink to applicants jobs webp		s job openings and/or	Or YES NO				

Liquor License Application; 795 8th Avenue

Michael Paleudis <mjp@kplawyers.com>

Wed 3/22/2023 4:11 PM

To: Michael Paleudis <mjp@kplawyers.com>

Bcc: sallygmg@gmail.com <sallygmg@gmail.com>;steve@w15ba.com

- <steve@w15ba.com>;info@w15ba.com <info@w15ba.com>;kimon@w15ba.com
- <kimon@w15ba.com>;pgroncki@gmail.com <pgroncki@gmail.com>;mattbrob@aol.com
- <mattbrob@aol.com>;antonellacipollone2000@yahoo.it
- <antonellacipollone2000@yahoo.it>;bvh.drf@gmail.com
-
bvh.drf@gmail.com>;michael_glassman@hotmail.com
- <michael_glassman@hotmail.com>;judyklein999@gmail.com
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- stern.com>;west25thstreetproject@gmail.com <west25thstreetproject@gmail.com>;susanb1011@aol.com
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- <Tina@NakedEyeProductions.com>;savvyflix@gmail.com <savvyflix@gmail.com>;pamela@angel.net
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- <amyklein724@gmail.com>;andyhumm@aol.com <andyhumm@aol.com>;tenants@ltta.info
- <tenants@ltta.info>;inge64@me.com <inge64@me.com>;fdenthunter@gmail.com
- <fdenthunter@gmail.com>;dwatersh@gmail.com <dwatersh@gmail.com>;neil@neilselkirk.com
- <neil@neilselkirk.com>;hoffmandibj@hotmail.com <hoffmandibj@hotmail.com>;wade2084@gmail.com
- <wade2084@gmail.com>;dwbeard421@me.com <dwbeard421@me.com>;bkd8@cornell.edu
- <bkd8@cornell.edu>;bkeany@pennsouth.coop <bkeany@pennsouth.coop>;education@pennsouth.coop
- <education@pennsouth.coop>;donna@donnalangman.com
- <donna@donnalangman.com>;jeremy.carmel@gmail.com <jeremy.carmel@gmail.com>;john.mudd@usa.net
- <john.mudd@usa.net>;andrew@gvshp.org <andrew@gvshp.org>;brianscottweber@gmail.com

- <mikekelleher@pmacshospitality.com>;PMACS 9 LLC (Other) <michael@pmacshospitality.com>
- 1 attachments (1 MB)

03.08.23 - MJP to MCB4 - 30-Day Notice (submitted).pdf;

To Whom It May Concern:

Our law firm represents PMACS 9 LLC, an entity formed by Michael Mcnamee. Our client has submitted the attached 30 Day Notice to Manhattan Community Board No. 4 (CB4) because it intends to file an application to the New York State Liquor Authority seeking for an on-premises liquor license at 795 8th Avenue. Our client is

scheduled to meet with CB4 on April 11. Please do not hesitate to write or call if your organization has any questions or concerns about this application or would like to meet with our client to discuss the application in advance of its meeting with CB4.

Thank you.

Michael J. Paleudis, Esq. 212.837.8482 (Direct) 212.835.6768 (Main) mjp@kplawyers.com www.kplawyers.com



New York I New Jersey I Pennsylvania

BUILDING DESIGN					
State the name and type of business previously located in the space.	Bar I	luid LL	.C d	/b/a The Q, Bar/	Tavern
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.	YES	NO	As	s above	
Do you plan any changes to the existing façade? If yes, please describe.	YES	NO	Co	smetic changes	only
Has the applicant/owner(s) read MCB 4 ADA Guidelines Memo?	YES) NO			
Is the entrance ADA Compliant?	YES	NO			
Do you plan any changes to the existing façade? If yes, please describe.	YES	NO	Co	smetic changes	only
Will applicant have a vestibule within the establishment?	YES	NO			
Will applicant use a storm enclosure?	YES	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?	VES) NO			
Will applicant comply with the NYC noise code?	YES	NO			
Will the establishment have any of the following: (circle all that apply)	FREN	CH DOOR	s	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	ope		the windows if they are accordance with the vel report.
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			
Has applicant obtained an acoustical report from a certified sound engineer to assess potential noise disturbance to the neighboring residents and buildings?	YES	NO			
Will applicant follow the recommendations of a certified sound engineer to mitigate potential noise disturbance to the neighboring residents and buildings, including placing speakers on the floor of the establishment?	YES) NO			
Will the kitchen exhaust system extend to the roof?	YES	NO			
Will the establishment have an illuminated sign?	YES	NO			
Will the establishment have a canopy extending over the sidewalk?	YES	NO			
Where will the air conditioner be located? What type is it?	Sam	e unit a	s ex	isting operator	
When was the air conditioner installed?	Unkr	own			

OUTDOOR ITEMS - OTHER THAN SIDEWALK CAFÉ			N	/A
Has the applicant/owner(s) read MCB 4 Rear Yard Rooftop Policy?	YES	NO		
Will applicant use any outdoor spaces: rooftop, rear yard, patio, porch, balcony, pavilion, tents, deck, gazebo or open dining in the parking lane? If yes, which one(s)?	YES	NO		
Are the floorplans for the outdoor space(s) included?	YES	NO		
Will applicant close and vacate the outdoor space(s) by 11PM on Friday & Saturday and 10 PM on all other days?	YES	NO		
Will the service and consumption of alcohol in any outdoor space only be via seated food service?	YES	NO		
Will applicant not allow standing space for patrons to drink or smoke in any outdoor space(s) or on the sidewalk?	YES	NO		
Will there be no amplified music, as per the law?	YES	NO		
If amplified sound is played inside the establishment, will windows and doors be closed?	YES	NO		
Will applicant agree to post signs outside asking customers to respect the neighbors'?	YES	NO		
Will applicant agree to train staff to encourage a peaceful environment?	YES	NO		
Will applicant provide effective sound control (landscaping enclosure, soundproofing tenants apartments)	YES	NO		
Will there be a lighting plan that allows safe usage of the outdoor space without disrupting neighbors?	YES	NO		
If open dining in the parking lane, will applicant agree to leave the sidewalk free of any furniture?	YES	NO		
If open dining, will you comply with all NYC DOT guidelines?	YES	NO		
If open dining, will the installation be year-round?	YES	NO		۸

DCA APPROVED UNENCLOSED SIDEWALK CAFÉ	N/A					
Has the applicant/owner(s) read MCB4 Sidewalk Café Policy?	YES	NO				
Will applicant be applying for a sidewalk café now or in the future?	YES	NO				
s applicant in this application seeking to include a sidewalk café in its liquor icense?	YES	NO				
f 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 21st and March 21st, and any other day when it rains or snows?	YES	NO				
Will applicant use umbrellas?	YES	NO				
f construction or construction protection has reduced the sidewalk width, will applicant always maintain an 8 foot clear path of sidewalk between the perimeter of he café and the closest obstruction including construction barricades?	YES	NO				
f open dining is in the parking lane, will applicant agree to remove its sidewalk café?	YES	NO				

ADDITIONAL STIPULATIONS: (Office Use Only)
- Will close at 2 am Sunday - Wednesday and 4 am Thursday - Saturday
- A staff member will be specifically assigned to pr3event congregation on the adjoinig sidewalk
- Applicant will implement recommendations of the acouctical report
- Once the venue has been fully operating for six months and if noise problems remain, a new acousticals report will be undertaken, and its additional recommendations will be implemented
- there will be no dancing
- The DJ will be active on the first floor only and never on the third floor.
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.

8 of 10

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 May 3, 2023 full board meeting, with 33 members voting in favor of the recommendation, 4 members opposed, 1 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 O Approval
CB4 REPRESENTATIVES	

Nelly Gonzalez CB4 Assistant District Manager Frank Holozubiec CB4 BLP Committee Co-Chair

Burt Lazarin

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

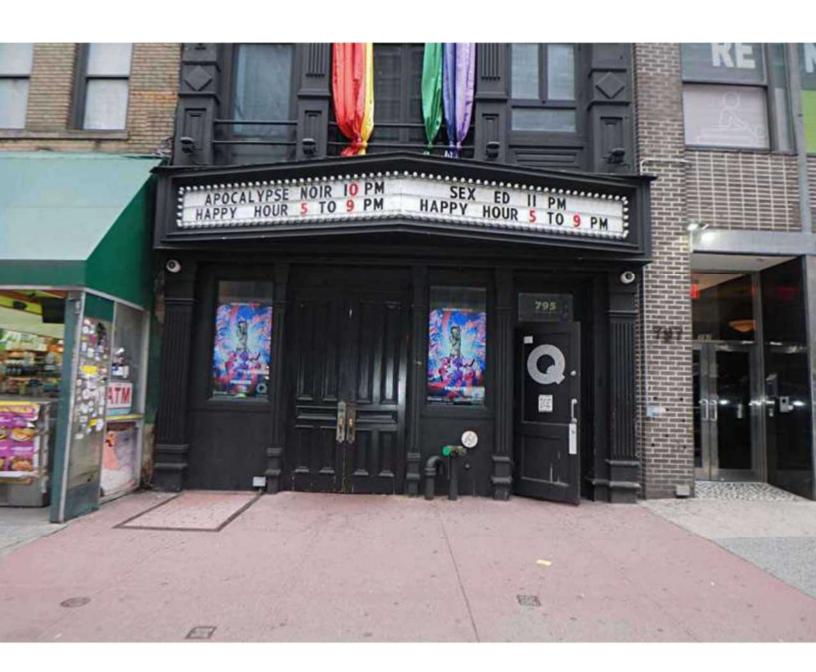
Michael Kelleher

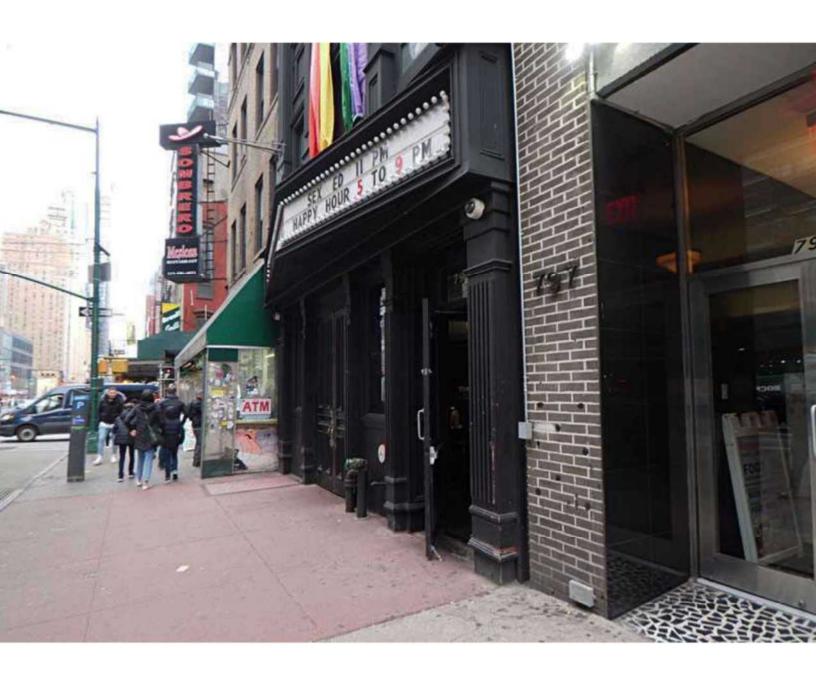
PRINT NAME OF APPLICANT

SIGNATURE OF APPLICANT

04 / 05 / 2023

DATE









JEFFREY LEFRANCIOS

JESSE BOOME

CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD No. 4

424 W 33" Street, Suite 580 New York, NY 10001 fet 212-736-4536 https://bimachattan.cityofnewyork.us/cb4/

PUBLIC NOTICE

Business Licenses and Permits Committee will discuss an application submitted by

PMACS 9 LLC. 795 8th Avenue

A New Liquor, Wine, Beer & Cider Application for a Bar/Tavern Establishment with a DJ & Recorded Music

DATE:

Tuesday, April 11, 2023 6:30 PM

TIME:

PLACE:

Video/Phone Conference Registration: https://zoom.us/webinar/register/WN 66-68X3v8 6HVC2bBstV3A

We invite you to attend this meeting and team more about this application. Alternately, you may small your comments by 12 p.m. Monday, April 10, 2023 or for more information, please email Assistant District Manager Notly Gonzalez pageozalez/fisch.nys.2025.

Posted according to the Administrative Code of the City of New York section 10-119: Please do not remove until after the above meeting date. HEQNYC.COM



<u>ര</u>@QCLUBNYC









TRD PMAC'S



APPS

CHICKEN WINGS \$18

Buffalo | Naked | Garlic Honey

BONELESS BUFFALO WINGS \$18

Blue Cheese & celery

MAC & CHEESE CROQUETTES \$15

stuffed with bacon & jalapeno w/ tomato relish

CJ NACHOS \$15

Cheddar, sour cream, queso fresco, pico de gallo, guac & jalapenos Add Chicken \$3, Chili \$3, Steak \$5

CHEESEBURGER SLIDERS \$18

Cheese Burger sliders served with bacon & CJ sauce

BUFFALO CHICKEN SLIDERS \$18

served with Bleu cheese sauce

CJ QUESADILLA \$15

Cheese, black beans, pico de gallo, sour cream, and roasted peppers Add Chicken \$3, Steak \$5, Chili \$3

CHICKEN TENDERS \$16

Choice of buffalo, ranch or honey mustard

DISCO FRIES \$14

Topped with cheese, bacon, scallion with a side of gravy

PAN SEARED CHICKEN DUMPLINGS \$ 18

Chinese chili dipping sauce, daikon, seaweed salad

MAC & CHEESE HOT POT \$15

3 cheese sauce, garlic panko crumb

CHIPS & DIP \$14

Choice of Guac / Salsa / Spinach & artichoke

BUFFALO FLATBREAD \$20

Fried chicken, buffalo sauce, mozzarella & blue cheese

BEE STING FLATBREAD S 18

Pepperoni, fresh mozzarella, marinara, hot honey & chili flakes

FUNGHI AL FORNO FLATBREAD \$17

Oven roasted mushrooms, truffle oil, fresh mozzarella, pecorino & italian herbs

TACOS, WRAPS & BOWLS

BRISKET TACOS \$18

12 hour beef brisket, picked red onion, cheese, tomato relish

AVOCADO BEAN TACOS \$16

Mango, avocado, black bean, jalapeno, tomato, lettuce, chipotle aloli

COCONUT SHRIMP TACOS \$18

Fried shimp, pickled red cabbage, mango salsa, sour cream, cilantro, lime

CJ SALAD \$15

Baby arugula, radish, crumbled bleu cheese, shredded apple, toasted walnuts, honey mustard vinagrette

CAESAR SALAD \$15

Romaine lettuce, toasted garlic croutons, applewood bacon, caesar dressing & shaved parmesan *

HOUSE FALAFAL WRAP \$18

Spinach wrap, pickled red cabbage, mixed leaves, tomato, lime, sumac yogurt & fries

CHICKEN RANCH WRAP \$20

Grilled chicken, bacon, avocado, romaine, cherry tomato, red onion, ranch dressing & fries

TERIYAKI SALMON BOWL \$24

Pan fried salmon, rice, avocado, lima beans cucumber, pickled slaw, chipotle aioli

BURRITO BOWL \$16

Mexican rice, black beans, pico de gallo, cheese, guac & sour cream Add Chicken \$3, Chill \$3, Steak \$5

PUB GRUB

SHEPHERD'S PIE \$20

Seasoned ground beef and veg topped with creamy mashed potato

BRISKET PLATE \$24

12 hour slow cooked brisket, champ mash potato, roast carrots, beef jus

FISH & CHIPS \$22

Beer battered pollock, tartare sauce, & handcut fries

BANGERS & MASH \$20

Grilled pork sausages, champ mash potato, red onion marmalade, gravy

BETWEEN BREAD

All served with shoestring fries

PRIME ANGUS CHEESEBURGER \$21

American cheese & crispy bacon with lettuce, tomato, red onion & pickle *

topped with bleu cheese, applewood smoked bacon, crispy onions, lettuce *

FRIED CHICKEN SANDWICH \$20

Chipotle slaw, american cheese

FRENCH DIP \$21

Sliced beef with gruyere and swiss cheese served on a toasted baguette with a side of beef au jus

CORNED BEEF REUBEN \$18

With swiss cheese, sauerkraut & russian dressing

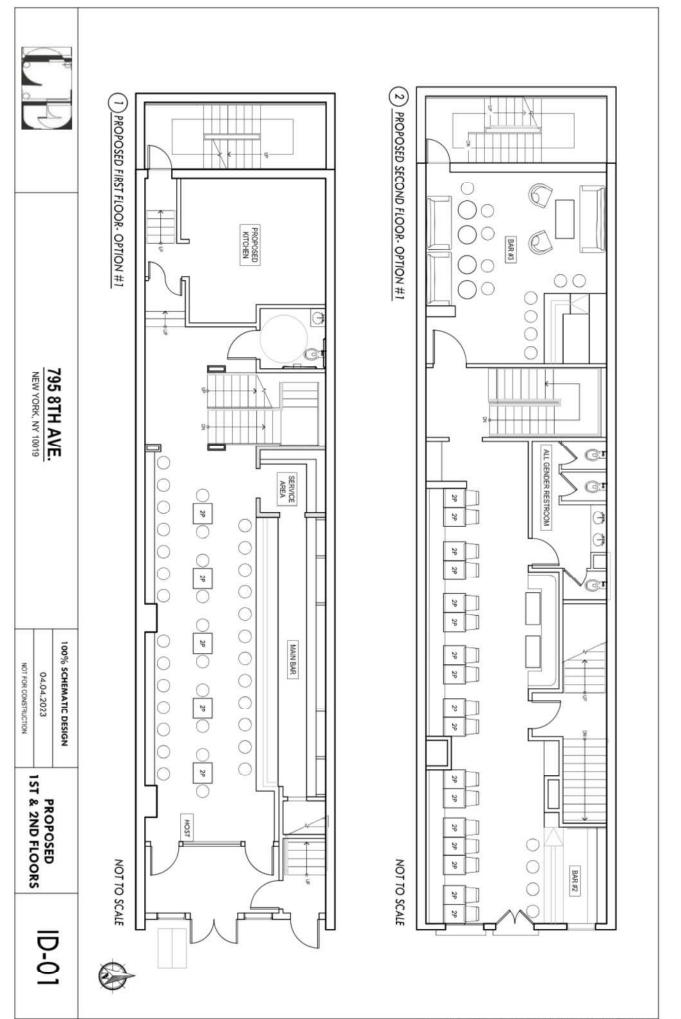
OPEN STEAK SANDWICH \$30

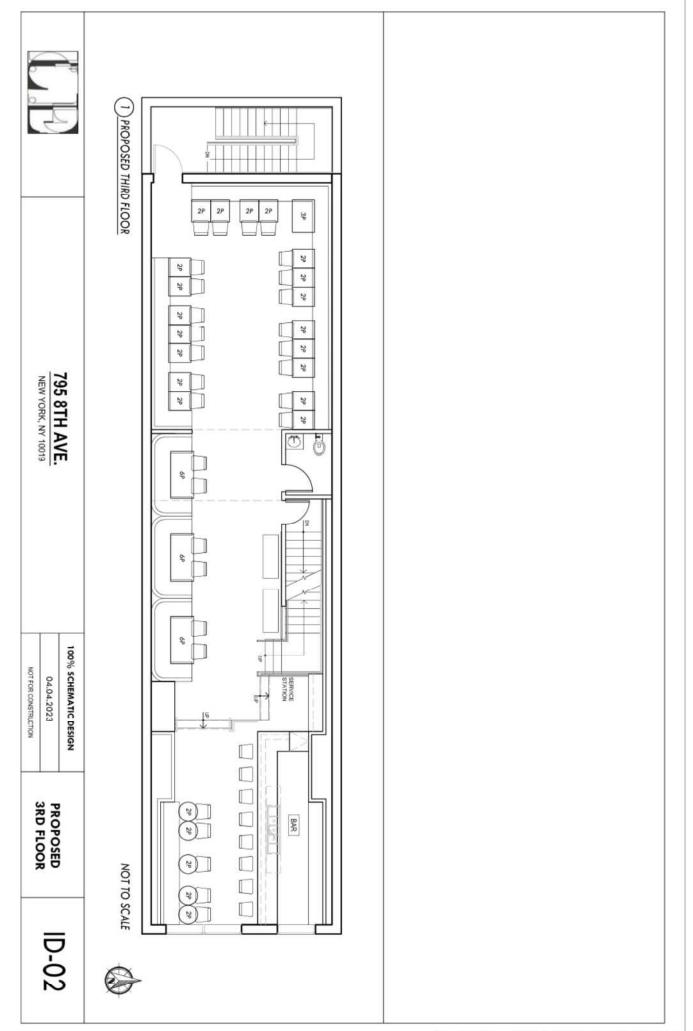
12oz aged angus steak on a garlic ciabatta, with onion rings fries & peppercorn sauce *

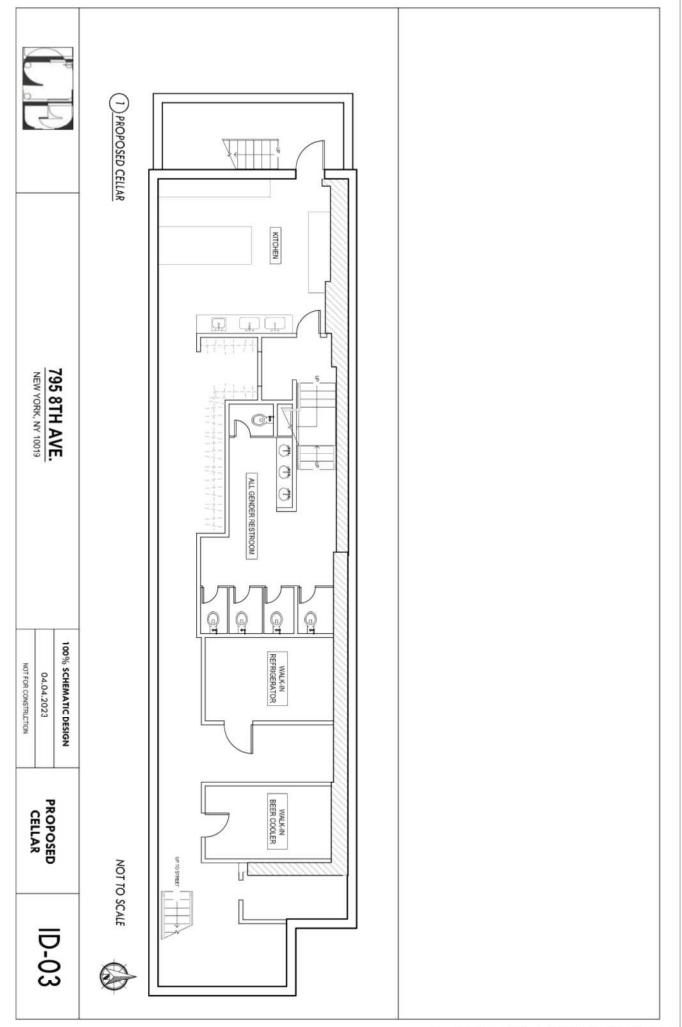
SIDES

Curry cheese fries \$12
Truffle parmesan fries \$12
Sweet potato fries \$9
French fries \$8
Homecut fries \$9
Beer battered onion rings \$8

365 MAY INCREASE YOUR RISK OF FOODBORNE ILLNESS, ESPECIALLY IF YOU HAVE CERT!







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Landess-Simon, Inc.

Legal & Commercial Photography

45 Lawlins Park Wyckoff, NJ 07481 Phone: (201) 848-5652 E-mail: landess@att.net landessphotographers.com

Re: 795 8th Avenue

- 1. Lillie's 249 West 49th St. (303')
- 2. Barking Dog-329 West 49th St. (4811)
- 3. Eugene O'Neill Theatre 230 West 49th St. (404)
- 4. Serafina 224 West 49th St. (4431)
- 5. Civilian Hotel 305 West 48th St. (1501)
- 6. Da Marino NYC 220 West 49th St. (4971)
- 7. Walter Kerr Theatre 219 West 4844 St. (4631)
- 8. Longacre Theatre 220 West 48th St. (432')
- 9. Hurley's Saloon 232 West 48th St. (3591)
- 10. La Macarena 234 West 48th St. (334)
- 11. An'nam 234 West 48th St. (276')
- 12. Pongsri 244 Wast 48th St. (2541)
- 13. P.S. Kitchen 246 West 48th St. (2291)
- 14. Biltmore Theatre 261-265 West 47th St. (3811)
- 15. Brooklyn Chop House 253 West 47th St. (4691)
- 16. Glass House Tavern 252 West 47th St. (496')
- 17. Trecolori 254 West 47th St. (466)
- 18. Brooks Atkinson Theatre 256 West 47th St. (445)
- 19. The Mean Fiddler 264-266 West 47th St. (405)
- 20. O Yeah America 765 8th Avenue (3911)
- 21. Dotch Fred's 307 West 47th St. (317)
- 22. Nisi 250 West 47th St. (4911)
- 23. The Dickens 783 8th Ave. (1641)
- 24. Sombrevo 303 West 48th St. (631)
- 25. Emmy Squared 311 West 48th St. (1611)
- 26. Times Square Diner 807 8th Ave. (1231)
- 27. West End Bar & Grill 813 8th Ave. (162')
- 28. Churrascaria Plataforma 316 West 49th St. (3331)
- 29. Blue Dog Kitchen Bar 308 West 50th St. (4941)
- 30. La Masseria 235-237 West 48th St. (2511)

Schools & Churches

- 1. P.S. 212 Professional Performing Arts High School 328 West 48th St. (400)
- 2. St. Malachy's The Actors Chapel 239 West 49th St. (325)



MICHAEL J. PALEUDIS, MEMBER $+ \bullet \star \Delta$ BENJAMIN A. KORNGUT, MEMBER +ELKE A. HOFMANN, OF COUNSEL $+ \star \Phi$ LEONARD M. FOGELMAN, OF COUNSEL $+ \Delta$ DAVID M. DAHAN, OF COUNSEL $+ \Delta$ ADAM I. KLEINBERG, OF COUNSEL $+ \Delta$ PAUL C. TAYLOR, OF COUNSEL Δ

ADMITTED TO PRACTICE +NY, +CT, *PA, ΔNJ, ΩMA, ΦCA

April 5, 2023

New York State Liquor Authority 163 West 125th Street, 8th Floor Adam Clayton Powell State Building New York, NY 10027

Re: PMACS 9 LLC

Premises: 795 8th Eighth Avenue, Manhattan

To Whom It May Concern:

Our office represents PMACS 9 LLC, a New York company that has been created to operate a bar and tavern at the above-referenced address. For the reasons set forth below, the applicant submits that its application should be granted under Section 64(7)(f) of the New York Alcoholic Beverage Control Law (ABC) because granting the on-premises liquor license creates "public convenience and advantage" and is "in the public interest" as contemplated by Section 64(6-a) of the ABC.

- a) While there are other licenses within 500 Feet of the premises, the Applicant has provided notice to Manhattan Community Board 4 and will be meeting with them on April 11 to review the application.
- b) The Applicant has, or will, obtain all necessary state and local permits and licenses to operate the tavern.
- c) The Applicant is located in close proximity to subway trains and buses. Parking is available nearby. In light of the parking and nearby public transportation, granting the instant application will not negatively impact vehicular traffic.
- d) The Applicant's principals will manage day to day operations to ensure that the noise level does not exceed what is acceptable for its neighbors. They will operate with background music only and will not have any live entertainment.
- e) To the best of Applicant's knowledge there have been no previous violations or adverse history at the premises.

Respectfully submitted,

Michael J. Paleudis, Esq.



19 Mercer Street, New York, NY 10013 (212) 925-1365 acoustilog1@verizon.net

March 31, 2023

Mr. Mike Kelleher Pmacs9 LLC 242 West 52nd Street New York, NY 10019

Re: New Venue Acoustic Issues, 795 Eighth Avenue, New York, NY 10013

Dear Mr. Kelleher.

Pursuant to your request, I studied the noise issues at the above premises on March 27, 2023.

SUMMARY

You are opening a new three-story facility with two regular bars and a third-floor space for private events. The design of the sound systems will keep noise levels within Noise Code limits. I have provided recommendations to control transmission of music and voice noise to the residential neighbors.

DBA VS ONE-THIRD OCTAVE BAND MUSIC LEVELS

One way that sound levels are often measured is by using the "A scale", the A-weighted decibel scale. This dBA scale (see Noise Code Section §24-231 a1) is the most common type of sound measurement, which represents a summation of middle (midrange) and high frequencies (treble), but largely ignores low-frequency "bass" sounds. Measuring the dBA levels requires only a simple sound level meter. 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 a measurement of all frequencies, but this method 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 band sound level readings (see Noise Code Section §24-231 a2) were also taken, which 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.

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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 anyone-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 \$1.6-1984; 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

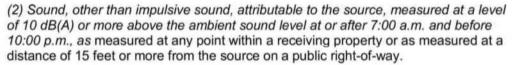
§24-203 General definitions. When used in the New York city noise control code the following terms shall have the following meanings:

(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.
- (a-1) No person shall make, continue or cause to permit or be made or continued any unreasonable noise:
 - (1) for any commercial purpose or during the course of conducting any commercial activity; or
 - (2) through the use of a device, other than a device used within the interior living space of an individual residential unit, installed within or upon a multiple dwelling or a building used in part or in whole for non-residential purposes.
- (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-ofway.

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- (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.
- (c) Notwithstanding the provisions of subdivision b of this section, where a particular sound source or device is subject to decibel level limits and requirements specifically prescribed for such source or device elsewhere in this code, the decibel level limits set forth in this section shall not apply to such sound source or device.

Note that Section §24-218 (b) applies to devices, not to people (such as the voices of your customers) but these are only examples ("shall include but shall not be limited to"). This section is used in this report as a reasonable guideline. §24-218 (a) prohibits unreasonable noise.

INSPECTION

The Q nightclub currently produces high sound levels which are causing neighbor complaints. I examined the sound system and it has extremely high sound level capability. There are numerous 18-in subwoofers in addition to large full-range speakers. Systems like these can easily produce sound levels of over 115 DBC in the center of each room of the facility.

Since my previous inspection at these premises years ago, an outdoor stairway has been enclosed. The emergency exit doors lead to this enclosed stairwell rather than directly outside.

TEST

A test music selection was auditioned using a loudspeaker in the 1st floor of the building.

You are planning on using "background music". I auditioned a "background music" sound level and you approved it. This level was 86 dBC in the center of the room. Compared to the Q nightclub, this is approximately 30 decibels lower. Subjectively, this level of background music will be 1/8 as loud as Q. You do not have to be limited to this level; 90 dBC is only slightly higher and would still be inaudible next door. Voices will also be inaudible.

In the third-floor event space, even a level of 96 dBC in the center of the room would still be 1/4 as loud as Q, and would not be a problem.

I tested the sound transfer for Social in 2003 and 2011, which was the predecessor to Q. They supposedly followed my recommendations and the main noise complaints started when Q moved in. I was not the consultant for Q.

When I tested the *Social* space, I did so with the cooperation of Pete Diaz in the adjacent residential apartment building immediately to the south. I measured sound in the 1st, 2nd and 3rd floors of that building. The music sound from all three floors of the club was essentially inaudible throughout the residential building. Based on those tests, I recommended that the sound system levels be limited to 96 dBC on the third floor and 100 dBC on the other floors.

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RECOMMENDATIONS

SOUND SYSTEM - ALL FLOORS

- 1. All of the large sound system speakers and subwoofers on all floors will be removed.
 - a. Small speakers can remain, and additional speakers can be added for coverage. The type of speaker is not critical since the volume is limited as described below.
 - b. The existing speaker wiring can remain and be reused.
 - c. Do not use subwoofers.
 - d. The system should be set up in stereo. Stereo sounds louder to people without actually increasing the sound level.
- The sound system will incorporate an equalizer. The equalizer will then feed into a limiter. Both functions can be accomplished with a processer such as a DBX DriveRack PA2. Installed in the system right before the amplifier and locked with a password, it will prevent the sound system from exceeding a pre-determined sound level, set by the sound installer.
 - a. Set the volume on the amplifier(s) to maximum to prevent employees from turning up the amps louder.
 - b. Using the graphic equalizer section, for the first and 2nd floors, attenuate (lower) all frequencies 63 Hertz and below, as needed to control sound leakage. Do this by setting a high-pass filter in the first-floor channels to a cutoff frequency of 63 Hertz with an 18 dB/octave slope. In the third-floor, use 63 Hertz and 24 dB/octave.
 - Set the Stereo Output Limiters to COUPLE both channels together, which makes the Channel 1 controls affect both channels.
 - 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. Using the unit's output level control, set the sound in the center of the 1st and 2nd floors to a level of 90 dBC Slow. 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 for the sound system settings.
 - In the center of the third-floor event space, the maximum level should initially be set to 96 dBC Slow.
 - g. To ensure accuracy of the meter, you can bring it to my office to be calibrated.
- The processor unit could be set more accurately in conjunction with tests made of noise levels in the neighboring spaces.

HVAC

4. In the past, I recommended installing noise barriers on the roof around the air
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conditioning equipment. I understand that the Community Board is thinking about requesting removal of the barriers. That is not recommended.

DOORS

The front doors should not be propped open since a small amount of sound will exit onto the sidewalk, which could lead to Noise Code Section 24-244 violations. See below.

THE NOISE CODE - OUTDOOR NOISE

Noise Code Section § 24-244 states,

Sound reproduction devices.

- (a) Except as otherwise provided in section 10-108 of the code, no person shall operate or use or cause to be operated or used any sound reproduction device in such a manner as to create unreasonable noise.
- (b) No person shall operate or use or cause to be operated or used any sound reproduction device, for commercial or business advertising purposes or for the purpose of attracting attention to any performance, show, sale or display of merchandise, in connection with any commercial or business enterprise (including those engaged in the sale of radios, television sets, compact discs or tapes),

(i) outside or in front of any building, place or premises or in or through any aperture of such building, place or premises, abutting on or adjacent to a public street, park or place...

This section is used by inspectors incorrectly. It is intended to prohibit music used for "commercial or business advertising purposes", not for accidental street leakage through the front door. Even though the application of the law is wrong, DEP inspectors often issue these violations without a meter if they hear noise on the sidewalk. You will reduce your chance of getting a violation if you implement the recommendations and never prop your front doors open.

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. ® 2023. All rights reserved. No reproduction of any type permitted without written permission of Acoustilog, Inc.

Yours Truly,

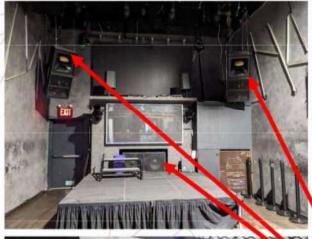
Alan Fierstein

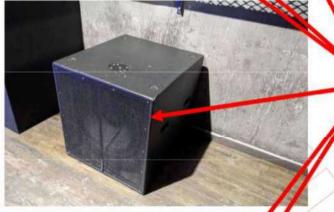
President acoustilog1@verizon.net

All readings re: .0002 microbar and to Code. 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.

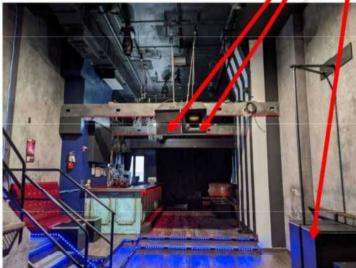
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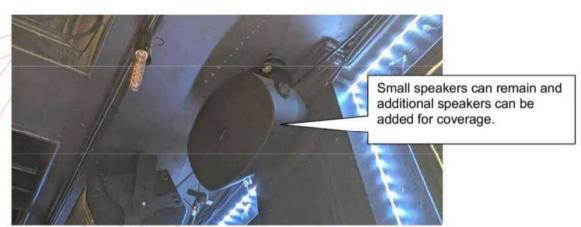


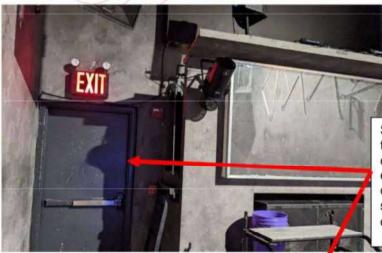
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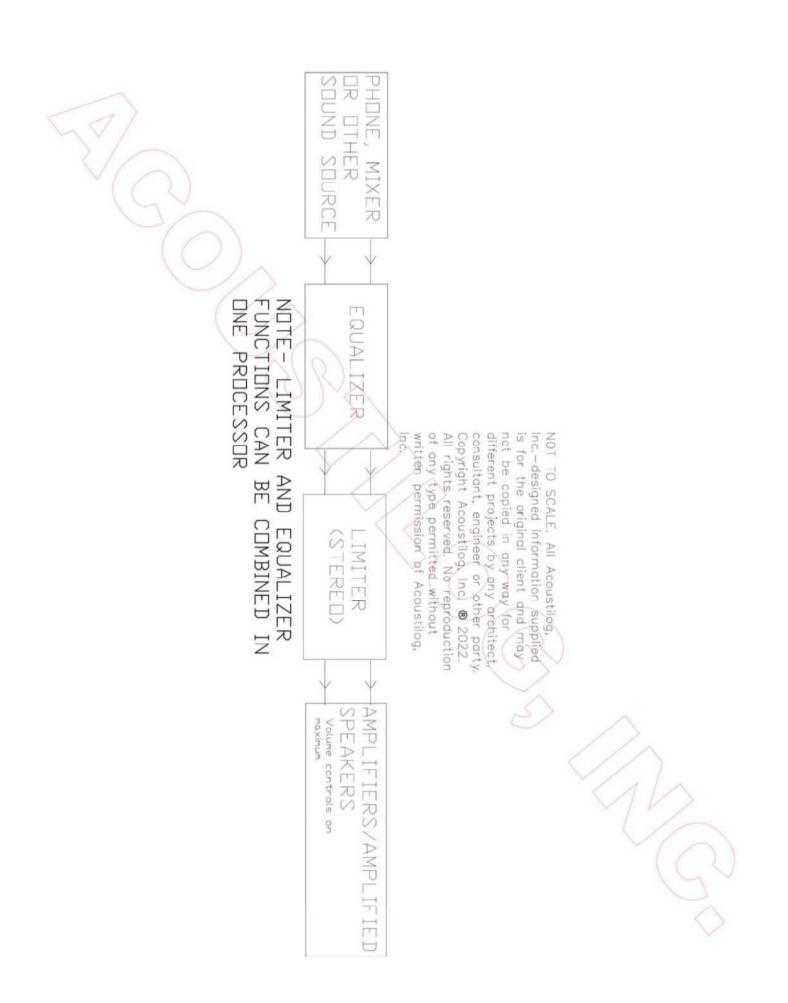


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ALL YOU NEED TO GET THE MOST FROM YOUR PA. NOW WITH COMPLETE CONTROL FROM YOUR MOBILE DEVICE.

The DriveRack® PA2 provides all the processing you need between your mixer and amplifiers to optimize and protect your loudspeakers. With the latest advancements in dbx's proprietary AutoEQ™ and AFS™ algorithms, a new input delay module for delaying the FOH system to the backline, Ethernet control via an Android®, iOS®, Mac®, or Windows® device, and updated Wizards, the DriveRack PA2 continues the DriveRack legacy of great-sounding, powerful, and affordable loudspeaker management processors, for a whole new generation.





AUTOEQ"

New, improved AutoEQ algorithm ensures an extremely accurate, fast, and non-intrusive automatic EQ experience.

With the RTA Mic "listening" to your room, the new, updated DriveRack PA2 AutoEQ algorithm sets speaker levels and room EQ automatically in a matter of seconds. This means room adjustments can now be made very quickly, without subjecting the audience to annoying, lengthy broadcasts of pink noise.

ENHANCED AFS™ FEEDBACK ELIMINATION

Enhanced AFS™ algorithm for faster, more precise feedback elimination, without adversely affecting your system's tone.

Nothing turns audiences away like annoying and potentially painful audio feedback. Fortunately, dbx engineers have revisited their already-stellar Advanced Feedback Suppression algorithm and made it work even better. The DriveRack PA2 listens for and anticipates feedback and adjusts speaker output automatically before it even has a chance, while never altering your sound.

UPDATED WIZARD SETUP FUNCTIONS

Updated Wizards make initial set up easy, while ensuring speaker tunings and other settings

Wizard functions on the DriveRack PA2 guide you through easy, step-by-step processes to help you get the most from your loudspeaker system. Helps you easily configure level balancing, AutoEQ, Advanced Feedback Suppression, and provides access to built-in and constantly updating speaker tunings from most major speaker manufacturers.

AVAILABLE INPUT PROCESSING

- dbx Compression
- » AFS^{TW} (Advanced Feedback Suppression)
- → Graphic EQ
- » 8-Band Parametric EΩ (adjusted when using the AutoEQ)
- > Subharmonic Synthesis

AVAILABLE OUTPUT PROCESSING

- Crossover (supports full range, 2-way. and 3-way systems)
- . 8-Band Parametric EQs (used for speaker tunings)
- dbx Limiting
- Driver Alignment Delays

DriveRack PA2

Complete Loudspeaker Management System





OVERVIEW





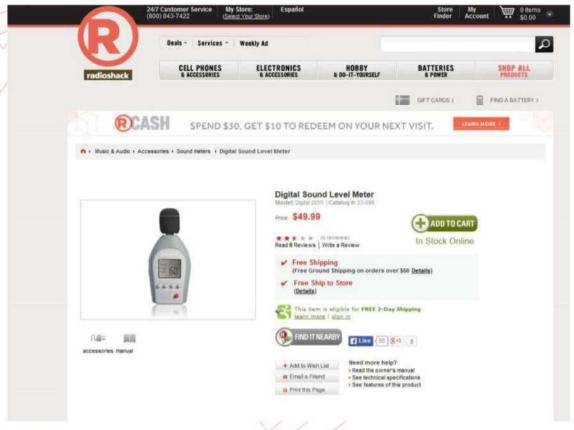




Features

- > All New Setup Wizard
- ⇒ Streamlined AutoEQ™
- > All New AFS™ (Advanced Feedback Suppression)
- Mobile Control (Android®, iOS®, Mac®, Windows®)
- dbx Compression
- Graphic EQ
- > 8-Band Parametric EQ (adjusted when using the AutoEQ) Input
- Subharmonic Synthesis
- > Crossover (supports full range, 2-way, and 3-way systems)
- 8-Band Parametric EQs (used for speaker tunings) Output
-) dbx Limiting
- > Driver Alignment Delays





Product Summary

Fine-tune your audio.

Fine-tune your PA or stereo systems audio response to match the acoustic environment with this Digital Sound Level Meter. It comes with a carrying case for travel and features an easy-to-read display.

- Carrying case protects the meter when traveling
- Easy-to-read display, sound range 30-130db, digit LCD display
- You can fine-tune your PA or stereo systems audio response to match the acoustic environment

Pricing and availability: Please note that all prices are subject to change without prior notice. Prices advertised on this site are for online orders only. Prices on some items may differ from those advertised in RadioShack stores. All merchandise may not be available at all stores, and all stores may not participate in all sales promotions. We recommend you contact the store to confirm product availability and price.

Shipping

Usually ships in 1 - 2 business days

In store: Check availability
By phone: 1-800-843-7422
Manufacturer Warranty

Parts: 12 monthLabor: 12 month



Title PMACS 9 LLC's CB4 Questionnaire

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