

Manhattan Community Board 4

Liquor License/Sidewalk Cafe Stipulations Application

(All Fields Must Be Completed)

| | | | |
|---|---|-------------------------------------|--|
| CORPORATION NAME | | DOING BUSINESS AS (DBA) | |
| The Wrecking Club LLC | | Break Bar | |
| STREET ADDRESS | | CROSS STREETS | ZIP CODE |
| 458 9th Avenue | | W 35th & W 36th Streets | 10018 |
| OWNER <small>(Attach a list of all the people that will be associated/listed with the license)</small> | NAME: Thomas Daly Jeff King | ATTORNEY/ REPRESENTAIVE | NAME: Rosa M. Ruiz (representative) |
| | PHONE: 203-722-7279 203-998-1258 | | PHONE: 212-484-2290 |
| | EMAIL: tdaly@breakbarnyc.com jking@breakbarnyc.com | | EMAIL: rosa@rosamruiz.com |
| MANAGER | NAME: same as above | LANDLORD | NAME: Noam Management Group |
| | PHONE: | | PHONE: 718-435-5360 |
| | EMAIL: | | EMAIL: |
| APPLICATION TYPE (<input checked="" type="checkbox"/> <i>Liquor License</i> <input type="checkbox"/> <i>Unenclosed Sidewalk Cafe</i>) | | | |
| <input type="radio"/> New | Has applicant owned or managed a similar business? | YES | NO |
| | 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 | NO |
| | <i>If alterations or operational changes are being made, please describe/list all changes.</i> | | |
| <input checked="" type="checkbox"/> Alteration & MOO Change | What is the current license # and expiration date? | #1342197 Exp 7/31/2024 | |
| | <i>Please list/describe the nature of all the changes and attach the plans:</i> adding live entertainment | | |
| METHOD OF OPERATION | | | |
| TYPE OF ALCOHOL | <input checked="" type="checkbox"/> Liquor/Wine/Beer & Cider <input type="checkbox"/> Beer & Cider <input type="checkbox"/> Wine/Beer & Cider | | |
| ESTABLISHMENT TYPE | <input type="checkbox"/> Restaurant <input type="checkbox"/> Cabaret <input type="checkbox"/> Night Club <input type="checkbox"/> Hotel <input checked="" type="checkbox"/> Bar/Tavern/Lounge <input type="checkbox"/> Catering Establishment <input type="checkbox"/> Adult Entertainment <input type="checkbox"/> Wine Bar <input type="checkbox"/> Dance Club <input type="checkbox"/> Sports Bar <input type="checkbox"/> Club (Fraternal Organization – Members Only) | | |
| Has applicant/owner filed with the SLA? If yes, when? If no, when do you plan to file? | YES | <input checked="" type="checkbox"/> | after cb4 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"/> | NO | LAMP & public interest statement attached |
| Is the 200 Foot Rule applicable? If yes, please attach a diagram of the schools and houses of worship that trigger the rule. | YES | <input checked="" type="checkbox"/> | |
| Has applicant/owner(s) read MCB4 Policy Regarding Concentration and Location of Alcoholic-Serving Establishments? | <input checked="" type="checkbox"/> | NO | |

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

| HOURS* <i>(Indoor Only)</i> | | MONDAY | TUESDAY | WEDNESDAY | THURSDAY | FRIDAY | SATURDAY | SUNDAY |
|---|------------------|------------|--|--|-------------------------------------|--|----------------------------------|------------|
| | Operation | 12pm - 2am | 12pm - 2am | 12pm - 2am | 12pm - 4am | 12pm - 4am | 12pm - 4am | 12pm - 2am |
| | Kitchen | 12pm - 1am | 12pm - 1am | 12pm - 1am | 12pm - 3am | 12pm - 3am | 12pm - 3am | 12pm - 1am |
| | Music | 12pm - 2am | 12pm - 2am | 12pm - 2am | 12pm - 4am | 12pm - 4am | 12pm - 4am | 12pm - 2am |
| If you plan to have music, what type(s)? (Circle all that apply) | | | <input checked="" type="checkbox"/> BACKGROUND | <input checked="" type="checkbox"/> LIVE MUSIC | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> JUKE BOX | <input type="checkbox"/> 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 | 74 | 74 | 16 | 32 | 1 | 1 | 20 |
| OUTSIDE <i>(Other than sidewalk café)</i> | STREET ROADWAY | 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 - ground & bsmt, ground 74 & bsmt storage only | |
| How frequently will the owner(s) be at the establishment? | 20-30 hours weekly | |
| Will there be dancing? | YES <input checked="" type="checkbox"/> | |
| Will applicant have bottle or table service for beverage alcohol? | YES <input checked="" type="checkbox"/> | |
| Will applicant be hosting private; promotional or corporate events? | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO | ocassionally - upon request |
| Will outside promoters be used on a regular basis? If yes please describe. | YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> | n/a |
| Will applicant have a security plan? If, yes please attach. | YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> | n/a |
| Will security plan be implemented? | YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> | n/a |
| Will State certified security personnel be used? | YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> | n/a |
| Will New York Nightlife Association and NYPD Best Practices be followed? | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO | |
| Does applicant agree to notify MCB4 prior to making changes to its method of operation? | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO | |
| Will applicant be using delivery bicycles? If yes, how many? | YES <input checked="" type="checkbox"/> | |
| 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 <input type="checkbox"/> NO <input checked="" type="checkbox"/> | n/a |
| Where will delivery bicycles be stored during the day when not in use? | n/a | |

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 |
|--------------|---|----------|----------|-------------|------------|------------------------|---------------------------------|----------|
| ground floor | tables/chairs stand-up bar, throwing room | 74 max | see pg 2 | see pg 2 | see pg 2 | see pg 2 | see pg 2 | see pg 2 |
| bsmt | storage only | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

| LOCATION & ZONING | | | |
|---|---|-----------------------------|-----------------|
| Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards? | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO | Hudson Yards |
| Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection? | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO | LNO as existing |
| Is a Public Assembly permit required? | <input type="checkbox"/> YES | <input type="checkbox"/> NO | n/a |
| Are your plans filed with DOB? | <input type="checkbox"/> YES | <input type="checkbox"/> NO | n/a |

| 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 | Please see attached rider | |
| | # 2 | | |
| | # 3 | | |
| | # 4 | | |
| | # 5 | | |
| Please provide dates when applicant met with the groups listed above. | | n/a | |
| Who was your contact person at each group you met with? | | n/a | |
| When did applicant post the notice that was provided? | | December 21, 2022 | |
| Where did applicant post the notice that was provided? | | front of the establishment both corners of 9th Ave & W 35th St both corners of 9th Ave & W 36th St | |
| Will applicant provide owner cell phone number to neighbors and respond to complaints that arise? Please provide number in space provided. | | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO 203-722-7279 |
| Will applicant inform the Community Board office of its job openings and/or provide a hyperlink to applicants jobs webpage? | | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |

BUILDING DESIGN

| | | | |
|---|---|--|-----------------------------------|
| State the name and type of business previously located in the space. | Establishment currently operating with OP license | | |
| 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 | as existing |
| Do you plan any changes to the existing façade? If yes, please describe. | YES | <input checked="" 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. | YES | <input checked="" type="checkbox"/> NO | |
| Will applicant have a vestibule within the establishment? | YES | <input checked="" type="checkbox"/> NO | |
| Will applicant use a storm enclosure? | YES | <input checked="" 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) | FRENCH DOORS | GARAGE DOORS | WINDOWS THAT CAN BE OPENED |
| Will applicant close all windows, French doors, garage doors when any music or amplified sound (including televisions) is played inside the establishment? | <input checked="" type="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 | as existing |
| 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 | as existing |
| Will the kitchen exhaust system extend to the roof? | YES | <input type="checkbox"/> NO | n/a |
| Will the establishment have an illuminated sign? | YES | <input checked="" type="checkbox"/> NO | |
| Will the establishment have a canopy extending over the sidewalk? | YES | <input checked="" type="checkbox"/> NO | |
| Where will the air conditioner be located? What type is it? | as existing | | |
| When was the air conditioner installed? | as existing | | |

*NO OUTDOOR SEATING

| OUTDOOR ITEMS - OTHER THAN SIDEWALK CAFÉ | | | |
|---|---|-----------------------------|----------|
| Has owner(s) read MCB 4 Rear Yard Rooftop Policy? | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO | |
| Will applicant use outdoor spaces: rooftop, rear yard, patio, porch, balcony, pavilion, etc. for open dining in the parking lane? If yes, which one(s)? | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO | |
| Are the floorplans for outdoor dining included? | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO | |
| Will applicant close and lock outdoor space(s) by 11PM on Friday & Saturday and 10 PM on all other days? | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO | |
| Will the service and consumption of alcohol in outdoor space only be via seated food service? | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO | |
| Will applicant not allow standing space for patrons to consume alcohol in any outdoor space(s) or on the sidewalk? | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO | |
| Will there be no amplified music, as per the law? | <input type="checkbox"/> YES | <input type="checkbox"/> NO | |
| If amplified sound is played inside the establishment, will windows be closed? | <input type="checkbox"/> YES | <input type="checkbox"/> NO | |
| Will applicant agree to post signs outside asking customers to respect neighbors? | <input type="checkbox"/> YES | <input type="checkbox"/> NO | |
| Will applicant agree to train staff to encourage a peaceful environment? | <input type="checkbox"/> YES | <input type="checkbox"/> NO | |
| Will applicant provide effective sound control (landscaping, soundproofing tenants apartments)? | <input type="checkbox"/> YES | <input type="checkbox"/> NO | existing |
| Will there be a lighting plan that allows safe use of outdoor space without disrupting neighbors? | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO | |
| If open dining in the parking lane, will applicant leave the sidewalk free of any furniture? | <input type="checkbox"/> YES | <input type="checkbox"/> NO | n/a |
| If open dining, will you follow MCB 4.0001 guidelines? | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO | |
| If open dining, will you be open year-round? | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO | |

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 | |
| Is applicant in this application seeking to include a sidewalk café in its liquor license? | YES | NO | |
| If yes, has applicant submitted an application and plans to NYC Dept. of Consumer Affairs? Please attach application and plans. | YES | NO | |
| Will applicant close and vacate the sidewalk café by 11 PM on Friday & Saturday and 10 PM on all other days? | YES | NO | |
| Will applicant be serving alcohol in the sidewalk café? If so, will you have waiter service? | YES | NO | |
| Will the café have a 3 ft. wide serving aisle running the entire length of the sidewalk cafe? | YES | NO | Type text here |
| Will applicant mark the perimeter of the café on the sidewalk? | YES | NO | |
| Will the service and consumption of alcohol in the sidewalk café only be via seated food service? | YES | NO | |
| Will the sidewalk café not provide standing space for drinking or smoking? | YES | NO | |
| Will applicant use any portable natural gas heaters? If so, do you have the requisite approvals from DOB & the Fire Department? | YES | NO | |
| Will applicant have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors? | YES | NO | |
| Will all furniture, plants and barricades be stored inside between the evening closing hours and the morning opening hours? | YES | NO | |
| Will all furniture be stored inside between December 21 st and March 21 st , and any other day when it rains or snows? | YES | NO | |
| Will applicant use umbrellas? | YES | NO | |
| If construction or construction protection has reduced the sidewalk width, will applicant always maintain an 8 foot clear path of sidewalk between the perimeter of the café and the closest obstruction including construction barricades? | YES | NO | |
| If open dining is in the parking lane, will applicant agree to remove its sidewalk café? | YES | NO | |

ADDITIONAL STIPULATIONS: (Office Use Only)

- Roadway Shed will be removed no later than 2/28/23
- Applicant will improve delivery procedures to establishment to keep sidewalk clear, with deliveries moved directly and promptly inside establishment
- Applicant will take steps to improve soundproofing between neighboring businesses
- Live performances will be limited to no more than 4 performers at any one time
- Live performances and DJs will end no later than midnight on Thursday to Saturday; 10pm Sunday to Wednesday
- No later than September 26th, applicant will submit to MCB4 office a revised floor plan and accoustical report from an NYC-Approved Acoustician
- Applicant agrees to implement all recommendations of acoustical report
- There will be no stanchions or other obstructions placed on sidewalk
- All doors and windows shall be keep closed when any music or amplified sound (including televisions) is played inside the establishment. All doors and windows shall be keep closed by 11pm Friday & Saturday and 10pm on all other days even if no music or amplified sound is played inside the establishment
- There will be no announced times for live music or djs
- No use of outside promoters

To the extent any additional stipulation on pages 7 and 8 of this application conflicts with any response on pages 1 – 6 of this application, the stipulations on pages 7 and 8 control.

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

To the extent any additional stipulation on pages 7 and 8 of this application conflicts with any response on pages 1 – 6 of this application, the stipulations on pages 7 and 8 control.

Manhattan Community Board 4 (MCB4) recommends:
(MCB4's recommendation is based on a vote taken at its **November 1, 2023 full board meeting, with 37 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
CB4 Assistant District Manager



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



Thomas Daly

PRINT NAME OF APPLICANT



SIGNATURE OF APPLICANT

1/4/2023

DATE

This report is for informational purposes only in aid of identifying establishments potentially subject to 500 and 200 foot rules. Distances are approximated using industry standard GIS techniques and do not reflect actual distances between points of entry. The NYS Liquor Authority makes no representation as to the accuracy of the information and disclaims any liability for errors.

Proximity Report For:

| | |
|---------------------|--|
| Location | 458 9th Ave, New York, New York, 10018 |
| Geocode | Latitude: 40.75433 Longitude: -73.99541 |
| Report Generated On | 1/4/2023 |

8 Closest Liquor Stores

| Name | Address | Distance |
|--|---|----------|
| AMSTERWINE.COM INC Ser #: 1313979 | 475 9TH AVE NEW YORK, NY 10018 | 313 ft |
| HUDSON YARDS WINES & SPIRITS INC Ser #: 1320790 | 486 9TH AVE NEW YORK, NY 10018 | 440 ft |
| MEENA SAMANI CORPORATION Ser #: 1273576 | 460 W 34TH ST STORE# 1 NEW YORK, NY 10001 | 819 ft |
| 39TH STREET WINE INC Ser #: 1257090 | 354 W 39TH ST NEW YORK, NY 10018 | 938 ft |
| BARRIL WINES & LIQUORS INC Ser #: 1315255 | 5 7 CARYL AVE YONKERS, NY 10705 | 978 ft |
| ODYSSEY WINE & SPIRITS INC Ser #: 1255997 | 490 10TH AVE NEW YORK, NY 10018 | 1,062 ft |
| 36TH STREET WINE & LIQUOR INC Ser #: 1023632 | 270 W 36TH STREET NEW YORK, NY 10018 | 1,111 ft |
| CAMBRIDGE WINES & LIQUORS INC Ser #: 1023627 | 594 8TH AVENUE NEW YORK, NY 10018 | 1,216 ft |

Schools within 500 feet

| Name | Address | Distance |
|----------------------------|---------|----------|
| No Schools within 500 feet | | |

Churches within 500 feet

| Name | Distance |
|------------------------------|----------|
| Harvest Christian Fellowship | 398 ft |
| West Side Jewish Center | 406 ft |

Pending On Premises Liquor Licenses within 750 feet

| Name | Address | Distance |
|------|---------|----------|
|------|---------|----------|

| Pending On Premises Liquor Licenses within 750 feet | | |
|---|---|----------|
| Name | Address | Distance |
| FLAT TOP MIDTOWN LLC Ser #: 1348865 | 320 W 36TH ST NEW YORK, NY 10018 | 488 ft |
| SB TAVERN LLC Ser #: 1350080 | 496 9TH AVE NEW YORK, NY 10018 | 540 ft |
| MOYNIHAN OVERLOOK BAR LLC & PDP HOSPITALITY LLC Ser #: 1338758 | 383 W 33RD ST # 188-189 NEW YORK, NY 10001 | 595 ft |

| Active On Premises Liquor Licenses within 750 feet | | |
|--|---|----------|
| Name | Address | Distance |
| NUTPOPTHAI INC Ser #: 1314632 | 460 9TH AVE NEW YORK, NY 10018 | 25 ft |
| WRECKING CLUB LLC, THE Ser #: 1342197 | 458 9TH AVE NEW YORK, NY 10018 | 27 ft |
| CAMAPA LTD Ser #: 1323797 | 474 9TH AVE NEW YORK, NY 10018 | 229 ft |
| UNCLE JACK S STEAKHOUSE INC Ser #: 1144711 | 440 9TH AVENUE 35TH STREET NEW YORK, NY 10001 | 285 ft |
| AIYARA THAI INC Ser #: 1315875 | 480 9TH AVE NEW YORK, NY 10018 | 316 ft |
| EROS MGMNT & REALTY LLC Ser #: 1256131 | 345 W 35TH ST NEW YORK, NY 10001 | 352 ft |
| BARRYDALE SM LLC, BARRYDALE TRS LLC CM 36 MGMT LLC Ser #: 1257365 | 341 343 W 36TH STREET NEW YORK, NY 10018 | 352 ft |
| NY 36TH ST MGR V LLC NY 36TH ST OPERATING V LLC NY Ser #: 1317154 | 338 W 36TH ST NEW YORK, NY 10018 | 361 ft |
| SNRP WEST 37 LLC & BALLINTEER CORP Ser #: 1302818 | 326 330 W 37TH ST NEW YORK, NY 10018 | 504 ft |
| TGANYC LLC Ser #: 1305186 | 320 W 36TH ST NEW YORK, NY 10018 | 513 ft |
| TWINS PUB INC Ser #: 1034146 | 421 9TH AVENUE NEW YORK, NY 10001 | 521 ft |
| CHI RESTAURANT & BAR INC Ser #: 1345007 | 492 494 9TH AVE NEW YORK, NY 10018 | 530 ft |
| EVEN HOTEL 35 LLC & IHG MANAGEMENT MARYLAND LLC Ser #: 1285625 | 321 W 35TH ST NEW YORK, NY 10001 | 540 ft |
| TABERNACLE LLC Ser #: 1329854 | 315 W 36TH ST NEW YORK, NY 10018 | 567 ft |
| MOYNIHAN FOOD HALL BAR LLC & PDP HOSPITALITY LLC Ser #: 1337991 | 383 W 33RD ST #20 NEW YORK, NY 10001 | 595 ft |
| MANHATTAN FARE CORP Ser #: 1275093 | 431 W 37TH ST UNIT B NEW YORK, NY 10036 | 639 ft |
| QUADRUN 38 F&B LLC & GG W38 LLC Ser #: 1327317 | 351 W 38TH ST NEW YORK, NY 10018 | 682 ft |
| KYMA HUDSON LLC Ser #: 1336481 | 445 W 35TH ST NEW YORK, NY 10001 | 688 ft |
| WALKINSTOWN INC Ser #: 1265095 | 508 9TH AVE NEW YORK, NY 10018 | 689 ft |

Active On Premises Liquor Licenses within 750 feet

| Name | Address | Distance |
|---|---------------------------------------|----------|
| GLORIA RESTAURANT LLC Ser #: 1319884 | 506 9TH AVE NEW YORK, NY 10018 | 721 ft |
| IL PUNTO RISTORANTE LLC Ser #: 1156801 | 507 509 9TH AVE NEW YORK, NY 10018 | 734 ft |
| AMERICAN MULTI CINEMA INC Ser #: 1322890 | 312 W 34TH ST NEW YORK, NY 10001 | 749 ft |

500 Foot Statement

The Wrecking Club LLC

Principals have experience and will oversee the day to day operations to ensure the premises are maintained in an orderly fashion at all times, as well to ensure that all patrons that are served alcohol are 21 years and over.

The applicants will continue to work very hard to earn their reputation as a committed community partner and are confident this will be an establishment that Community Board 4 will be proud to call its own.

The establishment will continue to generate tax revenue for the City and create new employment opportunities. The proposed alteration and method of operation change will be a positive contribution to the economy by way of jobs, wages paid, income, sales and other taxes collected, state and local license revenues, and maintenance of the local real estate tax base. These changes would not increase noise in the area nor would it substantially affect vehicular or pedestrian traffic or parking.

This proposed establishment will be operating as a bar/lounge serving American pub food.

The principal is looking forward to continuing being a long term operator in this Community and accommodating the local needs and concerns. As such, we believe approval of this application and issuance of an On-Premises Liquor License will continue to promote public interest and convenience. Attached is a CB4 stipulation signed by the applicant and CB4 representatives.

West 30's Block Associations/Tenant Associations/Community Groups

| Block/Tenant Association & Community Groups | First name | Last name | E-MAIL | PHONE |
|--|------------|------------|---|--|
| HKNA (incl. Dog Run) | Kathleen | Treat | kathleentreat123@gmail.com | |
| West 36th Street | Frank | Strock | mrgesa79@aol.com | |
| CHDC (incl. Bob's & bird parks) | Joe | Restuccia | info@clintonhousing.org, jrestuccia2@clintonhousing.org | |
| CHDC (incl. Bob's & bird parks) | Ryan | Marcano | rmarcano@clintonhousing.org | |
| Hudson Yards Hell's Kitchen Alliance | Bob | Berfatto | rberfatto@hyhkaalliance.org | |
| Hudson Yards Hell's Kitchen Alliance | Patty | Gouris | pgouris@hyhkaalliance.org | |
| Hotel Americano | | | (212) 216-0000 | |
| Highline537 | Scott | Hupe | 212-636-3700 | |
| Donna Langman Costumes | Donna | Langman | donna@donnalangman.com | |
| CHEKPEDS | Christine | Berfath | 2berfath@gmail.com | |
| Hell's Kitchen Block Association (W 33rd/34th/35th Streets (8th to 12th Avenues) | Julia | Campanelli | JuliaKBA@gmail.com | Last Wednesday of the month, except August or November |
| W36th Block Association (8/9) | Brian | Weber | brianweb@weber@gmail.com | |
| W36th Block Association (8/9) | Cressida | Connelly | cressidac@gmail.com | |

***WHEN SENDING AN EMAIL TO THIS LIST, PLEASE BCC EVERYONE ON ONE EMAIL ***



Rosa M. Ruiz <rosa@rosamruiz.com>

The Wrecking Club, LLC d/b/a Break Bar

4 messages

Tue, Sep 5, 2023 at 8:20 PM

Rosa M. Ruiz <rosa@rosamruiz.com>

To: "Gonzalez, Nelly" <negonzalez@cb.nyc.gov>, Office Administrator <office@rosamruiz.com>
 Bcc: "<eduardozeiger@compuserve.com>" <eduardozeiger@compuserve.com>, "<twocatsltd@worldnet.att.net>" <twocatsltd@worldnet.att.net>, "acernitz@gmail.com" <acernitz@gmail.com>, Allison Tupper <allisontupper@verizon.net>, "awm3333@me.com" <awm3333@me.com>, "bill@midtownsouthcc.org" <bill@midtownsouthcc.org>, "buzany@rcn.com" <buzany@rcn.com>, Chana Widawski <chanawid@gmail.com>, "chasmv@hotmail.com" <chasmv@hotmail.com>, "chluderemyc@yahoo.com" <chluderemyc@yahoo.com>, "dsage@commonground.org" <dsage@commonground.org>, "ecelnik@actorsfund.org" <ecelnik@actorsfund.org>, Elke Fears <aeafearshk@earthlink.net>, "gdclay@att.net" <gdclay@att.net>, HK5051 <hk5051@gmail.com>, James Bagues <jamesbagues@gmail.com>, "jeandaniel@aol.com" <jeandaniel@aol.com>, "jessbondy@aol.com" <jessbondy@aol.com>, "john.mudd@usa.net" <john.mudd@usa.net>, Kathleen Treat <kathleentreat123@gmail.com>, Larry Roberts <larrymichaelroberts@gmail.com>, Linda Ashley <ashleyll@aol.com>, "mariagnys@aol.com" <mariagnys@aol.com>, "mcgee79@aol.com" <mcgee79@aol.com>, MP Tenants <mpta@mptenants.com>, Nancy Severance Roylance <nancyroylance@ymail.com>, "nkyriacou@yahoo.com" <nkyriacou@yahoo.com>, Paul Loeb <ploeb315@aol.com>, "Raul R. Larios" <rrlarios@hotmail.com>, "rpimentel@commonground.org" <rpimentel@commonground.org>, "rudi_papiri@timemagazine.com" <rudi_papiri@timemagazine.com>, "sdesmond@hcc-nyc.org" <sdesmond@hcc-nyc.org>, stephen fanto <StephenFanto@gmail.com>, Tango Tanner <tangotanner@gmail.com>, "west55ba@gmail.com" <west55ba@gmail.com>

Good evening,

I hope this email finds you well. Mr. Tom Daly currently operates the Break Bar located at 458 9th Avenue. We are appearing before the Community Board to discuss adding a DJ, live entertainment an additional stand-up bar. Please note the live entertainment is to include jazz, and blues music.

We would appreciate the opportunity to discuss this with you further.

Please know that we would like for you to know that Tom is available to chat not only when it is being presented before the Community Board meeting but is also available any time should someone wish to discuss anything. Tom can be reached at 203.722.7279.

We look forward to hearing from you.

Thank you.

Rosa M. Ruiz
 1120 6th Avenue - 4th Floor
 New York, New York 10036
 212.484.2290 (o)
 646.365.8233 (fax)
www.rosamruiz.com

Mail Delivery Subsystem <mailer-daemon@googlemail.com>

To: rosa@rosamruiz.com

Tue, Sep 5, 2023 at 8:20 PM



Address not found

Your message wasn't delivered to **rudi_papiri@timemagazine.com** because the address couldn't be found, or is unable to receive mail.

[LEARN MORE](#)

The response was:

550 5.1.1 The email account that you tried to reach does not exist. Please try double-checking the recipient's email address for typos or unnecessary spaces. Learn more at <https://support.google.com/mail/?p=NoSuchUser> h14-20020a170902680e00b001bddfb26dd5sor6389290plk.6 - gsmtip

Final-Recipient: rfc822; rudi_papiri@timemagazine.com

Action: failed

Status: 5.1.1

Diagnostic-Code: smtp; 550-5.1.1 The email account that you tried to reach does not exist. Please try

550-5.1.1 double-checking the recipient's email address for typos or

550-5.1.1 unnecessary spaces. Learn more at

550 5.1.1 <https://support.google.com/mail/?p=NoSuchUser> h14-20020a170902680e00b001bddfb26dd5sor6389290plk.6

- gsmtip

Last-Attempt-Date: Tue, 05 Sep 2023 17:20:40 -0700 (PDT)

----- Forwarded message -----

From: "Rosa M. Ruiz" <rosa@rosamruiz.com>

To: "Gonzalez, Nelly" <negonzalez@cb.nyc.gov>, Office Administrator <office@rosamruiz.com>

Cc:

Bcc: rudi_papiri@timemagazine.com

Date: Tue, 5 Sep 2023 20:20:29 -0400

Subject: The Wrecking Club, LLC d/b/a Break Bar

Good evening,

I hope this email finds you well. Mr. Tom Daly currently operates the Break Bar located at [458 9th Avenue](#). We are appearing before the Community Board to discuss adding a DJ, live entertainment an additional stand-up bar. Please note the live entertainment is to include jazz, and blues music.

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Thank you.

Rosa M. Ruiz

[1120 6th Avenue - 4th Floor](#)

[New York, New York 10036](#)

212.484.2290 (o)

646.365.8233 (fax)

www.rosamruiz.com

Mail Delivery Subsystem <mailer-daemon@googlemail.com>
To: rosa@rosamruiz.com

Tue, Sep 5, 2023 at 8:20 PM



Address not found

Your message wasn't delivered to **ashleyll@aol.com** because the address couldn't be found, or is unable to receive mail.

The response from the remote server was:

554 30 Sorry, your message to ashleyll@aol.com cannot be delivered. This mailbox is disabled (554.30).

Final-Recipient: rfc822; ashleyll@aol.com

Action: failed

Status: 4.4.2

Remote-MTA: dns; mx-aol.mail.gm0.yahoo.com. (67.195.228.86, the server for the domain aol.com.)

Diagnostic-Code: smtp; 554 30 Sorry, your message to ashleyll@aol.com cannot be delivered. This mailbox is disabled (554.30).

Last-Attempt-Date: Tue, 05 Sep 2023 17:20:40 -0700 (PDT)

----- Forwarded message -----

From: "Rosa M. Ruiz" <rosa@rosamruiz.com>

To: "Gonzalez, Nelly" <negonzalez@cb.nyc.gov>, Office Administrator <office@rosamruiz.com>

Cc:

Bcc: ashleyll@aol.com

Date: Tue, 5 Sep 2023 20:20:29 -0400

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[1120 6th Avenue - 4th Floor](#)
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212.484.2290 (o)
646.365.8233 (fax)
www.rosamruiz.com

Mail Delivery Subsystem <mailer-daemon@googlemail.com>
To: rosa@rosamruiz.com

Tue, Sep 5, 2023 at 8:20 PM



Address not found

Your message wasn't delivered to **buzany@rcn.com** because the address couldn't be found, or is unable to receive mail.

The response from the remote server was:

550 5.1.1 [R2] Recipient buzany@rcn.com does not exist here.

Final-Recipient: rfc822; buzany@rcn.com

Action: failed

Status: 5.1.1

Remote-MTA: dns; mx.rcn.com. (129.159.122.98, the server for the domain rcn.com.)

Diagnostic-Code: smtp; 550 5.1.1 [R2] Recipient buzany@rcn.com does not exist here.

Last-Attempt-Date: Tue, 05 Sep 2023 17:20:40 -0700 (PDT)

----- Forwarded message -----

From: "Rosa M. Ruiz" <rosa@rosamruiz.com>

To: "Gonzalez, Nelly" <negonzalez@cb.nyc.gov>, Office Administrator <office@rosamruiz.com>

Cc:

Bcc: buzany@rcn.com

9/5/23, 8:20 PM

RMR Business Licensing & Consulting Mail - The Wrecking Club, LLC d/b/a Break Bar

Date: Tue, 5 Sep 2023 20:20:29 -0400

Subject: The Wrecking Club, LLC d/b/a Break Bar

Good evening,

I hope this email finds you well. Mr. Tom Daly currently operates the Break Bar located at [458 9th Avenue](#). We are appearing before the Community Board to discuss adding a DJ, live entertainment an additional stand-up bar. Please note the live entertainment is to include jazz, and blues music.

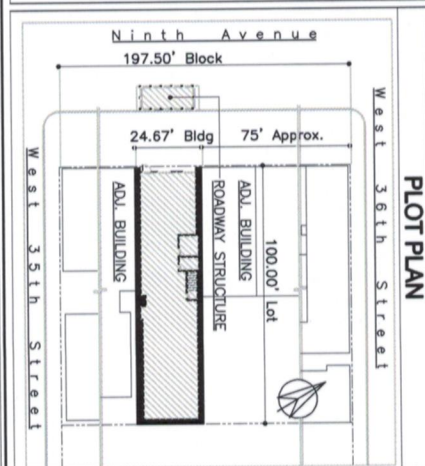
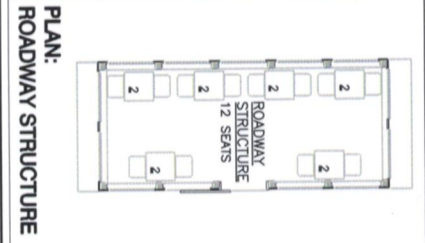
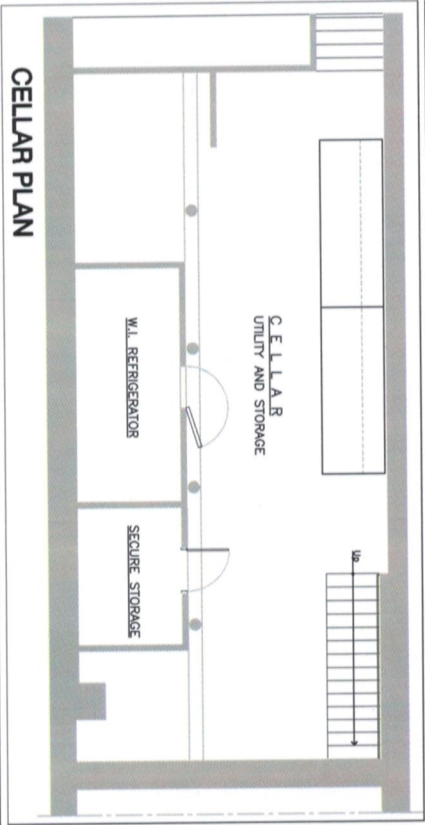
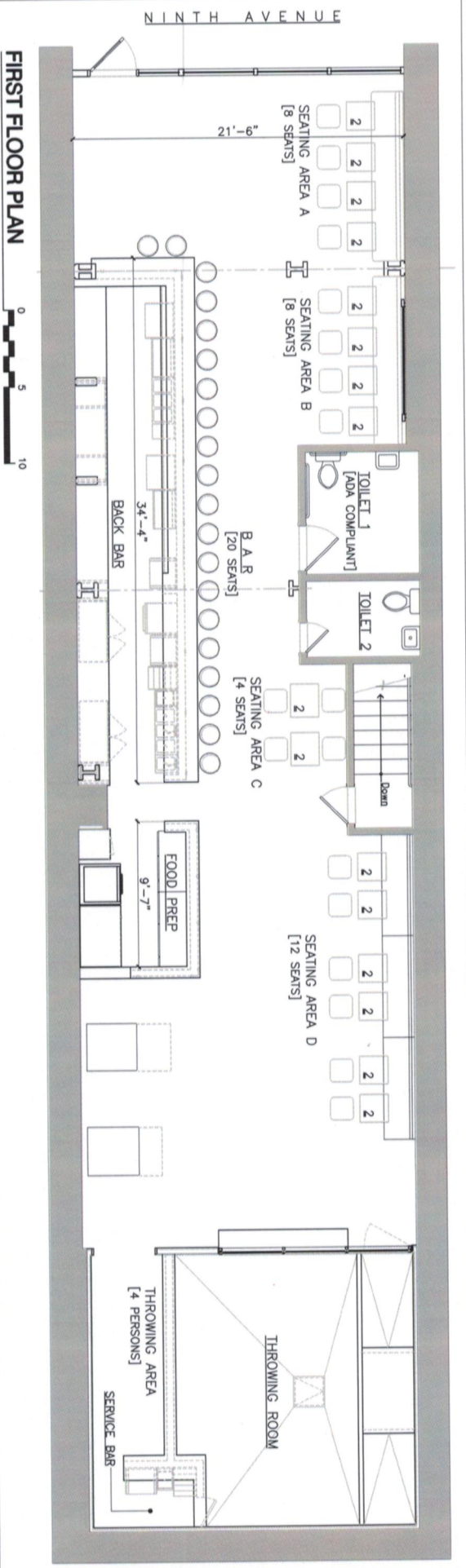
We would appreciate the opportunity to discuss this with you further.

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We look forward to hearing from you.

Thank you.

Rosa M. Ruiz
[1120 6th Avenue - 4th Floor](#)
[New York, New York 10036](#)
212.484.2290 (o)
646.365.8233 (fax)
www.rosamruiz.com



ZONING & LOT INFORMATION

ADDRESS: 458 NINTH AVENUE
 BOROUGH OF MANHATTAN
 BLOCK: 759
 LOT: 001
 BIN: 1082252
 ZONING: C1-78 - LOCAL RETAIL
 DISTRICT: HY - HUDSON YARDS
 MAP No: 8d

OCCUPANCY

| | |
|-----------------|------------|
| OCCUPANCY | 20 Seats |
| BAR: | 32 Seats |
| SEATING AREAS: | 4 Persons |
| THROWING AREA: | 12 Seats |
| ROAD STRUCTURE: | 5 Persons |
| EMPLOYEES: | |
| TOTAL: | 73 Persons |

PROJECT:
The Break Bar
 458 Ninth Avenue
 New York, New York

DRAWING TITLE

FLOOR PLANS

| | | |
|-------------------|--------------------|-------------------|
| SCALE: As Noted | PROJECT NO: 22,260 | DRAWN BY: MG |
| DATE: 21 Dec 2022 | SUBMISSION: SLA | CHECKED: MS |
| NO: 1 | DATE: 12/21/22 | REVISION: |
| | PLAN REVISION: | ROADWAY STRUCTURE |

LICENSEE INFORMATION

LICENSEE: THE WRECKING CLUB LLC
 DBA: BREAK BAR
 SLA CERT. NO: 807888

MGS•Studio, Inc.
 244 East 30th Street • New York, New York, 10016
 Tel: 917.450.2957 • Email: info@MGSstudioNYC.com

SLA-1.0

Home

GALLERY
(/GALLERY)

STORE INFORMATION
(/INFORMATION)

MENU (/MENU)

FOLLOW US!
(/SOCIAL-MEDIA)

ABOUT BREAK BAR
(/ABOUT)

MENU

DRAFTS BOTTLED BEER SPIRITS
COCKTAILS WINE BAR BITES
HAPPY HOUR

Appetizer size

BAR BITES

| | |
|----------------------------------|-------------|
| Pepperoni pizza | \$12 |
| Prosciutto Di Parma pizza | \$12 |
| Margherita Pizza | \$10 |
| Truffle-mushroom Pizza | \$12 |
| Chicken Bites | \$10 |
| Broccoli Bites | \$8 |
| Empanadas | \$12 |
| Jumbo Soft Pretzel | \$12 |
| Mac & Cheese Bites | \$8 |

Waffle Fries

\$8

Spring Rolls

\$10

[CLICK HERE TO WIN A HAPPY HOUR \(/WIN-A-HAPPY-HOUR\)](#)

(ht (ht (lt

[CONTACT US \(/CONTACT-US\)](#)



CITY OF NEW YORK
 MUNICIPAL COMMISSIONER'S OFFICE
 420 WEST 125th STREET, 12th FLOOR, NEW YORK, NY 10028
 www.nyc.gov/municipal

PUBLIC NOTICE
 Business Licenses and Permits Commission
 will discuss an application submitted by
The Wrecking Club LLC
 d/b/a Break Bar
 458 9th Avenue
 A Method of Operation Change

DATE: Tuesday, September 12, 2023
TIME: 6:30 PM
PLACE: **Hybrid Attendance**

Video/Phone Conference Registration:
<https://tinyurl.com/mcha-hbr-commission>

In Person:
 MCHA Office
 424 West 125th Street, Suite 280

Due to limited space and to follow health and safety precautions, we encourage you to participate remotely via Zoom. If you still like to attend in person, please email Assistant District Manager Nelly Gonzalez at ngonzalez@nyc.gov by 10am, Monday, September 11th.

We will also be offering this meeting and more news about this application. If available, you should email your comments by 12pm, Monday, September 11, 2023 for more information. An Assistant District Manager Nelly Gonzalez
ngonzalez@nyc.gov

Please according to the determination Code of the City of New York, section 24-210. Petitions do not remain active after the above meeting date.


NEW YORK POST
 THURSDAY, AUGUST 31, 2023 | Edition: Downtown, Midtown & DC | \$5.00
 LATE CITY FINAL

SHOP OR MAN

ALAN MATHIAS, Mayor & Ambassador






 CITY OF NEW YORK
 MUNICIPAL COMMISSION & BOARD No. 1
 400 W 37th Street, 10th Floor, New York, NY 10018
 www.cityofnewyork.us/municipal-commission-board

PUBLIC NOTICE
 Business Licenses and Permits Committee
 will discuss an application submitted by
The Wrecking Club LLC
d/b/a Break Bar
458 9th Avenue
 A Method of Operation Change

DATE: Tuesday, September 12, 2023
TIME: 6:30 PM
PLACE: **Hybrid Meeting**
 Video/Phone Conference Registration:
<https://tinyurl.com/mcb4-bhp-3mmw>

In Person:
 MCB Office
 424 W 37th Street, Suite 280

Due to limited space and to follow health and safety precautions, we encourage you to participate remotely via Zoom. If you still like to attend in person, please email Assistant District Manager Kelly Gamalera at kgamalera@city.nyc.gov by **Monday, Monday, September 11th**.

We invite you to attend this meeting and learn more about this application. If you wish, you should email your comments by 12:00 p.m. Monday, September 11, 2023 to the above email address. See also the District Manager Kelly Gamalera's website at www.cityofnewyork.us/municipal-commission-board.

Posted according to the Administrative Code of the City of New York section 24-210. Please do not remove after the above meeting date.





CITY OF NEW YORK
 BIENNIUM COMMUNITY BOARD No. 4
 43 W 3rd Street, Suite 500 New York, NY 10011
 Tel: 212 312 4120
communityboard4@cityofny.gov

PUBLIC NOTICE
 Business Licenses and Permits Committee
 will discuss an application submitted by
The Wrecking Club LLC
d/b/a Break Bar
458 9th Avenue
 a Method of Operation Change

DATE: Tuesday, September 12, 2023
 TIME: 6:30 PM
 PLACE: **Hybrid Meeting:**
 Video/Phone Conference Registration:
<https://tinyurl.com/mcb4-hlp-committee>
 In-Person:
 MCB4 Office
 424 W 33rd Street, Suite 580

Due to limited space and to follow health and safety precautions, we encourage you to participate remotely via Zoom. If you would like to attend in person, please email Assistant District Manager Neely Gonzalez at neegonzalez@cb.nyc.gov by 10am, Monday, **Monday September 11th**.

For this in-person meeting and learn more about the application, please call the 24-hour state command by 12 p.m. Monday, September 11, 2023. For more information, contact Assistant District Manager Neely Gonzalez at [212.312.4120](tel:2123124120).

Under the authority of Administrative Code of the City of New York section 24-217.1, this notice is effective until after the above meeting date.





CITY OF NEW YORK
 MANHATTAN COMMUNITY BOARD No. 4
 401 W 37th Street, Room 560, New York, NY 10011
 Tel: 212-726-4150
www.m4cb.org/boardsandcommittees

PUBLIC NOTICE
 Business Licenses and Permits Committee
 will discuss an application submitted by
The Wrecking Club LLC
d/b/a Break Bar
458 9th Avenue
 A Method of Operation Change
 Tuesday, September 12, 2023

6:30 PM

Hybrid Meeting:

Video/Phone Conference Registration:
<https://tinyurl.com/mcha-blp-committee>

In-Person:
 MCB4 Office
 424 W 33rd Street, Suite 580

Due to limited space and to follow health and safety precautions, we encourage you to participate remotely via Zoom. If you would like to attend in person, please email Assistant District Manager Nelly Gonzalez at ngonzalez@cb.nyc.gov by 10am, Monday, Monday September 11th.

We invite you to attend this meeting and learn more about this application. Please email your comments by 12 p.m. Monday, September 11, 2023 for more information, to Assistant District Manager Nelly Gonzalez at ngonzalez@cb.nyc.gov.

In accordance to the Administrative Code of the City of New York section 24-119 Reason do not remove until after the above meeting date.

NEW YORK POST
 LATE CITY FINAL nypost.com \$2.00

SHOP OR MY MAN WILL SHOOT!

Michael Dauterle, M.D.
 Director & Associate





NEW YORK SOUNDPROOFING

**New York Soundproofing
1112 Quentin Rd
Suite 201
Brooklyn, NY 11229
347-903-8873**

CERTIFICATION

This is to certify that after measuring background noise levels and sound system levels, there were not any differences in the outside environs levels, meaning that the levels coming from the facilities are minimal and not affecting the overall sound pressure level.

This certification can be used by the above location, 458 9th Avenue, New York, NY 10018, in the way it deems correct.

Issued on October 16, 2023, in New York, NY.

**Ricardo Martinez
Project Manager
New York Soundproofing**

pm@newyorksoundproofing.com