

# Manhattan Community Board 4

# Liquor License/Sidewalk Cafe Stipulations Application

(All Fields Must Be Completed)

<b>CORPORATION NAME</b>		<b>DOING BUSINESS AS (DBA)</b>	
RWP BAR AND GRILL, LLC			
<b>STREET ADDRESS</b>		<b>CROSS STREETS</b>	<b>ZIP CODE</b>
332 9TH AVENUE		29TH ST, 9TH AVE.	10001
<b>OWNER</b> <small>(Attach a list of all the people that will be associated/listed with the license) SEE ATTACHED</small>	<b>NAME:</b>	KEVIN S. PEET	<b>NAME:</b> WILLIAM TIETJEN
	<b>PHONE:</b>	201-491-2273	<b>PHONE:</b> 914-980-6397
	<b>EMAIL:</b>	KEVIN.PEET31@GMAIL.COM	<b>EMAIL:</b> TIETJEN.WILLIAM@GMAIL.COM
<b>MANAGER</b>	<b>NAME:</b>		<b>NAME:</b> SIDNEY RUBELL CO.
	<b>PHONE:</b>		<b>PHONE:</b> 212-243-2370
	<b>EMAIL:</b>		<b>EMAIL:</b> RUBELLCO@AOL.COM

<b>APPLICATION TYPE</b> ( <input checked="" type="checkbox"/> Liquor License) ( <input type="checkbox"/> Unenclosed Sidewalk Cafe)			
<input checked="" type="radio"/> New	Has applicant owned or managed a similar business?	<input checked="" type="radio"/> YES	<input type="radio"/> NO
	What is/was the name and address of establishment?	MCKENNA'S PUB 250 W. 14TH ST. NYC 10011	
	What were the dates applicant was involved with this former premise?	ONGOING - 12 YEARS	
<input type="radio"/> Corp <b>Change/Class Change/Removal</b>	What is the license # and expiration date?		
	Is applicant making any alterations or operational changes?	<input type="radio"/> YES	<input type="radio"/> NO
	If alterations or operational changes are being made, please describe/list all changes.		
<input type="radio"/> Alteration	What is the current license # and expiration date?		
	Please list/describe the nature of all the changes and attach the plans:		

<b>METHOD OF OPERATION</b>			
<b>TYPE OF ALCOHOL</b>	<input checked="" type="radio"/> Liquor/Wine/Beer & Cider <input type="radio"/> Beer & Cider <input type="radio"/> Wine/Beer & Cider		
<b>ESTABLISHMENT TYPE</b>	<input type="radio"/> Restaurant <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input checked="" type="radio"/> Bar/Tavern <input type="radio"/> Catering Establishment <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Club (Fraternal Organization - Members Only)		
Has applicant/owner filed with the SLA? If yes, when? If no, when do you plan to file?	YES	<input checked="" type="radio"/> NO	11/10/24 AFTER COMMUNITY BOARD MEETING
Is the 500 Foot Rule applicable? If yes, please attach a diagram of the On-Premise liquor license establishments within a 500 ft. radius of your establishment and the Public Interest Statement.	YES	<input checked="" type="radio"/> NO	
Is the 200 Foot Rule applicable? If yes, please attach a diagram of the schools and houses of worship that trigger the rule.	YES	<input checked="" type="radio"/> NO	
Has applicant/owner(s) read MCB4 Policy Regarding Concentration and Location of Alcoholic-Serving Establishments?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	



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

HOURS* <i>(Indoor Only)</i> *SAME AS CORRANT PARK		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
	Operation	8am-4am	8am-4am	8am-4am	8am-4am	8am-4am	8am-4am	10am-4am
	Kitchen	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Music	8am-4am	8am-4am	8am-4am	8am-4am	8am-4am	8am-4am	10am-4am

If you plan to have music, what type(s)? (Circle all that apply)

BACKGROUND	LIVE MUSIC	DJ	<b>JUKE BOX</b>	KARAOKE
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**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
<b>INSIDE</b>		75	7	14	N/A	1	20
<b>OUTSIDE</b> <i>(Other than sidewalk café)</i>	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>DCA APPROVED UNENCLOSED SIDEWALK CAFÉ</b>	N/A	N/A	N/A	N/A	N/A		

How many floors are there? What is the capacity for each floor? **2-BASEMENT AND STREET LEVEL**

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

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  **SECURITY DOORMAN COMPANY**

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  **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
STREET LEVEL	BAR	75	8am - 4am 7 days	7	14	N/A	20	yes
BASEMENT	SUPPLY STORAGE	N/A	N/A	N/A	N/A	N/A	N/A	N/A



**LOCATION & ZONING**

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

ASK MARK

**Community Notification/Relations**

<b>NOTIFICATION:</b> 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  SEE ATTACHED	# 1	
	# 2	
	# 3	
	# 4	
	# 5	
Please provide dates when applicant met with the groups listed above.		EMAILED ON 12/15/23
Who was your contact person at each group you met with?		SEE ATTACHED
When did applicant post the notice that was provided?		12/15/23
Where did applicant post the notice that was provided?		EMAILED
Will applicant provide owner cell phone number to neighbors and respond to complaints that arise? Please provide number in space provided.		<input checked="" type="radio"/> YES <input type="radio"/> NO 201-491-2273
Will applicant inform the Community Board office of its job openings and/or provide a hyperlink to applicants jobs webpage?		<input checked="" type="radio"/> YES <input type="radio"/> NO



# BUILDING DESIGN

State the name and type of business previously located in the space.	BILLYMARK'S WEST, BAR.		
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	BILLYMARK'S WEST
Do you plan any changes to the existing façade? If yes, please describe.	YES	<input checked="" type="radio"/> NO	
Has the applicant/owner(s) read MCB 4 ADA Guidelines Memo?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Is the entrance ADA Compliant?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Do you plan any changes to the existing façade? If yes, please describe.	YES	<input checked="" type="radio"/> NO	
Will applicant have a vestibule within the establishment?	YES	<input checked="" type="radio"/> NO	
Will applicant use a storm enclosure?	YES	<input checked="" type="radio"/> NO	
Does applicant agree to keep the sidewalk clear of all items or obstructions, such as sandwich boards, sidewalk signs, freestanding menus and plants, as per the law?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant comply with the NYC noise code?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will the establishment have any of the following: (circle all that apply)	<input type="radio"/> FRENCH DOORS	<input type="radio"/> GARAGE DOORS	<input type="radio"/> WINDOWS THAT CAN BE OPENED
Will applicant close all windows, French doors, garage doors when any music or amplified sound (including televisions) is played inside the establishment?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant close all windows, French doors, garage doors by 11 PM Friday and Saturday and 10 PM on all other days even if no music or amplified sound is played inside the establishment?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Has applicant obtained an acoustical report from a certified sound engineer to assess potential noise disturbance to the neighboring residents and buildings?	YES	<input checked="" type="radio"/> NO	
Will applicant follow the recommendations of a certified sound engineer to mitigate potential noise disturbance to the neighboring residents and buildings, including placing speakers on the floor of the establishment?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will the kitchen exhaust system extend to the roof?	YES	NO	N/A
Will the establishment have an illuminated sign?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will the establishment have a canopy extending over the sidewalk?	YES	<input checked="" type="radio"/> NO	
Where will the air conditioner be located? What type is it?	CENTRAL		
When was the air conditioner installed?	10 YEARS AGO		

ask next



**OUTDOOR ITEMS - OTHER THAN SIDEWALK CAFÉ**

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



### DCA APPROVED UNENCLOSED SIDEWALK CAFÉ

Has the applicant/owner(s) read MCB4 Sidewalk Café Policy?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant be applying for a sidewalk café now or in the future?	YES	<input checked="" type="radio"/> NO	
Is applicant in this application seeking to include a sidewalk café in its liquor license?	YES	<input checked="" type="radio"/> NO	
If yes, has applicant submitted an application and plans to NYC Dept. of Consumer Affairs? Please attach application and plans.	YES	<input checked="" type="radio"/> NO	
Will applicant close and vacate the sidewalk café by 11 PM on Friday & Saturday and 10 PM on all other days?	YES	NO	N/A
Will applicant be serving alcohol in the sidewalk café? If so, will you have waiter service?	YES	NO	N/A
Will the café have a 3 ft. wide serving aisle running the entire length of the sidewalk café?	YES	NO	N/A
Will applicant mark the perimeter of the café on the sidewalk?	YES	NO	N/A
Will the service and consumption of alcohol in the sidewalk café only be via seated food service?	YES	NO	N/A
Will the sidewalk café not provide standing space for drinking or smoking?	YES	NO	N/A
Will applicant use any portable natural gas heaters? If so, do you have the requisite approvals from DOB & the Fire Department?	YES	NO	N/A
Will applicant have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	N/A
Will all furniture, plants and barricades be stored inside between the evening closing hours and the morning opening hours?	YES	NO	N/A
Will all furniture be stored inside between December 21 <sup>st</sup> and March 21 <sup>st</sup> , and any other day when it rains or snows?	YES	NO	N/A
Will applicant use umbrellas?	YES	NO	N/A
If construction or construction protection has reduced the sidewalk width, will applicant always maintain an 8 foot clear path of sidewalk between the perimeter of the café and the closest obstruction including construction barricades?	YES	NO	N/A
If open dining is in the parking lane, will applicant agree to remove its sidewalk café?	YES	NO	N/A

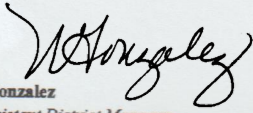


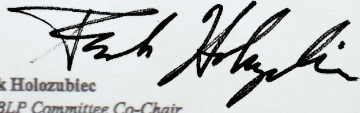
Manhattan Community Board 4 (MCB4) recommends:  
(MCB4's recommendation is based on a vote taken at its  
February 7, 2024 full board meeting, with 36 members voting in favor  
of the recommendation, 0 members opposed, 0 members  
abstaining and 0 present but not eligible)

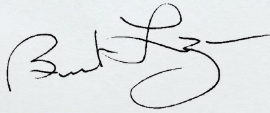
Denial unless all stipulations agreed to by applicant/owner are part of the method of operation

Denial  Approval

**CB4 REPRESENTATIVES**

  
Nelly Gonzalez  
CB4 Assistant District Manager

  
Frank Holozubiec  
CB4 BLP Committee Co-Chair

  
Burt Lazarin  
CB4 BLP Committee Co-Chair

**APPLICANT AGREEMENT WITH THE COMMUNITY**

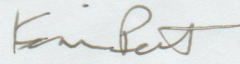
Applicant agrees to these stipulations as the basis for the community support of this application and acknowledges that all of these stipulations are essential prerequisites to the MCB4 recommendation regarding this application. Applicant agrees to have these stipulations incorporated in the method of 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



KEVIN S. PEET

PRINT NAME OF APPLICANT



SIGNATURE OF APPLICANT

12/27/23

DATE



1/1  
OWNERS - RWP BAR AND GRILL, LLC

① KEVIN S. PEET 201-491-2273 KEVIN.PEET31@GMAIL.COM

② ANDREW RHODES 732-501-4939 ANDREW.RHODES1992@GMAIL.COM

③ BENJAMIN AIZER 917-453-2217 BENJAMIN.AIZER13@GMAIL.COM



RESTROOM  
ENTRANCE

Back  
Entrance

WINDOWS

BAR

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WINDOW

ENTRANCE

WINDOW



**RWP Bar and Grill, LLC**

Hello, neighbors and friends!! We were instructed by Manhattan Community Board 4 to reach out to all the residential buildings near 332 9<sup>th</sup> Avenue, which is the location of Billymark's West establishment. My partners and I are in the process of purchasing this business. We intend to keep the bar as is, that being, a longstanding neighborhood tavern. There are no plans to make ANY changes, it would just be a switch in ownership. We will most certainly be completely mindful of our Chelsea neighbors. (FYI, my mother, my sister's family, and my wife are all long term residents of various apartments in Penn South, all on 28<sup>th</sup> Street, in fact, so we have a real incentive to maintain a great relationship with the neighborhood.)

The Manhattan Community Board meeting referencing this business proposal is scheduled for January 9, 2024 at 6:30pm.

Please feel free to reach out with any questions or concerns. Our email address, currently, is [kerrykpeet@aol.com](mailto:kerrykpeet@aol.com).

Thank you and Happy New Year!!!

Kevin S. Peet



WAY  
DEPT. OF TRANSPORTATION  
ONG  
Y  
ORTATION



*World Famous*  
**BILLY MARK'S WEST**  
332 9th Ave  
Open 7 Days  
Est 1956  
646-590-2999





**TOP**  
SHOOTING & QUICK DRAW



*World Famous*  
**BILLY MARK'S WEST**  
332 9th Ave  
Open 7 Days  
Est 1956  
646-590-2999

**NUTRI**

A

**BILLY MARK'S**  
*Home of The*  
**Beer + Shot Special**  
All Day & Night  
*All Welcome*

Security Cameras in Use

Handwritten chalkboard sign with menu items.

WARNING: This product contains nicotine. Nicotine is an addictive chemical.  
NYN  
NYN  
NYN  
HXXD

GENE





*World Famous*  
**BILLY MARK'S WEST**  
332 9th Ave  
Open 7 Days  
Est 1956  
646-590-2999

**NUTRI**  
A

**BILLY MARK'S**  
*Home of The*  
**Beer + Shot  
Special**  
**All Day & Night**  
*You Welcome*

Whiskey  
Sour  
Long Island  
Iced Tea  
HIGH LIFE  
PLANTERS







World Famous **BILLY MARK'S WEST** Est. 1956  
332 9th Ave Open 7 Days 646-590-2999

GRAFFITI: **ATKS** (with 'JAY' tag), **DOMIN**, **WASH**, **WASH**

ONE WAY

WRONG WAY

PARK

Pedestrians walking on the sidewalk

White bus

Orange spray-painted markings on the asphalt