

Manhattan Community Board 4

(All Fields Must Be Completed)

NYS Liquor License/DOT Dining Out Stipulations Application

CORPORATION NAME DJB NYC Rest Corp.		DOING BUSINESS AS (DBA) Nobody's Perfect	
STREET ADDRESS 500 West 43rd Street		CROSS STREETS 10th Avenue & 11th Avenue	ZIP CODE 10036
Applicant <i>(Attach a list of all individuals that will be listed/associated with the license)</i> *See attached	NAME: Joe Gillespie	ATTORNEY/ REPRESENTATIVE	NAME: Michael Paleudis
	PHONE: (917) 553-4651		PHONE: (212) 837-8482
	EMAIL: 500west43@gmail.com		EMAIL: mjp@kplawyers.com
MANAGER	NAME: *Principals will manage	LANDLORD	NAME: 500 West 43rd Street Realty, LLC
	PHONE:		PHONE: (914) 592-8250
	EMAIL:		EMAIL: stareshefskym@gmail.com
APPLICATION TYPE (<input checked="" type="checkbox"/> New York State Liquor License <input type="checkbox"/> Dept. of Transportation Dining Out)			
<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?	See attached	
	What were the dates applicant was involved with this former premise?	See attached	
<input type="radio"/> Corp Change/Class Change/Method of Operation Change/Removal	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:		
METHOD OF OPERATION			
TYPE OF ALCOHOL	<input checked="" type="radio"/> Liquor/Wine/Beer & Cider <input type="radio"/> Beer & Cider <input type="radio"/> Wine/Beer & Cider		
ESTABLISHMENT TYPE	<input 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 filed with the SLA? If yes, when? If no, when does applicant plan to file?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	By end of month
Is the 500 Foot Rule applicable? If yes, please attach a diagram of the On-Premise liquor license establishments within a 500 foot radius of the establishment and the Public Interest Statement.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	See attached
Is the 200 Foot Rule applicable? If yes, please attach a diagram of the schools and houses of worship within a 200 foot radius of the establishment.	<input type="radio"/> 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	

Additional Owners

Barry Spellman
(917) 583-7015
500west43@gmail.com

Darragh Rock
(917) 870-5626
500west43@gmail.com

Principal Work History

Barry Spellman

From-To	Employer	Position	Employment Address	Type of Business
09/2003 – Present	Jacka 91 st Street Inc.	Owner	301 East 91 st Street, New York, NY 10128	Bar/Restaurant
01/2013 – 01/2023	DTUT Café Inc.	Owner	1744 2 nd Avenue, New York, NY 10128	Bar/Restaurant
05/2014 – Present	BM Rest Corp.	Owner	34-08 30 th Avenue, Astoria, NY 11103	Bar/Restaurant
07/2015 – Present	1696 Pub Inc.	Owner	1696 2 nd Avenue, New York, NY 10128	Bar/Restaurant
08/2017 – Present	35-15 Rest Corp.	Owner	35-15 Broadway, Astoria, NY 11106	Bar/Restaurant
03/2019 – Present	364 Atlantic Rest LLC	Owner	364 Atlantic Avenue, Brooklyn, NY 11217	Bar/Tavern
02/2021- Present	Sweet Avenue Corp.	Owner	40-05 Queens Boulevard, Sunnyside, NY 11104	Bar/Tavern
02/2021– Present	ILGT LLC	Owner	270 Smith Street, Brooklyn, NY 11231	Sports Bar & Grill
12/2021 - Present	34-06 Rest Corp.	Owner	34-06 30 th Avenue, Astoria, NY 11103	Bar/Tavern
03/2023 - Present	*BJROCK 1664 Inc.	Owner	1664 1 st Avenue, New York, NY 10028	Bar/Tavern
10/2024 - Present	33-07 Rest Corp.	Owner	33-07 Broadway, Astoria, NY 11106	Bar/Tavern

*Darragh Rock is also an owner.

Joe Gillespie

From-To	Employer	Position	Employment Address	Type of Business
08/1994 - 08/2003	PJ Horgans Tavern Corp.	Owner	42-17 Queens Boulevard, Sunnyside, NY 11104	Bar/Restaurant
02/2014 - Present	RJ Skillman Inc.	Owner	49-10 Skillman Avenue, Woodside, NY 11377	Bar/Restaurant
01/2017 – 10/2024	4902 Skillman Cafe LLC	Owner	49-02 Skillman Avenue, Woodside, NY 11377	Bar/Restaurant

OPERATIONAL DETAILS (*Closing time will be when establishment is vacated of all patrons)									
HOURS of Operation		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY	
	Indoors	10am-4am	10am-4am	10am-4am	10am-4am	10am-4am	10am-4am	10am-4am	10am-4am
	Outdoors	10am-11pm	10am-11pm	10am-11pm	10am-12am	10am-12am	10am-12am	10am-11pm	
	Kitchen	10am-4am	10am-4am	10am-4am	10am-4am	10am-4am	10am-4am	10am-4am	
	Music (indoors)	10am-4am	10am-4am	10am-4am	10am-4am	10am-4am	10am-4am	10am-4am	
If yes, what type(s)? (Circle all that apply)		<input checked="" type="checkbox"/> BACKGROUND		<input type="checkbox"/> LIVE MUSIC		<input type="checkbox"/> DJ		<input checked="" type="checkbox"/> JUKE BOX	
		<input checked="" type="checkbox"/> KARAOKE							
OCCUPANCY									
	Capacity Pursuant to Certificate of Occupancy	Maximum Occupancy (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	11	34	0	1	12		
OUTSIDE <i>(Rooftop/Rear Yard/Patio/Terrace /Garden; within the premises)</i>	N/A	N/A	N/A	N/A	N/A	N/A	N/A		
DOT Dining Out: Sidewalk Cafe			X	X					
DOT Dining Out: Roadway			N/A	N/A					
How frequently will the owner(s) be at the establishment?					Joe Gillespie will be at the premises daily and Daragh Rock will be there nightly.				
Will there be dancing?					YES	<input checked="" type="radio"/> NO			
Will applicant have bottle or table service for alcohol beverages other than wine?					YES	<input checked="" type="radio"/> NO			
Will applicant be hosting private promotional or corporate events?					YES	<input checked="" type="radio"/> NO			
Will outside promoters be used on a regular basis? If yes, please describe.					YES	<input checked="" type="radio"/> NO			
Will applicant have a security plan? If yes, please attach.					<input checked="" type="radio"/> YES	NO	Security cameras are installed and the Applicant will have a doorman Thursday through Sunday.		
Will security plan be implemented?					<input checked="" type="radio"/> YES	NO			
Will State certified security personnel be used?					<input checked="" type="radio"/> YES	NO			
Will New York Nightlife Association and NYPD Best Practices be followed?					<input checked="" type="radio"/> YES	NO			
Does applicant agree to notify MCB4 prior to making changes to its method of operation?					<input checked="" type="radio"/> YES	NO			
Will applicant be using delivery bicycles? If yes, how many? Please describe where delivery bicycles will be parked when picking up deliveries?					YES	<input checked="" type="radio"/> NO			

Will delivery bicycles be clearly marked with the name of the restaurant and will staff wear attire clearly marked with the name as described by NYC Law?	YES	NO	N/A
Where will applicants' own delivery bicycles be parked when not making deliveries?	N/A		
If applicant is using third party delivery service, where will third party delivery bicycles park?	N/A		
Where will applicant store its garbage containers when not in use?	Basement		
Where will applicant lay out garbage containers and at what time?	Curbside after 10pm		

LOCATION & ZONING

Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	<input checked="" type="radio"/> YES	NO	CL-Clinton
Does the building have a Certificate of Occupancy ("C of O") or a Letter of No Objection?	<input checked="" type="radio"/> YES	NO	
Is a Public Assembly permit required?	YES	<input checked="" type="radio"/> NO	
Are your plans filed with DOB?	YES	NO	N/A
What is the zoning designation for this location?	C6-4		


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	See attached email to block associations.
	# 2	
	# 3	
	# 4	
	# 5	
When did applicant post the notice that was provided?	11/25/2024	
Where did applicant post the notice that was provided?	Entryway and light poles on the block	
Please provide dates when applicant met with the groups listed above.	N/A; no one has reached out to meet thus far.	
Who was your contact person at each group you met with?	N/A	
Will applicant provide a cell phone number to neighbors and respond to complaints that arise? If yes, please provide.	<input checked="" type="radio"/> YES	NO Joe Gillespie (917) 553-4651
Will applicant inform the Community Board office of its job openings and/or provide a hyperlink to applicant's jobs webpage?	<input checked="" type="radio"/> YES	NO

MULTIPLE SPACES/FLOORS 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
Basement	Storage & Refrigeration							
First Floor	Dining & Bar Kitchen Restrooms Office	29	10am-4am	5	17	0	1 bar/ 12 seats	Yes
Mezzanine	Dining	17	10am-4am	6	17	0	0	Yes

BUILDING DESIGN			
State the name and type of business previously located in the space.	Walter's Cottage, bar/tavern		
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	Walter's Cottage
Do you plan any changes to the existing façade? If yes, please describe.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	Applicant will remove exterior "shed" structure and install a new sign.
Has the applicant/owner(s) read MCB4 ADA Guidelines Memo?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Is the entrance ADA Compliant?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Do you plan any changes to the existing façade? If yes, please describe.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	Applicant will install a new sign.
Will applicant have a vestibule within the establishment?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	
Will applicant use a storm enclosure?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	
Does applicant agree to keep the sidewalk clear of all items or obstructions, such as sandwich boards, sidewalk signs, freestanding menus and plants, as per the law?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant comply with the NYC noise code?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will the establishment have any of the following: (circle all that apply)	<input checked="" type="radio"/> FRENCH DOORS	<input type="radio"/> GARAGE DOORS	<input checked="" 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 p.m. Friday and Saturday and 10 p.m. on all other days even if no music or amplified sound is played inside the establishment?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Has applicant obtained an acoustical report from a certified sound engineer to assess potential noise disturbance to the neighboring residents and buildings?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	Minimal renovations will be made to the premises. There is existing soundproofing.
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 type="radio"/> YES	<input checked="" type="radio"/> NO	See above
Will the kitchen exhaust system extend to the roof?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will the establishment have an illuminated sign?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will the establishment have a pole-supporting canopy extending over the sidewalk?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	
Where will the air conditioner be located? What type is it?	There are two new heat pump units located in the parking garage behind the store. There is an older unit on the roof that will be replaced before next summer.		
When was the air conditioner installed?	2023 (two newer units)		

OUTDOOR PRIVATE PROPERTY – ROOFTOP, REAR YARD, TERRACE			N/A	
Has the applicant/owner(s) read MCB4 Rear Yard Rooftop Policy?	YES	NO		
Will applicant use any outdoor spaces: rooftop, rear yard, patio, porch, balcony, pavilion, tents, deck, gazebo? 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 11 p.m. on Friday & Saturday and 10 p.m. 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 prohibit patrons from drinking in any outdoor space(s)?	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		

DEPARTMENT OF TRANSPORTATION DINING OUT: SIDEWALK			
Have you read MCB4 Sidewalk Café Policy?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Are you planning for sidewalk seating now or in the future?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
If you answered "NO" to the question above, jump to the next page			
Did applicant submit a scaled dimension site plan at scale to NYC Department of Transportation? Please attach a copy of application and plans.	YES	<input checked="" type="radio"/> NO	Pending
Will applicant close and vacate the sidewalk for roadway seating by 11 p.m. on Friday & Saturday and on public holidays?	YES	<input checked="" type="radio"/> NO	Applicant must follow the rules and regulations set by DOT.
Will applicant respect trees and trees within the width of the tree?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will the service and consumption of alcoholic beverages be only be via seated food service?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant prohibit patrons from drinking in any area or adjacent sidewalk?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant permit NO wait lines or smoking outside?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will there be no amplified music, as per the law?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
If amplified sound is played inside the establishment, doors be closed?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will there be a staff person responsible to manage the crowd or crowds outside?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant agree not to use prohibited materials?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant agree to abide by all codes, including not blocking fire escapes?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will the outdoor dining be in a container on the parking lane?	YES	<input checked="" type="radio"/> NO	There is a
Will the sidewalk serving aisle running the entire length of the sidewalk?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will the sidewalk have a platform?	YES	<input checked="" type="radio"/> NO	
Will applicant agree to keep the sidewalk clear of all items or obstructions, such as signs, boards, sidewalk signs, freestanding menus and plants, as per the law?	<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	
Will the sidewalk seating block subway grate, utility hardware or Siamese water connection?	YES	<input checked="" type="radio"/> NO	
If construction or construction protection has reduced the sidewalk width, will applicant always maintain an 8-foot clear path of sidewalk between the perimeter of the café and the closest obstruction including construction barricades?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	

***This application does not extend to any outdoor space**

DEPARTMENT OF TRANSPORTATION DINING OUT: ROADWAY			N/A	
Did applicant submit an application and dimension site plan at scale to NYC Dept. of Transportation? Please attach a copy of application and plans.	YES	NO		
If you answered no to the question above, jump to the next page				
Will the roadway structure extend on top of the curb or pedestrian refuge? By how much?	YES	NO		
Will the roadway structure have an ADA compliant ramp (not in the bike lane)?	YES	NO		
Will the roadway structure extend in the striped zone along the bike lane? By how much?	YES	NO		
Will the electric wires be brought over at the roof level?	YES	NO		
Will applicant dismantle and dispose of a shed that is no longer in use, along with its furniture?	YES	NO		
Will there be no music or amplifies sound in any outdoor seating, as per law?	YES	NO		
Will applicant have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO		
Will applicant close and vacate the sidewalk and roadway seating by 11 p.m. on Friday & Saturday and 10 p.m. on all other days?	YES	NO		
Will the Outdoor Dining Sidewalk & Roadway provide no standing space for drinking or smoking?	YES	NO		
Will the service and consumption of alcohol in the Outdoor Dining Sidewalk/Roadway only be via seated food service?	YES	NO		
Will applicant prohibit patrons from drinking in any outdoor space(s) or adjacent sidewalk?	YES	NO		
If amplified sound is played inside the establishment, will windows and doors be closed?	YES	NO		
Will applicant permit NO wait lines or smoking outside?	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?	YES	NO		
Will applicant respect trees and tree pits and insure the health of the tree?	YES	NO		
Will applicant permit NO wait lines or smoking outside?	YES	NO		
Will there be a staff person responsible to ensure no loitering, noise or crowds outside?	YES	NO		
Will applicant agree not to use propane heaters?	YES	NO		
Will the outdoor dining deposit its garbage in a container on the parking lane?	YES	NO		↓

ADDITIONAL STIPULATIONS: (Office Use Only)

- This application does not extend to any outdoor space
- Noise emanating from the establishment will be controlled; there is to be no loud music; patrons will not be permitted to congregate in front of the adjacent commercial operations and/or the condominium's garden
- Smoking by patrons will be restricted to the earea immediately in front of the establishment; but receptacle(s) will be placed outside when they open up and will be brought inside at closing
- The sidewalk is to be kept clean; after closing every night, the sidewalk and tree pits in front of the establishment and immediatly adjacent sidewalks will be policed: all waste, cigarette butts and other detritus is to be cleaned up;
- The grease trap will be cleaned sufficiently frequently to prevent blockage and overflow
- Garbage, securly contained and wrapped as required by applicable New York City regulations, will not be placed outside for pickup before 10pm; at the earliest, Sunday through Friday nights. There is no pick up by their contracted carter on Saturdays so no garbage will be placed outside on that night
- In all other matters, the establishment will be operated in complainace with applicable rules; regualtions and ordinances, the objective being to carry on businessd as a respectable and respectful good neighbor
- Will contact Manhattan Plaza Tenant Association and Condo Board of 500 W 43rd Street (The Strand) and will meet with the organizations if requested
- BLP vote is conditioned on no concerns being raised by Manhattan Plaza Tenant Association and The Strand
- If concerns are raised, applicant will return to 1/14/25 Business Licenses & Permits Committee Meeting
- Applicant will operate with one (1) security guard on Friday & Saturday evenings from 8pm until closing. The security guard will be located outside the door of the premises

To the extent any additional stipulation on pages 9 and 10 of this application conflicts with any response on pages 1 – 11 of this application, the stipulations on pages 9 and 10 control.

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

To the extent any additional stipulation on pages 9 and 10 of this application conflicts with any response on pages 1 – 11 of this application, the stipulations on pages 9 and 10 control.


Manhattan Community Board 4 (MCB4) recommends: <i>(MCB4's recommendation is based on a vote taken at its</i> <u>Janaury 6, 2025</u> <i>full board meeting, with</i> <u>40</u> <i>members voting</i> <i>in favor of the recommendation, </i> <u>0</u> <i> members opposed, </i> <u>0</u> <i>members abstaining and </i> <u>0</u> <i> present but not eligible)</i>	<input checked="" type="checkbox"/> Denial unless all stipulations agreed to by applicant/owner are part of the method of operation <input type="radio"/> Denial <input type="radio"/> Approval
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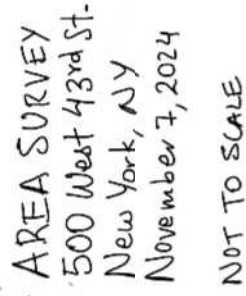
MCB4 REPRESENTATIVES

 Nelly Gonzalez MCB4 Assistant District Manager	 Frank Holozubiec MCB4 BLP Committee Co-Chair	 Burt Lazarin MCB4 BLP Committee Co-Chair
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APPLICANT AGREEMENT WITH THE COMMUNITY

Applicant agrees to these stipulations as the basis for the community support of this application and acknowledges that all of these stipulations are essential prerequisites to the MCB4 recommendation regarding this application. Applicant agrees to have these stipulations incorporated in the method of operation of its liquor license. The stipulations in this application constitute the entire agreement between MCB4 and applicant and may only be altered in writing signed by MCB4 representatives and applicant. These stipulations supersede any oral statements, representations, or prior iterations in connection with this application.

SIGN HERE →	John Joseph Gillespie PRINT NAME OF APPLICANT	 SIGNATURE OF APPLICANT	12 / 02 / 2024 DATE
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Landess-Simon, Inc.

Legal & Commercial Photography

45 Lawlins Park
Wyckoff, NJ 07481
Phone: (917) 975-5218
E-mail: landess@att.net
landessphotographers.com

Re: 500 West 43rd Street

1. 44 & X Hell's Kitchen - 626 10th Avenue - (487')
2. Memé - 607 10th Avenue - (371')
3. West Side Steakhouse - 597 10th Avenue - (273')
4. Pio Pio - 604 10th Avenue - (311')
5. Mr. Biggs - 596 10th Avenue - (222')
6. Canard - 503 West 43rd Street - (208')
7. Signature Theatre - 450 West 42nd Street - (268')
8. Yotel - 570 10th Avenue - (285')
9. Cachet Hotel - 510 West 42nd Street - (264')

Schools & Churches

1. Success Academy Charter School Hudson Yards Elementary School - 500 West 41st Street - (438')
2. Sts. Cyril & Methodius & St. Raphael's Catholic Church Croatian Parish - 502 West 41st Street - (461')
3. Beacon High School - 522 West 44th Street - (472')



December 2, 2024

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

Re: DJB NYC Rest Corp.
Premises: 500 West 43rd Street, New York, NY 10036

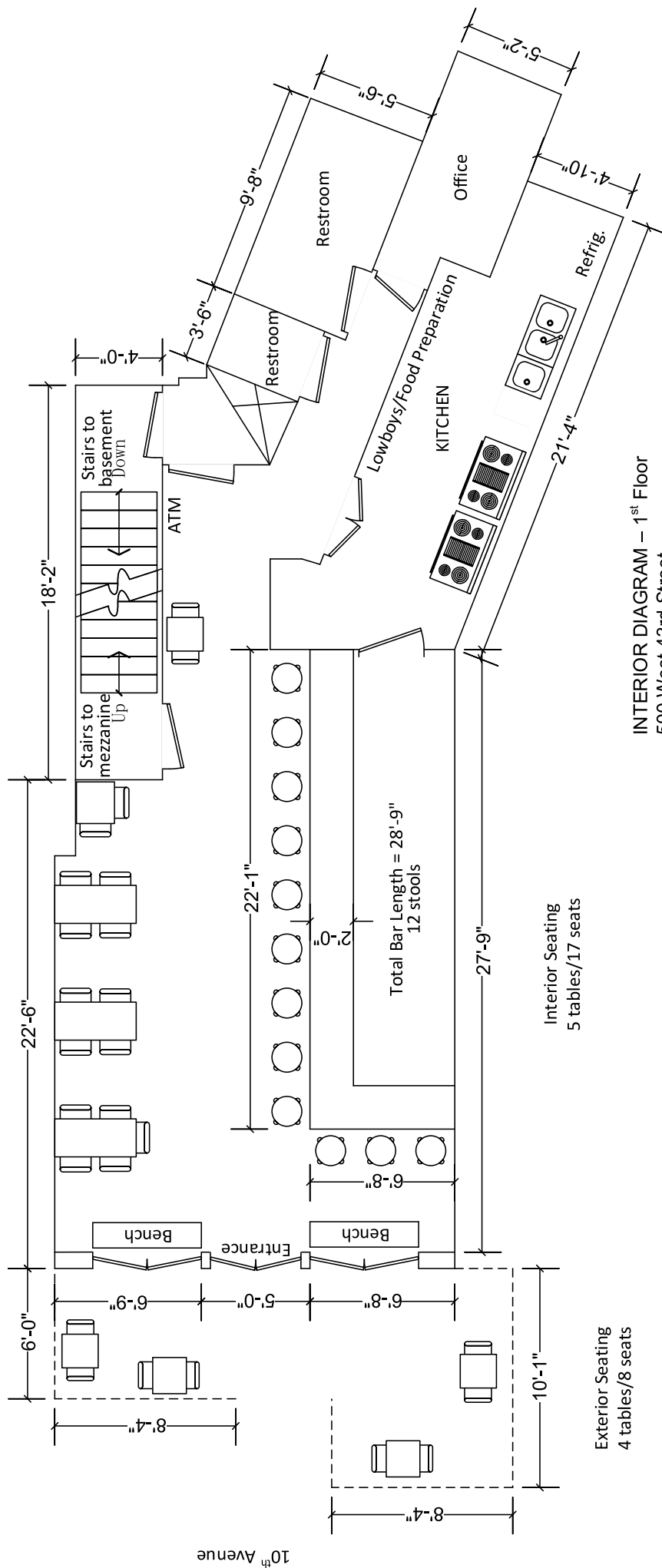
To Whom It May Concern:

Our office represents DJB NYC Rest Corp., a New York corporation that has been created to operate a 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 provided proper notice to Manhattan Community Board 4 on November 1, 2024 and will meet with the Business Licenses & Permits Committee on December 10, 2024.
- 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 midtown Manhattan in close proximity to subway trains and buses. Parking is available nearby in lots and garages. In light of the parking and nearby public transportation, granting the instant application will not negatively impact vehicular traffic.
- d) There will be no live entertainment or dancing at the premises. The applicant will continue operating with the same method as the current licensee. Thus, the establishment will not increase the noise level.

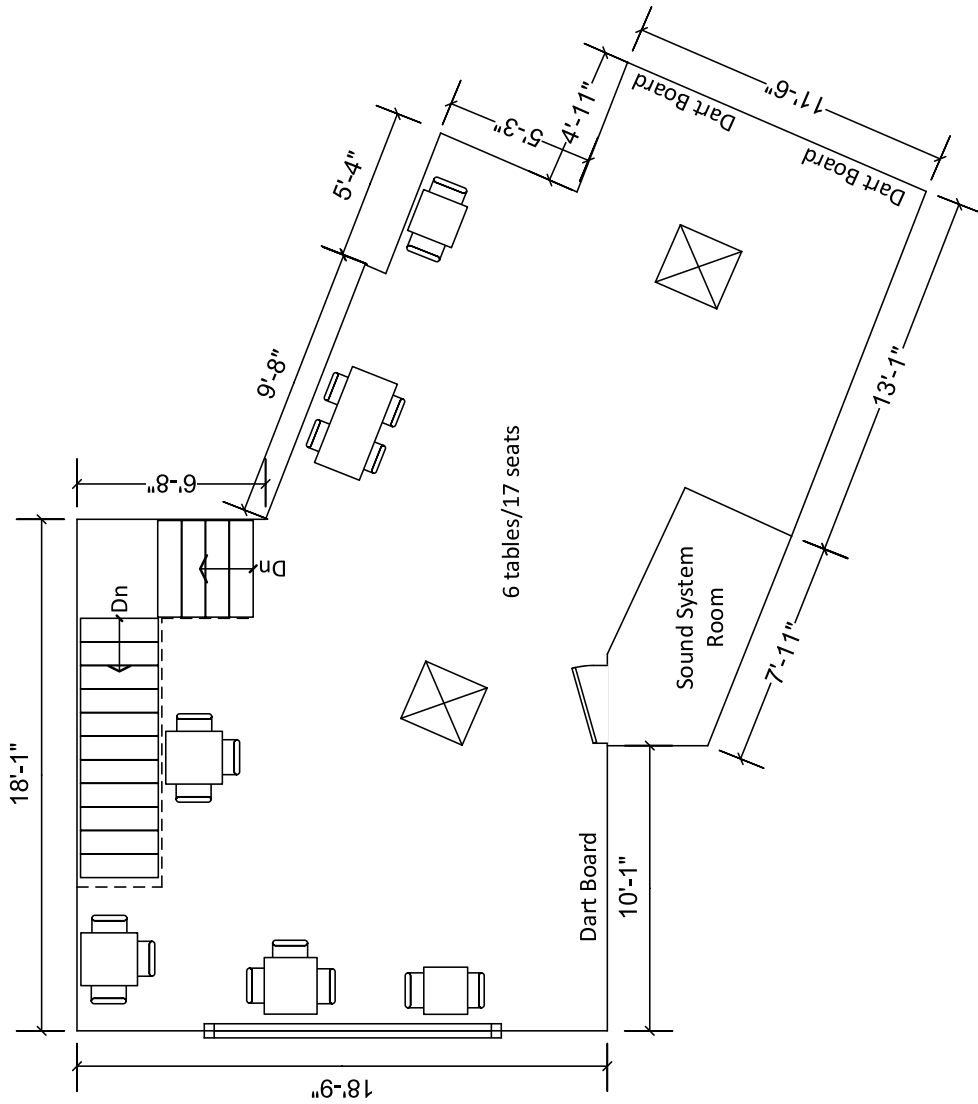
Respectfully submitted,

Michael Paleudis, Esq.

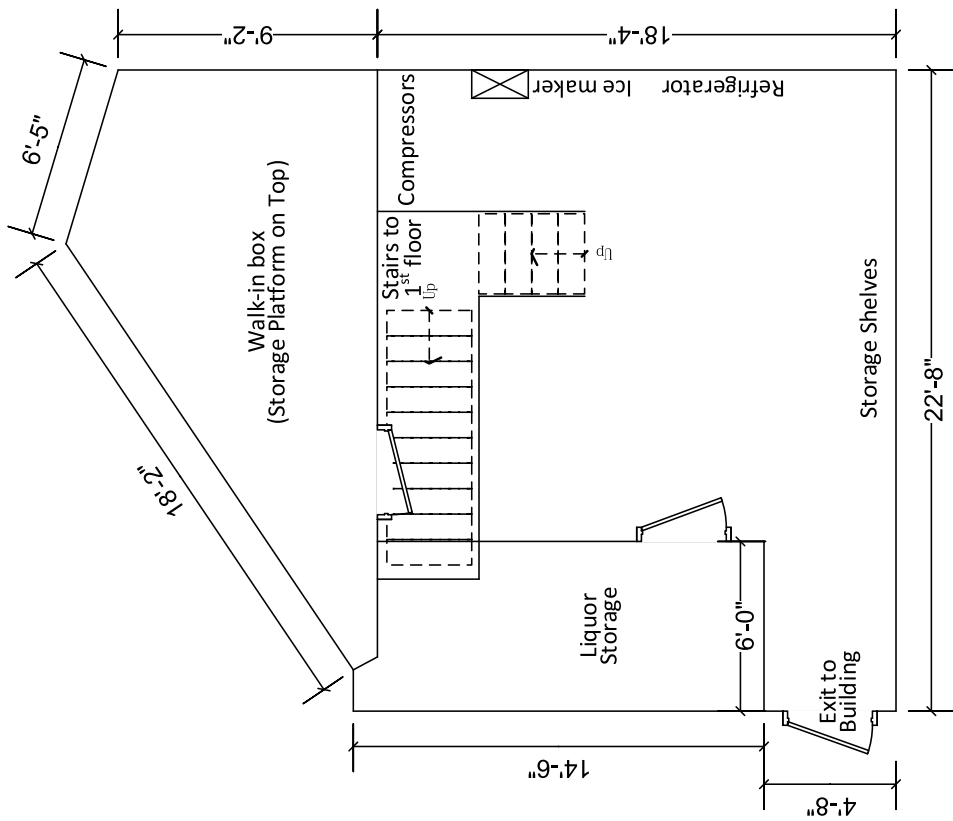


INTERIOR DIAGRAM – 1st Floor
 500 West 43rd Street
 New York, NY
 November 7, 2024

NOT TO SCALE



INTERIOR DIAGRAM – Mezzanine
500 West 43rd Street
New York, NY
November 7, 2024
NOT TO SCALE



INTERIOR DIAGRAM – Basement
500 West 43rd Street
New York, NY
November 7, 2024
NOT TO SCALE

Menu

APPETIZER

Red Door Platter	\$15.00	Cottage Chips	\$5.00
Mozzarella Sticks	\$8.00	Chicken Wings	\$9.00
Potato Skins	\$8.00	Plate O Pickles	\$3.00
Chicken Tenders	\$9.00	Cottage Crisps	\$3.00

SOUPS AND SALADS

Irish Onion Soup

\$7.00

Cottage Guinness

\$10.00

Liquor License Application; 500 W 43rd Street

From Michael Paleudis <mjp@kplawyers.com>

Date Fri 11/15/2024 8:42 PM

To Michael Paleudis <mjp@kplawyers.com>

Bcc Laura Ryan <ler@kplawyers.com>; pgouris@hyhkalliance.org <pgouris@hyhkalliance.org>; kathleentreat123@gmail.com <kathleentreat123@gmail.com>; mcgee79@aol.com <mcgee79@aol.com>; excom@chekped.com <excom@chekped.com>; info@clintonhousing.org <info@clintonhousing.org>; jrestuccia2@clintonhousing.org <jrestuccia2@clintonhousing.org>; rmarcano@clintonhousing.org <rmarcano@clintonhousing.org>; West43rdStreetNYC@gmail.com <West43rdStreetNYC@gmail.com>; marisared22@aol.com <marisared22@aol.com>; west44thnyc@gmail.com <west44thnyc@gmail.com>; twocatsltd@worldnet.att.net <twocatsltd@worldnet.att.net>; hk4546ba@gmail.com <hk4546ba@gmail.com>; aefearshk@earthlink.net <aefearshk@earthlink.net>; larrymichaelroberts@gmail.com <larrymichaelroberts@gmail.com>; mariagnys@aol.com <mariagnys@aol.com>; rpimentel@commonground.org <rpimentel@commonground.org>; dsage@commonground.org <dsage@commonground.org>; nkyriacou@yahoo.com <nkyriacou@yahoo.com>; gdclay@att.net <gdclay@att.net>; delores.rubin@att.net <delores.rubin@att.net>; brianscottweber@gmail.com <brianscottweber@gmail.com>; john.mudd@usa.net <john.mudd@usa.net>; info@hcc-nyc.org <info@hcc-nyc.org>; ploeb315@aol.com <ploeb315@aol.com>; west55ba@gmail.com <west55ba@gmail.com>; hk5051@gmail.com <hk5051@gmail.com>; tenants350west51st@gmail.com <tenants350west51st@gmail.com>; acernitz@gmail.com <acernitz@gmail.com>; awm3333@me.com <awm3333@me.com>; jessbondy@aol.com <jessbondy@aol.com>; john.waldman@redcross.org <john.waldman@redcross.org>; HellsKBA@gmail.com <HellsKBA@gmail.com>; brianscottweber@gmail.com <brianscottweber@gmail.com>; cressidac@gmail.com <cressidac@gmail.com>; peggychane@gmail.com <peggychane@gmail.com>; ljames@hcc-nyc.org <ljames@hcc-nyc.org>; rjbenfatto@hyhkalliance.org <rjbenfatto@hyhkalliance.org>; Frank Holozubiec (Work) <fholozubiec@kirkland.com>; Burt Lazarin <brlaz@aol.com>

 1 attachment (4 MB)

11.01.24 - 30 Day Notice (submitted).pdf;

To Whom It May Concern:

Our law firm represents DJB NYC Rest Corp, an entity formed by Joseph Gillespie, Barry Spellman, and Darragh Rock. 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 an on-premises liquor license at 500 W 43rd Street, where Walter's Cottage presently operates.

Walter's Cottage has held an on-premises liquor license with a 4:00 am closing time since 2015 without any significant adverse history. DJB NYC Rest Corp seeks to operate with the same hours and method of operation as the current licensee.

Our client is scheduled to meet with CB4 on December 10. 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)

[Join Meeting Room](#)

mjp@kplawyers.com

www.kplawyers.com



New York | New Jersey

**Standardized NOTICE FORM for Providing 30-Day Advance
Notice to a Local Municipality or Community Board**1. Date Notice Sent: 1a. Delivered by:

2. Select the type of Application that will be filed with the Authority for an On-Premises Alcoholic Beverage License:

For premises outside the City of New York:

☐ New Application ☐ Removal ☐ Class Change

For premises in the City of New York:

☐ New Application ☒ New Application and Temporary Retail Permit ☐ Temporary Retail Permit ☐ Removal☐ Class Change ☐ Method of Operation ☐ Corporate Change ☐ Renewal ☐ AlterationFor **New** and Temporary Retail Permit applicants, answer each question below using all information known to dateFor **Renewal** applicants, answer all questionsFor **Alteration** applicants, attach a complete written description and diagrams depicting the proposed alteration(s)For **Corporate Change** applicants, attach a list of the current and proposed corporate principalsFor **Removal** applicants, attach a statement of your current and proposed addresses with the reason(s) for the relocationFor **Class Change** applicants, attach a statement detailing your current license type and your proposed license typeFor **Method of Operation Change** applicants, although not required, if you choose to submit, attach an explanation detailing those changes**Please include all documents as noted above. Failure to do so may result in disapproval of the application.****This 30-Day Advance Notice is Being Provided to the Clerk of the Following Local Municipality or Community Board:**3. Name of Municipality or Community Board: **Applicant/Licensee Information:**4. Licensee Serial Number (if applicable): Expiration Date (if applicable): 5. Applicant or Licensee Name: 6. Trade Name (if any): 7. Street Address of Establishment: 8. City, Town or Village: , NY Zip Code: 9. Business Telephone Number of applicant/ Licensee: 10. Business E-mail of Applicant/Licensee: 11. Type(s) of alcohol sold or to be sold: ☐ Beer & cider ☐ Wine, Beer & Cider ☒ Liquor, Wine, Beer & Cider12. Extent of Food Service: ☐ Full Food menu; full kitchen run by a chef/cook ☒ Menu meets legal minimum food requirements; food prep area required13. Type of Establishment: ☐ Seasonal Establishment ☒ Juke Box ☐ Disc Jockey ☒ Recorded Music ☒ Karaoke14. Method of Operation: (check all that apply) ☐ Live Music (give details i.e., rock bands, acoustic, jazz, etc.): ☐ Patron Dancing ☐ Employee Dancing ☐ Exotic Dancing ☐ Topless Entertainment☐ Video/Arcade Games ☐ Third Party Promoters ☒ Security Personnel☐ Other (specify): 15. Licensed Outdoor Area: (check all that apply) ☐ None ☐ Patio or Deck ☐ Rooftop ☐ Garden/Grounds ☐ Freestanding Covered Structure
☒ Sidewalk Cafe ☐ Other (specify): _____

OFFICE USE ONLY		
<input type="radio"/> Original	<input type="radio"/> Amended	Date _____

16. List the floor(s) of the building that the establishment is located on: **Ground floor, basement and mezzanine**
17. List the room number(s) the establishment is located in within the building, if appropriate: **N/A**
18. Is the premises located within 500 feet of three or more on-premises liquor establishments? ☒ Yes ☐ No
19. Will the license holder or a manager be physically present within the establishment during all hours of operation? ☒ Yes ☐ No
20. If this is a transfer application (an existing licensed business is being purchased) provide the name and serial number of the licensee:
- | | |
|--|-----------------------|
| Rosierae's Inc d/b/a Walter's Cottage | 0340-23-139017 |
| Name | Serial Number |
21. Does the applicant or licensee own the building in which the establishment is located? ☐ Yes (if YES, SKIP 23-26) ☒ No

Owner of the Building in Which the Licensed Establishment is Located

22. Building Owner's Full Name: **500 West 43rd Street Realty, LLC**
23. Building Owner's Street Address: **500 West 43rd Street, Suite 39A**
24. City, Town or Village: **New York** State: **NY** Zip Code: **10036**
25. Business Telephone Number of Building Owner: **(914) 592-8250**

Representative or Attorney Representing the Applicant in Connection with the Application for a License to Traffic in Alcohol at the Establishment Identified in this Notice

26. Representative/Attorney's Full Name: **Michael Paleudis, Esq.**
27. Representative/Attorney's Street Address: **100 Canal Street Boulevard, Suite 125**
28. City, Town or Village: **Princeton** State: **NJ** Zip Code: **08540**
29. Business Telephone Number of Representative/Attorney: **(212) 837-8482**
30. Business E-mail Address of Representative/Attorney: **mjp@kplawyers.com**

I am the applicant or licensee holder or a principal of the legal entity that holds or is applying for the license. Representations in this form are in conformity with representations made in submitted documents relied upon by the Authority when granting the license. I understand that representations made in this form will also be relied upon, and that false representations may result in disapproval of the application or revocation of the license.

By my signature, I affirm under **Penalty of Perjury** that the representations made in this form are true.

31. Printed Principal Name: **John J. Gillespie** Title: **Principal**

Principal Signature: _____



Title	Amended 30 Day Notice
File name	12.02.24%20-%2030...o%20client%29.pdf
Document ID	73b4dd69c6626f404a81778db3b4419812683a4c
Audit trail date format	MM / DD / YYYY
Status	● Signed

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Document History



12 / 02 / 2024
17:08:15 UTC

Sent for signature to DJB NYC Rest Corp.
(500west43@gmail.com) from aac@kplawyers.com
IP: 96.248.92.228



12 / 02 / 2024
18:05:17 UTC

Viewed by DJB NYC Rest Corp. (500west43@gmail.com)
IP: 172.56.165.44



12 / 02 / 2024
18:05:42 UTC

Signed by DJB NYC Rest Corp. (500west43@gmail.com)
IP: 172.56.165.44



12 / 02 / 2024
18:05:42 UTC

The document has been completed.

Standardized NOTICE FORM for Providing 30-Day Advance Notice to a Local Municipality or Community Board

1. Date Notice Sent: 11/1/24 1a. Delivered by: Overnight Mail, Tracking Number and Pro

2. Select the type of Application that will be filed with the Authority for an On-Premises Alcoholic Beverage License:

For premises outside the City of New York:

☐ New Application ☐ Removal ☐ Class Change

For premises in the City of New York:

☐ New Application ☒ New Application and Temporary Retail Permit ☐ Temporary Retail Permit ☐ Removal

☐ Class Change ☐ Method of Operation ☐ Corporate Change ☐ Renewal ☐ Alteration

For **New** and Temporary Retail Permit applicants, answer each question below using all information known to date

For **Renewal** applicants, answer all questions

For **Alteration** applicants, attach a complete written description and diagrams depicting the proposed alteration(s)

For **Corporate Change** applicants, attach a list of the current and proposed corporate principals

For **Removal** applicants, attach a statement of your current and proposed addresses with the reason(s) for the relocation

For **Class Change** applicants, attach a statement detailing your current license type and your proposed license type

For **Method of Operation Change** applicants, although not required, if you choose to submit, attach an explanation detailing those changes

Please include all documents as noted above. Failure to do so may result in disapproval of the application.

This 30-Day Advance Notice is Being Provided to the Clerk of the Following Local Municipality or Community Board:

3. Name of Municipality or Community Board: Manhattan Community Board 4

Applicant/Licensee Information:

4. Licensee Serial Number (if applicable): TBD Expiration Date (if applicable): TBD

5. Applicant or Licensee Name: DJB NYC Rest Corp.

6. Trade Name (if any): TBD

7. Street Address of Establishment: 500 West 43rd Street

8. City, Town or Village: New York, NY Zip Code: 10036

9. Business Telephone Number of applicant/ Licensee: (917) 553-4651

10. Business E-mail of Applicant/Licensee: 500west43@gmail.com

11. Type(s) of alcohol sold or to be sold: ☐ Beer & cider ☐ Wine, Beer & Cider ☒ Liquor, Wine, Beer & Cider

12. Extent of Food Service: ☐ Full Food menu; full kitchen run by a chef/cook ☒ Menu meets legal minimum food requirements; food prep area required

13. Type of Establishment: Bar/Tavern

☐ Seasonal Establishment ☒ Juke Box ☐ Disc Jockey ☒ Recorded Music ☒ Karaoke

14. Method of Operation: (check all that apply) ☐ Live Music (give details i.e., rock bands, acoustic, jazz, etc.):

☐ Patron Dancing ☐ Employee Dancing ☐ Exotic Dancing ☐ Topless Entertainment

☐ Video/Arcade Games ☐ Third Party Promoters ☐ Security Personnel

☐ Other (specify):

15. Licensed Outdoor Area: ☐ None ☐ Patio or Deck ☐ Rooftop ☐ Garden/Grounds ☐ Freestanding Covered Structure
(check all that apply) ☒ Sidewalk Cafe ☐ Other (specify): _____

OFFICE USE ONLY		
<input type="radio"/> Original	<input type="radio"/> Amended	Date _____

16. List the floor(s) of the building that the establishment is located on:
17. List the room number(s) the establishment is located in within the building, if appropriate:
18. Is the premises located within 500 feet of three or more on-premises liquor establishments? ☒ Yes ☐ No
19. Will the license holder or a manager be physically present within the establishment during all hours of operation? ☒ Yes ☐ No
20. If this is a transfer application (an existing licensed business is being purchased) provide the name and serial number of the licensee:
- | | |
|--|---|
| <input type="text" value="Rosierae's Inc d/b/a Walter's Cottage"/> | <input type="text" value="0340-23-139017"/> |
| Name | Serial Number |
21. Does the applicant or licensee own the building in which the establishment is located? ☐ Yes (if YES, SKIP 23-26) ☒ No

Owner of the Building in Which the Licensed Establishment is Located

22. Building Owner's Full Name:
23. Building Owner's Street Address:
24. City, Town or Village: State: Zip Code:
25. Business Telephone Number of Building Owner:

Representative or Attorney Representing the Applicant in Connection with the Application for a License to Traffic in Alcohol at the Establishment Identified in this Notice

26. Representative/Attorney's Full Name:
27. Representative/Attorney's Street Address:
28. City, Town or Village: State: Zip Code:
29. Business Telephone Number of Representative/Attorney:
30. Business E-mail Address of Representative/Attorney:

I am the applicant or licensee holder or a principal of the legal entity that holds or is applying for the license. Representations in this form are in conformity with representations made in submitted documents relied upon by the Authority when granting the license. I understand that representations made in this form will also be relied upon, and that false representations may result in disapproval of the application or revocation of the license.

By my signature, I affirm - under **Penalty of Perjury** - that the representations made in this form are true.

31. Printed Principal Name: Title:

Principal Signature: _____



Title	30 Day Notice; 500 West 43
File name	11.01.24%20-%2030...0%28locked%29.pdf
Document ID	5375f8a9cd4054924082153e9b18bf81f870e61f
Audit trail date format	MM / DD / YYYY
Status	● Signed

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Document History



11 / 01 / 2024
18:19:58 UTC

Sent for signature to Joe Gillespie (500west43@gmail.com)
from mjp@kplawyers.com
IP: 96.248.92.228



11 / 01 / 2024
18:50:54 UTC

Viewed by Joe Gillespie (500west43@gmail.com)
IP: 24.102.120.223



11 / 01 / 2024
18:51:50 UTC

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18:51:50 UTC

The document has been completed.



YOU CAN'T PEE
FOR FREE
RESTROOMS ARE FOR
CUSTOMERS ONLY





JESSICA CHAIT
District Manager

CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD No. 4

424 W 33rd Street, Suite 580 New York, NY 10001
tel: 212-736-4536

<https://cbmanhattan.cityofnewyork.us/cb4/>

PUBLIC NOTICE

Business Licenses and Permits Committee
will discuss an application submitted by

DJB NYC Rest Corp.
500 W 43rd Street

A New Liquor, Wine, Beer & Cider License for a
Bar/Tavern Establishment with a Juke Box, Recorded
Music, Karaoke & Sidewalk Cafe

DATE:

Tuesday, December 10, 2024

TIME:

6:30 PM

PLACE:

Hybrid Meeting:

Video/Phone Conference Registration:
<https://tinyurl.com/mcb4-blp-committee>



In-Person:


MCB4 Office
424 W 33rd Street, Suite 580

**To follow public health best practices,
building protocols and due to limited
space, we encourage all members of the
public to participate remotely via Zoom. If
you would like to attend in person, please
email Assistant District Manager Nelly
Gonzalez at negonzalez@cb.nyc.gov by
10am, Monday, December 9th.**

We invite you to attend this meeting and learn more about this application.
Alternately, you should email your comments by 12 p.m. Monday, December 9th
or for more information, to Assistant District Manager Nelly Gonzalez
negonzalez@cb.nyc.gov

Posted according to the Administrative Code of the City of New York section 24-207
119. Please do not remove this notice.





Public Notice

Business Licenses and Permits Committee will discuss an application submitted by

DJB NYC Rest Corp.
506 W 43rd Street

1 New Liquor, Wine, Beer & Cider License for a 1c/beer Establishment with a Juice Bar, Restaurant, Music, Karaoke & Billiards Cafe

Tuesday, December 30, 2020

6:30 PM

Hybrid Meeting:

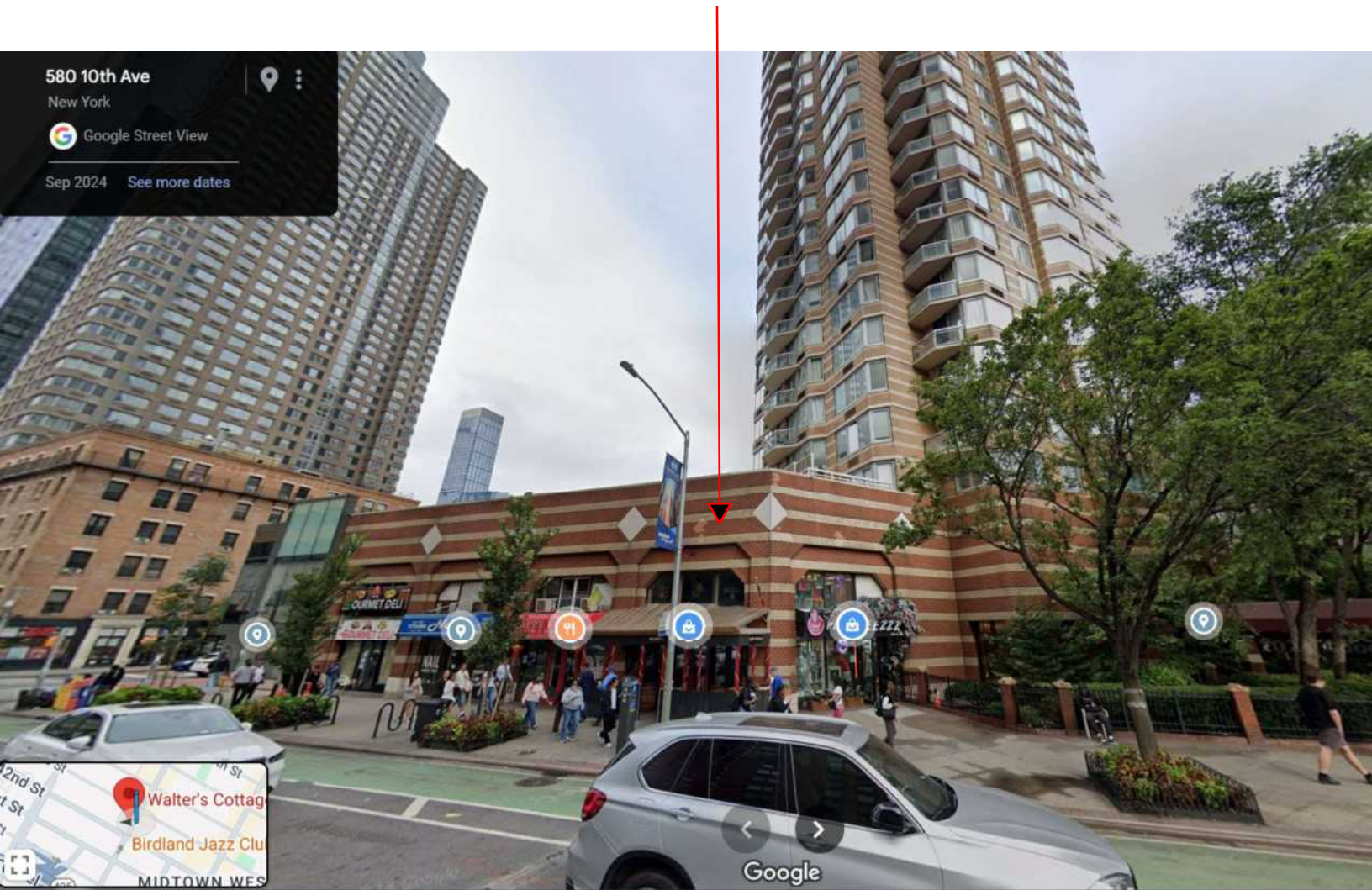
Video/Phone Conference Registration
<https://forms.gle/8m3a43p3m3m3m3m3>

In Person:
BACBA Office
484 W 34th Street, Suite 200

To follow public health best practices, building protocols and due to limited space, we encourage all members of the public to participate remotely via Zoom. If you would like to attend in person, please email Assistant District Manager John Gonzalez at jgonzalez@nyc.gov by 11:00am, Monday, December 28th.

ATHLETEGY

I'LL BEAT YOUR A**
HEKTIC





Title	DJB NYC Rest Corp. SLA Stipulation Application
File name	12.02.24%20-%20%2...client%29_opt.pdf
Document ID	7d076d57eeb9e5cc6d9555ac8febe5601c0587a4
Audit trail date format	MM / DD / YYYY
Status	● Signed

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12 / 02 / 2024

21:40:45 UTC

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IP: 24.102.120.223



SIGNED

12 / 02 / 2024

21:46:46 UTC

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IP: 24.102.120.223



COMPLETED

12 / 02 / 2024

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