

# Manhattan Community Board 4

(All Fields Must Be Completed)

## NYS Liquor License/DOT Dining Out Stipulations Application

<b>CORPORATION NAME</b> 156 Seventh Avenue Group LLC		<b>DOING BUSINESS AS (DBA)</b> Type text here Elmo Restaurant		
<b>STREET ADDRESS</b> 156 7th Avenue		<b>CROSS STREETS</b> West 19th and West 20th Streets		<b>ZIP CODE</b> 10011
<b>Applicant</b> <small>(Attach a list of all individuals that will be listed/associated with the license)</small>	<b>NAME:</b> Robert Pontarelli	<b>ATTORNEY/ REPRESENTATIVE</b>	<b>NAME:</b> Bernstein Redo & Savitsky PC Donald M. Bernstein, Esq.	
	<b>PHONE:</b> 917-607-9402		<b>PHONE:</b> 212-651-3100	
	<b>EMAIL:</b> rwp05@aol.com		<b>EMAIL:</b> donald@brpclaw.com and jules@brpclaw.com	
<b>MANAGER</b>	<b>NAME:</b> Erick Huertas	<b>LANDLORD</b>	<b>NAME:</b> Rialto Management Co.t	
	<b>PHONE:</b> 484-707-7009		<b>PHONE:</b> 212-744-9644	
	<b>EMAIL:</b> gm@elmorerestaurant.com		<b>EMAIL:</b> scott@rialtomanagement.com	
<b>APPLICATION TYPE</b> ( <u>    </u> New York State Liquor License <u>  X  </u> Dept. of Transportation Dining Out )				
<input checked="" type="radio"/> <b>New</b>	Has applicant owned or managed a similar business?		<b>YES</b>	<b>NO</b>
	What is/was the name and address of establishment?		<b>See attached list</b>	
	What were the dates applicant was involved with this former premise?		<b>See attached list</b>	
<input type="radio"/> <b>Corp</b> <b>Change/Class Change/Method of Operation Change/Removal</b>	What is the license # and expiration date?			
	Is applicant making any alterations or operational changes?		<b>YES</b>	<b>NO</b>
	If alterations or operational changes are being made, please describe/list all changes.			
<input type="radio"/> <b>Alteration</b>	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 checked="" type="radio"/> Restaurant <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input type="radio"/> Bar/Tavern <input type="radio"/> Catering Establishment <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Club (Fraternal Organization – Members Only)			
Has applicant filed with the SLA? If yes, when? If no, when does applicant plan to file?		<input checked="" type="checkbox"/> <b>YES</b>	<input type="checkbox"/> <b>NO</b>	DOT applications submitted 08/07/2024
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 type="checkbox"/> <b>YES</b>	<input type="checkbox"/> <b>NO</b>	N/A
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="checkbox"/> <b>YES</b>	<input type="checkbox"/> <b>NO</b>	N/A
Has applicant/owner(s) read MCB4 Policy Regarding Concentration and Location of Alcoholic-Serving Establishments?		<input checked="" type="checkbox"/> <b>YES</b>	<input type="checkbox"/> <b>NO</b>	

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

HOURS of Operation		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
	Indoors	11am-11pm	11am-12am	11am-12am	11am-12am	11am-12am	11am-12am	11am-11pm
	Outdoors	11am-10pm	11am-10pm	11am-10pm	11am-10pm	11am-11pm	11am-11pm	11am-10pm
	Kitchen	11am-11pm	11am-12am	11am-12am	11am-12am	11am-12am	11am-12am	11am-11pm
	Music (indoors)	11am-11pm	11am-12am	11am-12am	11am-12am	11am-12am	11am-12am	11am-11pm

If yes, what type(s)?  
(Circle all that apply)

☒ BACKGROUND

LIVE MUSIC

DJ

JUKE BOX

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	242	242	51	135	None	1	11	
OUTSIDE <i>(Rooftop/Rear Yard/Patio/Terrace /Garden; within the premises)</i>	na	na	na	na	na	na	na	
DOT Dining Out: Sidewalk Cafe	24	24	12	24	na	na		
DOT Dining Out: Roadway			na					

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

daily - lives next door

Will there be dancing?

YES

NO

no

Will applicant have bottle or table service for alcohol beverages other than wine?

YES

NO

no

Will applicant be hosting private promotional or corporate events?

YES

NO

no

Will outside promoters be used on a regular basis? If yes, please describe.

YES

NO

no

Will applicant have a security plan? If yes, please attach.

YES

NO

no- sit down eat in full service restaurant

Will security plan be implemented?

YES

NO

na

Will State certified security personnel be used?

YES

NO

na

Will New York Nightlife Association and NYPD Best Practices be followed?

YES

NO

no

Does applicant agree to notify MCB4 prior to making changes to its method of operation?

YES

NO

yes

Will applicant be using delivery bicycles? If yes, how many? Please describe where delivery bicycles will be parked when picking up deliveries?

YES

NO

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	na
Where will applicants' own delivery bicycles be parked when not making deliveries?	N/A type text here		
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?	yes, stored in the back alley of the building		
Where will applicant lay out garbage containers and at what time?	curb at 1am		

## LOCATION & ZONING

Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	NO	no
Does the building have a Certificate of Occupancy ("C of O") or a Letter of No Objection?	YES	NO	yes
Is a Public Assembly permit required?	YES	NO	yes account # 86074705
Are your plans filed with DOB?	YES	NO	N/A
What is the zoning designation for this location?	C6-3A		

## 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.	# 1	See enclosed list of groups together with email to groups		
	# 2			
	# 3			
	# 4			
	# 5			
When did applicant post the notice that was provided?		March 17, 2025		
Where did applicant post the notice that was provided?		window & street post		
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		
Will applicant provide a cell phone number to neighbors and respond to complaints that arise? If yes, please provide.		YES	NO	Yes
Will applicant inform the Community Board office of its job openings and/or provide a hyperlink to applicant's jobs webpage?		YES	NO	Yes

# **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
Street level	dining room	146	11am-11pm Sun-Mon  11am-12am Tues-Sat	40	99	0	One 11 bar stools	Spotify
Lower level	cocktails & dining	96	11am-11pm Sun-Mon  11am-12am Tues-Sat	11	36	1	0	Spotify
unenclosed side walk cafe	dining	24	11am-10pm Sun-Thurs  11am-11pm Fri-Sat	12	24	0	0	none

<b>BUILDING DESIGN</b>				
State the name and type of business previously located in the space.	N/A Elmo has been operating since 2002			
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.	YES	NO	Exisiting license, 23 years	
Do you plan any changes to the existing façade? If yes, please describe.	YES	NO	no	
Has the applicant/owner(s) read MCB4 ADA Guidelines Memo?	YES	NO	yes	
Is the entrance ADA Compliant?	YES	NO	yes	
Do you plan any changes to the existing façade? If yes, please describe.	YES	NO	no	
Will applicant have a vestibule within the establishment?	YES	NO	no	
Will applicant use a storm enclosure?	YES	NO	yes	
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	yes	
Will applicant comply with the NYC noise code?	YES	NO	yes	
Will the establishment have any of the following: (circle all that apply)	FRENCH DOORS		GARAGE DOORS	WINDOWS THAT CAN BE OPENED <input checked="" type="checkbox"/>
Will applicant close all windows, French doors, garage doors when any music or amplified sound (including televisions) is played inside the establishment?	YES	NO	yes	
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?	YES	NO	yes	
Has applicant obtained an acoustical report from a certified sound engineer to assess potential noise disturbance to the neighboring residents and buildings?	YES	NO	n/a	
Will applicant follow the recommendations of a certified sound engineer to mitigate potential noise disturbance to the neighboring residents and buildings, including placing speakers on the floor of the establishment?	YES	NO	yes	
Will the kitchen exhaust system extend to the roof?	YES	NO	yes	
Will the establishment have an illuminated sign?	YES	NO	yes, a small sign	
Will the establishment have a pole-supporting canopy extending over the sidewalk?	YES	NO	no	
Where will the air conditioner be located? What type is it?	Roof, RUDD units			
When was the air conditioner installed?	Year 2002			

**OUTDOOR PRIVATE PROPERTY – ROOFTOP, REAR YARD, TERRACE**

Has the applicant/owner(s) read MCB4 Rear Yard Rooftop Policy?	YES	NO	yes
Will applicant use any outdoor spaces: rooftop, rear yard, patio, porch, balcony, pavilion, tents, deck, gazebo? If yes, which one(s)?	YES	NO	no, does not apply
Are the floorplans for the outdoor space(s) included?	YES	NO	na
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	na
Will the service and consumption of alcohol in any outdoor space only be via seated food service?	YES	NO	na
Will applicant prohibit patrons from drinking in any outdoor space(s)?	YES	NO	na
Will there be no amplified music, as per the law?	YES	NO	na
If amplified sound is played inside the establishment, will windows and doors be closed?	YES	NO	na
Will applicant agree to post signs outside asking customers to respect the neighbors?	YES	NO	na
Will applicant agree to train staff to encourage a peaceful environment?	YES	NO	na
Will applicant provide effective sound control (landscaping enclosure, soundproofing tenants; apartments)	YES	NO	na
Will there be a lighting plan that allows safe usage of the outdoor space without disrupting neighbors?	YES	NO	na

DEPARTMENT OF TRANSPORTATION DINING OUT: SIDEWALK			
Has the applicant read MCB4 Sidewalk Café Policy?	YES	NO	yes
Will applicant be applying for sidewalk seating now or in the future?	YES	NO	yes, applied to DOT on 08/07/2024
<b>If you answered no to the question above, jump to the next page</b>			yes
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	yes
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	yes
Will applicant respect trees and tree pits and insure the health of the tree?	YES	NO	yes
Will the service and consumption of alcohol in any outdoor space only be via seated food service?	YES	NO	yes
Will applicant prohibit patrons from drinking in any outdoor space(s) or adjacent sidewalk?	YES	NO	yes
Will applicant permit NO wait lines or smoking outside?	YES	NO	yes
Will there be no amplified music, as per the law?	YES	NO	yes
If amplified sound is played inside the establishment, will windows and doors be closed?	YES	NO	yes
Will there be a staff person responsible to ensure no loitering, noise or crowds outside?	YES	NO	yes
Will applicant agree not to use propane heaters?	YES	NO	yes
Will applicant agree to abide by all applicable fire codes, including not blocking fire escapes?	YES	NO	yes
Will the outdoor dining deposit its garbage in a container on the parking lane?	YES	NO	no, garbage bin will be inside the building
Will the café have a 3 foot-wide serving aisle running the entire length of the sidewalk seating?	YES	NO	Yes
Will the sidewalk seating have a platform?	YES	NO	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	yes
Will there be a lighting plan that allows safe usage of the outdoor space without disrupting neighbors?	YES	NO	yes
Will the sidewalk seating block subway grate, utility hardware or Siamese water connection?	YES	NO	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 closes obstruction including construction barricades?			yes

DEPARTMENT OF TRANSPORTATION DINING OUT: ROADWAY			
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	no
<b>If you answered no to the question above, jump to the next page</b>			
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)**

***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> <b>May 7, 2025</b> <i>full board meeting, with 39 members voting</i> <i>in favor of the recommendation, 0 members opposed, 0</i> <i>members abstaining and 0 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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<b>MCB4 REPRESENTATIVES</b>
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 Nelly Gonzalez MCB4 Assistant District Manager	 Frank Holozubiec MCB4 BLP Committee Co-Chair	 Wendy Gonzalez MCB4 BLP Committee Co-Chair
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<b>APPLICANT AGREEMENT WITH THE COMMUNITY</b>
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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.

<b>SIGN HERE</b> →	ROBERT PONTARELLI		03/21/2025
	PRINT NAME OF APPLICANT		

## **License History for Robert Pontarelli**

Barracuda Lounge Inc

dba Barracuda

275 West 22<sup>nd</sup> Street

New York, NY 10011

License ID No. 0340-22-106810

1995 to present (license placed in safekeeping March 2025)

156 Seventh Avenue Group LLC

dba Elmo

156 Seventh Avenue

New York, NY 10011

License ID No. 0340-22-105636

2002 to present

355 Hell's Kitchen Group LLC

dba Industry

355 West 52<sup>nd</sup> Street

New York, NY 10019

License ID No. 0340-22-103951

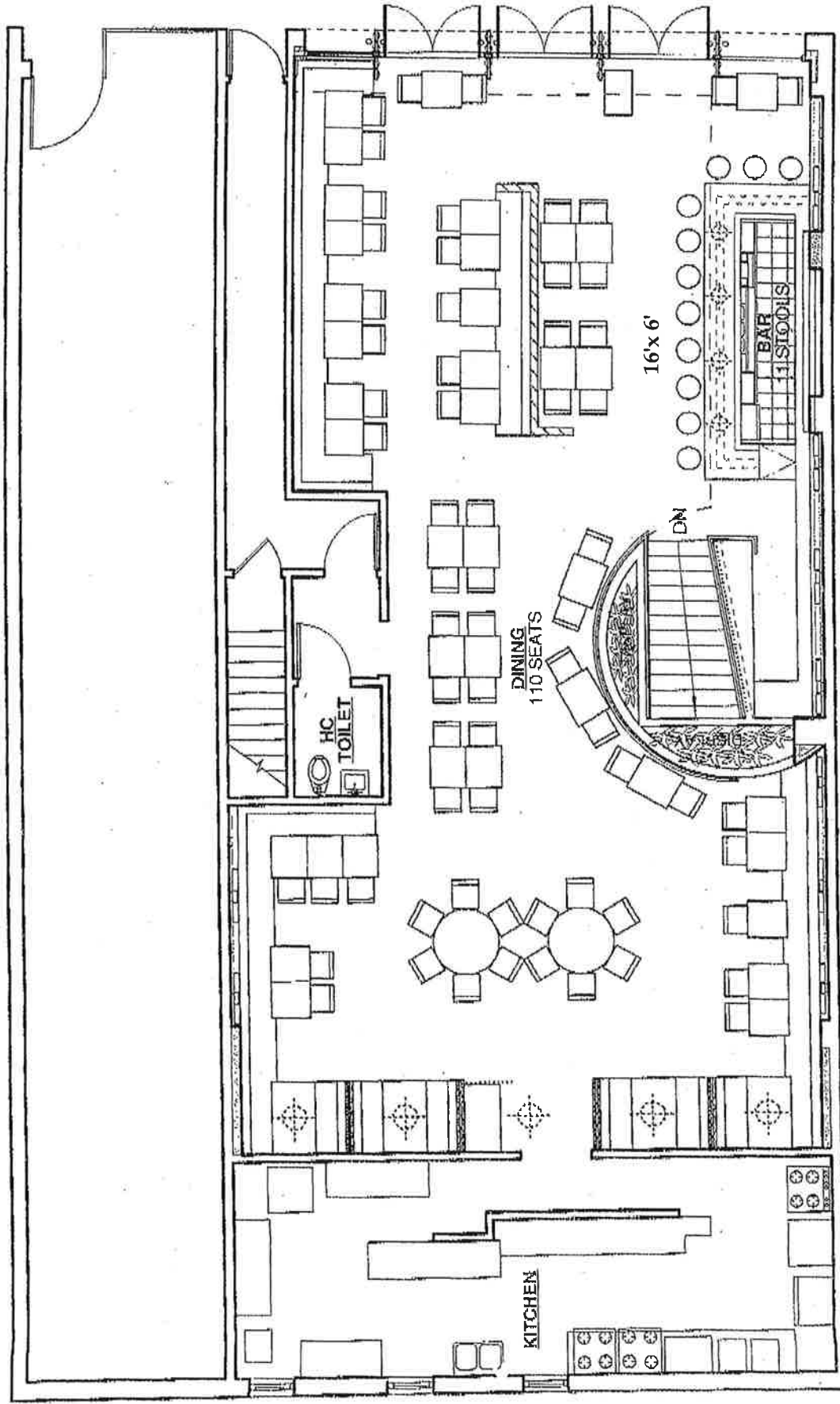
2010 to present



## Interior Diagrams

156 Seventh Avenue Group LLC dba Elmo / 156 Seventh Avenue, New York, NY 10011

1st floor tables 40 and 99 seats with a 16'x 6' customer bar with 11 bar stools for a total of 110 seats

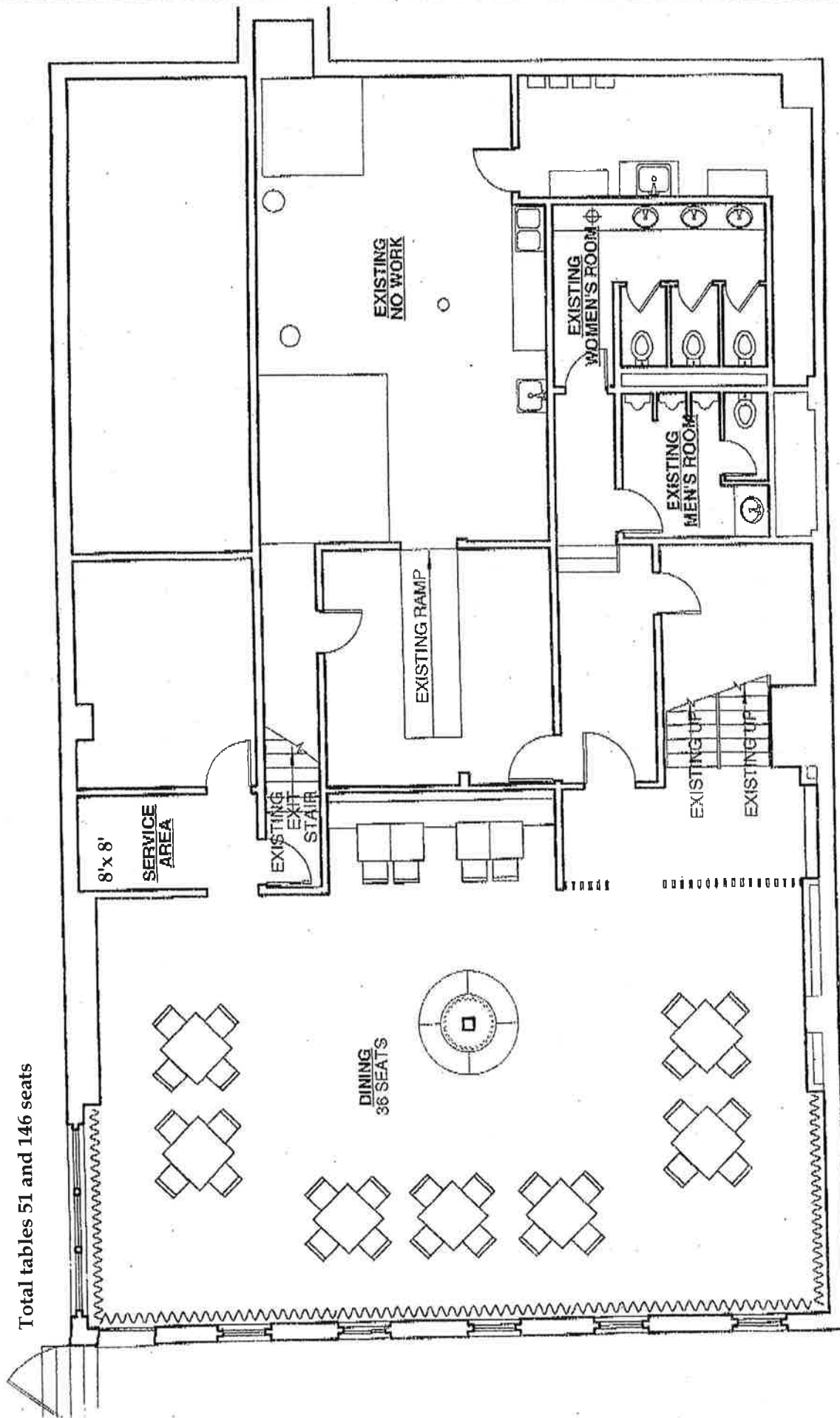


**156 SEVENTH AVENUE, NYC**  
FIRST FLOOR PLAN

156 Seventh Avenue Group LLC dba Elmo / 156 Seventh Avenue, New York, NY 10011

Cellar tables 11 and 36 seats.

Total tables 51 and 146 seats



**156 SEVENTH AVENUE, NYC**  
LOWER LEVEL FLOOR PLAN



## Department of Transportation Site Plan together with Sidewalk Café Diagram



## SECTION 1: Site Plan

- This Site Plan form is required to be uploaded in the "Sidewalk Site Plan" field of your online application.
- Refer to the [How to Apply](#) page in the Dining Out NYC website for more information about the application process.

### Identify Clear Path Requirements:

Clear path requirement for your sidewalk cafe can be found by identifying your corridor type on the DOT's Pedestrian Mobility Plan [Pedestrian Demand Map](#).

- ☐ C1- Global Corridor (12 feet Clear Path)
- ☒ C2- Regional Corridor (10 feet Clear Path)
- ☐ C3- Neighborhood Corridor, Community Connector, or Baseline Street (8 feet Clear Path)

### Setup Area Identification :

- ☐ Please check this box if you plan to have outdoor dining located partially within private property. If you are uncertain, please request records from your property owner/manager.
- ☐ Please check this box if all or part of your sidewalk cafe is in a sidewalk widening area, developed pursuant to the NYC Zoning Resolution. If so, indicate the property line in the site plan drawing below.



## Sidewalk Cafe Site Plan Form

Applicant Name: Robert Pontarelli

Restaurant Name: Elmo

FSEP Number: 40872438

Use the space below to draw or upload your Site Plan representing your cafe perimeters, furniture, and clearances.

### Drawing Requirements

#### Food service establishment frontage shown by:

- Line representing the establishment's space facing the sidewalk
- Length
- Labels

#### Private Property shown as:

- Dashed line

#### Street names:

- Labels on each street

#### Sidewalk shown as:

- Line representing street curb
- Width measured from building line to curb line

#### Building entrances shown as:

- Label

#### Cafe perimeter shown as:

- Lines indicating perimeter
- Length and width

#### Set-up furniture (tables, chairs, etc.) shown as:

- Lines or symbols at approximate location within setup

#### Elements (in Section 2 of this form) within 15 feet of cafe perimeter, shown as:

- Lines or symbols
- Distance from cafe perimeter
- Labels

#### Utility coverings (water/gas valves, and pull boxes) shown as:

- Symbols representing the location within the setup

#### North arrow

Length of sidewalk cafe: 30 feet      Width of sidewalk cafe: 8'-2" feet

## SECTION 2: Required Clearances

- Please provide distances from the following objects.
- Only provide a distance if the listed object is within 15 feet of your proposed setup.
- Refer to the [Setup Guides](#) in the Dining Out NYC website for more information regarding clearances.

### Elements with minimum 15 feet clearance from sidewalk cafe:

☐ S01- Subway Stair: Open End \_\_\_\_\_ feet

### Elements with minimum 10 feet clearance from sidewalk cafe:

☐ S02- Subway Elevator Entrance \_\_\_\_\_ feet      ☐ S04- MTA Curb Cut \_\_\_\_\_ feet  
☐ S03- Exhaust Duct \_\_\_\_\_ feet      ☐ S05- FDNY Curb Cut \_\_\_\_\_ feet

### Elements with minimum 8 feet clearance from sidewalk cafe:

☐ S06- Street Tree Bed \_\_\_\_\_ feet      ☐ S13- Newsstand \_\_\_\_\_ feet  
☐ S07- Mailbox \_\_\_\_\_ feet      ☐ S14- Streetlight \_\_\_\_\_ feet  
☐ S08- LinkNYC Kiosk \_\_\_\_\_ feet      ☐ S15- Bus Stop Pole \_\_\_\_\_ feet  
☐ S09- Wayfinding Kiosk \_\_\_\_\_ feet      ☐ S16- Fire Hydrant \_\_\_\_\_ feet  
☐ S10- E-charging Station \_\_\_\_\_ feet      ☐ S17- Bus Stop Shelter \_\_\_\_\_ feet  
☐ S11- Parking Meter \_\_\_\_\_ feet      ☐ S18- Traffic Signal \_\_\_\_\_ feet  
☐ S12- SBS Fare Machine \_\_\_\_\_ feet

### Elements with minimum 5 feet clearance from sidewalk cafe:

☐ S19- CitiBike/Bike Share Station \_\_\_\_\_ feet      ☐ S24- Emergency Exit Hatch \_\_\_\_\_ feet  
☐ S20- Bike Corral \_\_\_\_\_ feet      ☐ S25- Subway Stair: Closed End \_\_\_\_\_ feet  
☐ S21- Micromobility Station \_\_\_\_\_ feet      ☐ S26- Subway Elevator: Non-Entry \_\_\_\_\_ feet  
☐ S22- Primary Building Entrance \_\_\_\_\_ feet      ☐ S27- Siamese Connection \_\_\_\_\_ feet  
☐ S23- Curb Cut \_\_\_\_\_ feet

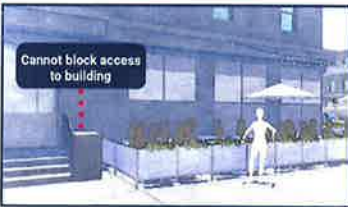
### Elements with minimum 3 feet clearance from sidewalk cafe:

☐ S28- Elevated Train Infrastructure \_\_\_\_\_ feet      ☐ S29- Transformer Vault \_\_\_\_\_ feet

### Elements with minimum 1 foot 6 inches clearance from sidewalk cafe elements:

☐ S30- Vent Infrastructure: utility vent poles, vent grates, subway grates 78 inches      ☐ S31- Manholes 22 inches

☐ Check this box if none of the objects listed above are within 15 feet of the proposed setup.



## SECTION 3: Material Requirements

- Please indicate which of the following materials will be part of your sidewalk cafe by checking the box next to the category. If applicable, please confirm the materials comply with the Dining Out NYC requirements by checking the box next to the associated requirement.
- Refer to the [Setup Guides](#) in the Dining Out NYC website for more information regarding materials.

### Materials Checklist:

#### \*Required\*

#### ☒ Perimeter Demarcation (All of the following must be met)

- ☒ Perimeter demarcation must be clear and visible by using a lightweight and removable self-supporting base wall, railing, planter, fence, or stanchion and rope.
- ☒ Maximum height is 2 feet 6 Inches (excluding planting(s)).
- ☒ Not affixed to the sidewalk.

#### \*Optional- Only check the material categories you intend to use in your sidewalk cafe\*

#### ☒ Furnishings (if using, the first two below must be met)

- ☒ Lightweight and easily movable.
- ☒ Not affixed to the sidewalk.
- ☐ Check here if you plan to place tables/chairs on top of a cellar or basement door. If so, please complete the [Cellar or Basement Door Certification](#)

#### ☒ Awnings Physically Attached to the Building (if using, all of the following must be met)

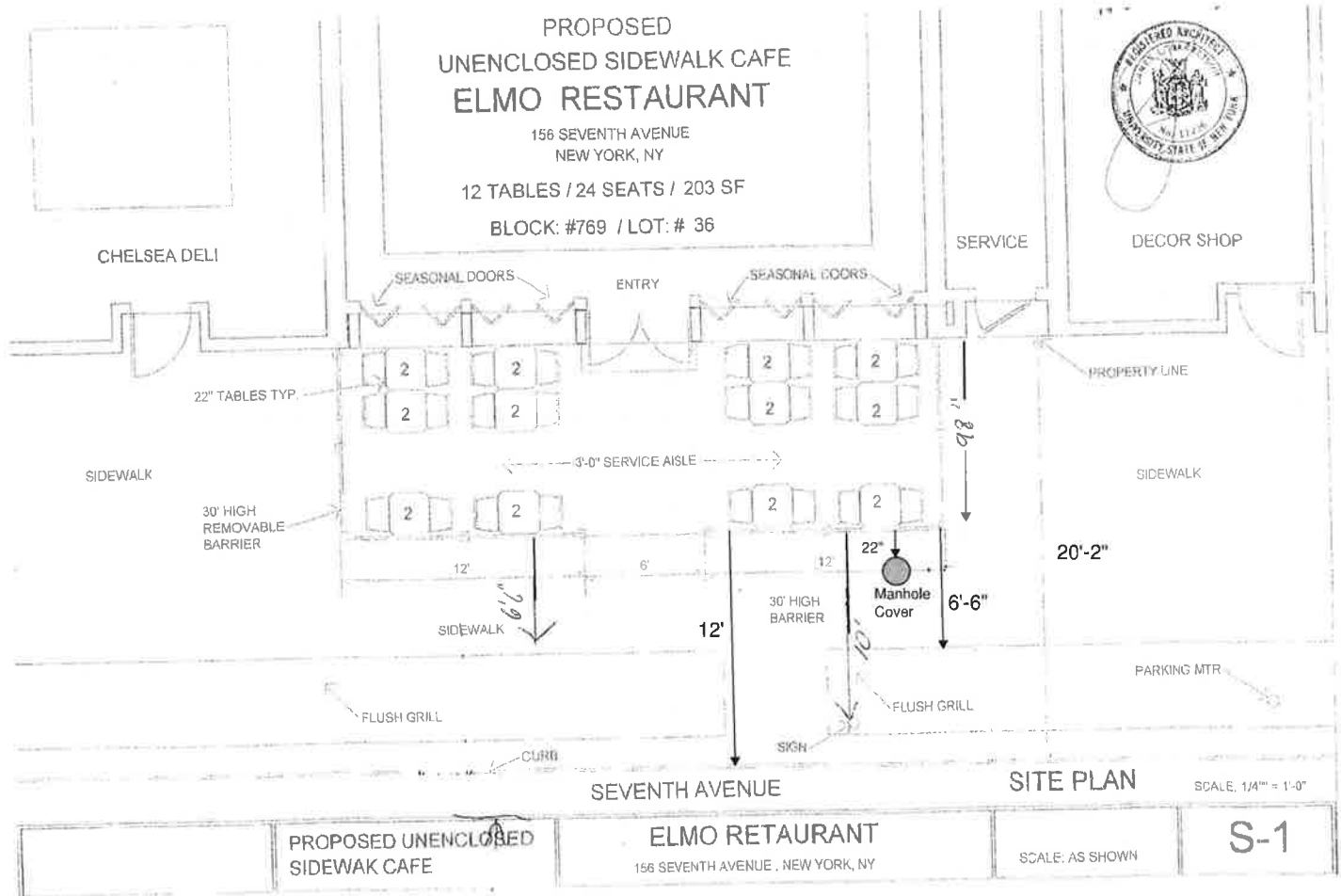
- ☒ Minimum 8 feet height from the ground and does not exceed 10 feet height.
- ☒ Easily removable, comprised of fire-grade and wind resistant materials.
- ☒ Does not extend beyond the perimeter of the sidewalk cafe.
- ☒ Complies with the New York City Building Code. Please note that this may require additional permits from DOB, and/or approval from the Landmarks Preservation Commission (LPC) as applicable.

#### ☐ Overhead Coverings/ Umbrellas (if using, all of the following must be met)

- ☐ Minimum 7 feet height from the ground and does not exceed 10 feet height.
- ☐ Easily removable, comprised of fire-grade and wind resistant materials.
- ☐ Does not extend beyond the perimeter of the sidewalk cafe.
- ☐ The umbrella/overhead covering has a weighted base and any supports are not affixed to the sidewalk.
- ☐ Any support structures are of sufficient size and strength, made of durable materials, and free of defects.

#### ☐ Lightings and Electrical Connections (if using, all of the following must be met)

- ☐ Any lighting is outdoor rated, properly secured, and lightweight.
- ☐ Connection is directly connected to ground floor restaurant's power source and within the perimeter of the cafe.
- ☐ Does not extend beyond the perimeter of the sidewalk cafe.
- ☐ Does not exceed 10 feet in height.
- ☐ Not attached to any City property, including street trees.
- ☐ Electrical work complies with the applicable requirements set forth in DOT's rules and the New York City Electrical Code. Please note that this may require additional permits from DOB or FDNY, and/or approval from the Landmarks Preservation Commission (LPC) as applicable.



10' to sign  
6'6" to grate



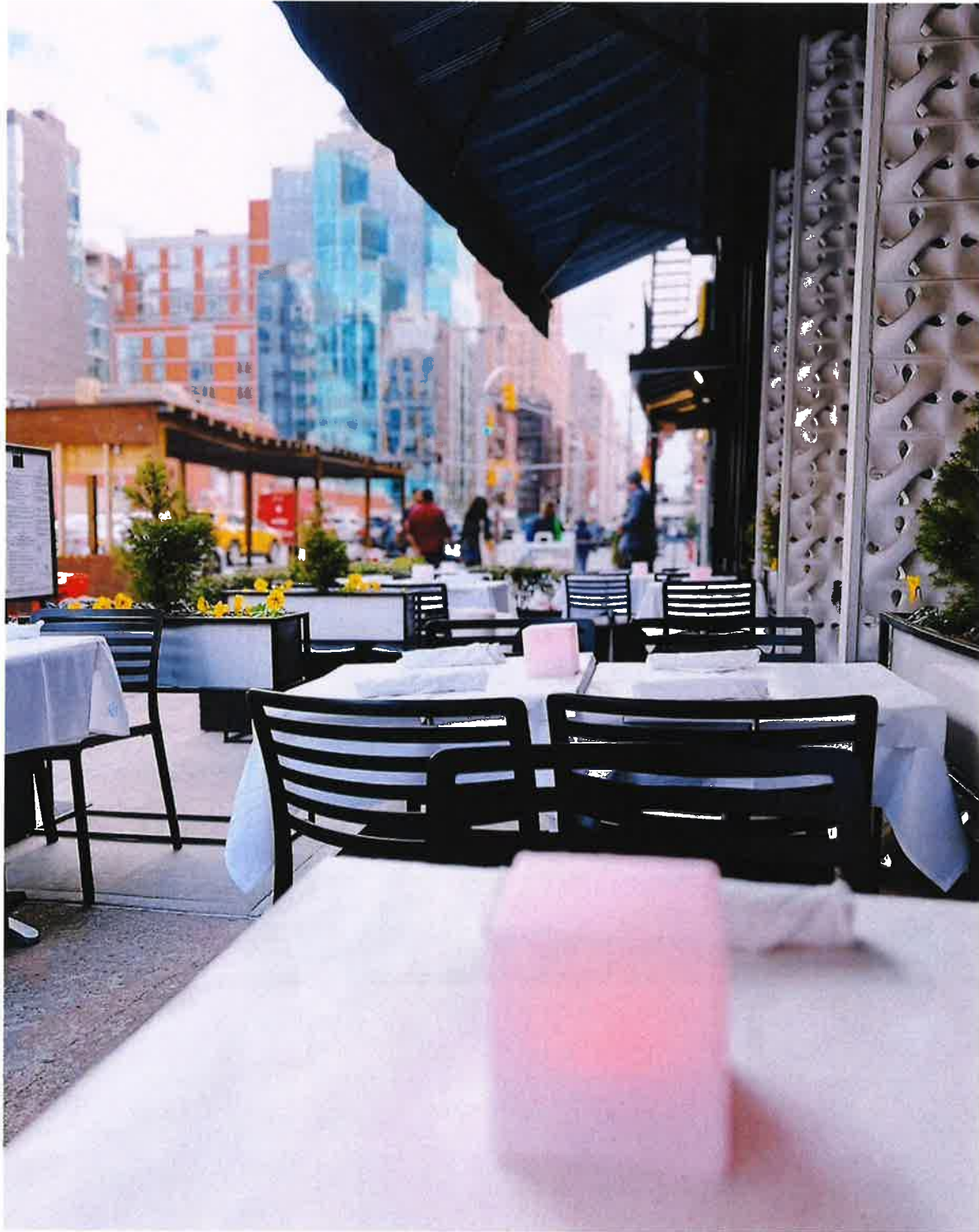
**Photographs of Exterior and Interior**

156 Seventh Avenue Group LLC  
dba Elmo  
156 Seventh Avenue  
New York, NY 10011





156 Seventh Avenue Group LLC  
dba Elmo  
156 Seventh Avenue  
New York, NY 10011



156 Seventh Avenue Group LLC  
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156 Seventh Avenue  
New York, NY 10011





156 Seventh Avenue Group LLC  
dba Elmo  
156 Seventh Avenue  
New York, NY 10011





Eric Adams  
Mayor

Ydanis Rodriguez  
Commissioner

# COMMUNITY BOARD FEEDBACK PACKAGE

**Please review this application and provide the required feedback.**

Manhattan Community Board 4's (MCB4) recommendation is based on a voted at its May 7, 2025 Full Board Meeting with 39 members in favor of the recommendation, 0 member opposed, 0 members abstaining and 0 present but not eligible.

## DINING OUT NYC

## COMMUNITY BOARD RECOMMENDATION FORM

This form is to be used by community boards during the cafe review process. Any comments from the community board should be recorded on this form and submitted to NYC DOT. For information pertaining to specific cafe design requirements, visit the Dining Out NYC website for program legislation, rules, and Setup Guides.

**Business Name:** Elmo

**Cafe Address:** 156 7 AVENUE, NEW YORK, NY, 10011

**Application Number:** 20240807010007

**CB Review Deadline (on date or next business day):** 4/26/2025

NYCDOT Internal Use Only

### Sidewalk Cafe Setup Feedback:

☐ Community Board chooses to **WAIVE** review

Comments related to the cafe's **physical footprint and dimensions**:

Comments related to **pedestrian flow** (i.e., visibility, safety , potential crowding):

Comments related to potential conflicts with **existing curb use** (i.e., planters, bike racks, bus stops):

Please check one of the recommendations below, either **approval**, **denial**, or **approval with modifications** relating to the above application:

☒ Community Board recommends **approval**

☐ Community Board recommends **denial**

☐ Community Board recommends **approval w/ modifications**

Recommended modifications (**only if approved w/ modifications**):

☐ Applicant acknowledges and agrees to modifications relating to the above referenced application

☐ Applicant acknowledges **BUT** does **NOT** agree with modifications relating to the above referenced application. If this box is checked, please provide NYC DOT with documentation of such agreement for NYC DOT's consideration.

Nelly Gonzalez

Community Board Authorizing Name

Community Board Authorizing Signature

4/28/25

Date

On 4/8/25 the Business Licenses & Permits Committee voted to recommend approval. This application is subject to ratification by MCB4 Full Board on Wednesday, May 7, 2025.

## RESTAURANT DETAILS

Food Service Establishment Permit (FSEP)

FSEP#: 40872438

Expiration Date: 01/31/2026

DOHMH Status: CURRENT

Business Legal Name: 156 SEVENTH AVENUE GROUP LLC

Assumed Name: ELMO

Business Address: 156 7 AVENUE, NEW YORK, NY 10011

Venue Type: Restaurant (with bar)

Last updated from DOHMH: 03/17/2025

### Restaurant Information

Entity Type: Limited Liability Corporation (LLC)

Phone: (212) 337-8000

Email Address: Minerva@elmorestaurant.com

### DOS Information

DOS ID#: 2602803

Process Name: Corporations / LLC

DOS Address: 156 Seventh Avenue, New York, New York 10011

### NYS Liquor Authority Information

NYSLA Serial No: 1123181

License Type: On-Premises

Name of License: 156 Seventh Avenue Group LLC

Title of Representative: Member LLC

Name of Certificate Holder: 156 Seventh Avenue Group LLC

### Business hours

Sun: 11:00 AM- 12:00 AM

Mon: 11:00 AM- 12:00 AM

Tues: 11:00 AM- 12:00 AM

Wed: 11:00 AM- 12:00 AM

Thurs: 11:00 AM- 12:00 AM

Fri: 11:00 AM- 2:00 AM

Sat: 11:00 AM- 2:00 AM





## SECTION 1: Site Plan

- This Site Plan form is required to be uploaded in the "Sidewalk Site Plan" field of your online application.
- Refer to the [How to Apply](#) page in the Dining Out NYC website for more information about the application process.

### Identify Clear Path Requirements:

Clear path requirement for your sidewalk cafe can be found by identifying your corridor type on the DOT's Pedestrian Mobility Plan [Pedestrian Demand Map](#).

- ☐ C1- Global Corridor (12 feet Clear Path)
- ☒ C2- Regional Corridor (10 feet Clear Path)
- ☐ C3- Neighborhood Corridor, Community Connector, or Baseline Street (8 feet Clear Path)

### Setup Area Identification :

- ☐ Please check this box if you plan to have outdoor dining located partially within private property. If you are uncertain, please request records from your property owner/manager.
- ☐ Please check this box if all or part of your sidewalk cafe is in a sidewalk widening area, developed pursuant to the NYC Zoning Resolution. If so, indicate the property line in the site plan drawing below.

Use the space below to draw or upload your Site Plan representing your cafe perimeters, furniture, and clearances.

Length of sidewalk cafe: 30 feet

Width of sidewalk cafe: 8'-2" feet



## Sidewalk Cafe Site Plan Form

Applicant Name: Robert Pontarelli

Restaurant Name: Elmo

FSEP Number: 40872438

### Drawing Requirements

#### Food service establishment frontage shown by:

- Line representing the establishment's space facing the sidewalk
- Length
- Labels

#### Private Property shown as:

- Dashed line

#### Street names:

- Labels on each street

#### Sidewalk shown as:

- Line representing street curb
- Width measured from building line to curb line

#### Building entrances shown as:

- Label

#### Cafe perimeter shown as:

- Lines indicating perimeter
- Length and width

#### Set-up furniture (tables, chairs, etc.) shown as:

- Lines or symbols at approximate location within setup

#### Elements (in Section 2 of this form) within 15 feet of cafe perimeter, shown as:

- Lines or symbols
- Distance from cafe perimeter
- Labels

#### Utility coverings (water/gas valves, and pull boxes) shown as:

- Symbols representing the location within the setup

#### North arrow

## SECTION 2: Required Clearances

- Please provide distances from the following objects.
- Only provide a distance if the listed object is within 15 feet of your proposed setup.
- Refer to the [Setup Guides](#) in the Dining Out NYC website for more information regarding clearances.

### Elements with minimum 15 feet clearance from sidewalk cafe:

☐ S01- Subway Stair: Open End \_\_\_\_\_ feet

### Elements with minimum 10 feet clearance from sidewalk cafe:

☐ S02- Subway Elevator Entrance \_\_\_\_\_ feet ☐ S04- MTA Curb Cut \_\_\_\_\_ feet

☐ S03- Exhaust Duct \_\_\_\_\_ feet ☐ S05- FDNY Curb Cut \_\_\_\_\_ feet

### Elements with minimum 8 feet clearance from sidewalk cafe:

☐ S06- Street Tree Bed \_\_\_\_\_ feet ☐ S13- Newsstand \_\_\_\_\_ feet

☐ S07- Mailbox \_\_\_\_\_ feet ☐ S14- Streetlight \_\_\_\_\_ feet

☐ S08- LinkNYC Kiosk \_\_\_\_\_ feet ☐ S15- Bus Stop Pole \_\_\_\_\_ feet

☐ S09- Wayfinding Kiosk \_\_\_\_\_ feet ☐ S16- Fire Hydrant \_\_\_\_\_ feet

☐ S10- E-charging Station \_\_\_\_\_ feet ☐ S17- Bus Stop Shelter \_\_\_\_\_ feet

☐ S11- Parking Meter \_\_\_\_\_ feet ☐ S18- Traffic Signal \_\_\_\_\_ feet

☐ S12- SBS Fare Machine \_\_\_\_\_ feet

### Elements with minimum 5 feet clearance from sidewalk cafe:

☐ S19- CitiBike/Bike Share Station \_\_\_\_\_ feet ☐ S24- Emergency Exit Hatch \_\_\_\_\_ feet

☐ S20- Bike Corral \_\_\_\_\_ feet ☐ S25- Subway Stair: Closed End \_\_\_\_\_ feet

☐ S21- Micromobility Station \_\_\_\_\_ feet ☐ S26- Subway Elevator: Non-Entry \_\_\_\_\_ feet

☐ S22- Primary Building Entrance \_\_\_\_\_ feet ☐ S27- Slamese Connection \_\_\_\_\_ feet

☐ S23- Curb Cut \_\_\_\_\_ feet

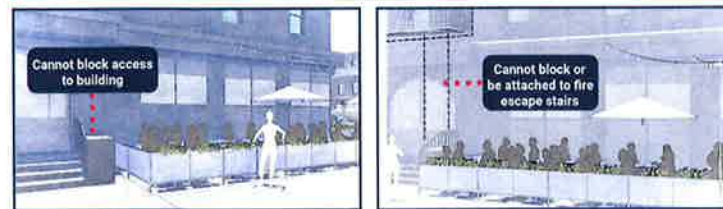
### Elements with minimum 3 feet clearance from sidewalk cafe:

☐ S28- Elevated Train Infrastructure \_\_\_\_\_ feet ☐ S29- Transformer Vault \_\_\_\_\_ feet

### Elements with minimum 1 foot 6 inches clearance from sidewalk cafe elements:

☒ S30- Vent Infrastructure: utility vent poles, vent grates, subway grates \_\_\_\_\_ 78 inches ☐ S31- Manholes \_\_\_\_\_ 22 inches

☐ Check this box if none of the objects listed above are within 15 feet of the proposed setup.



## SECTION 3: Material Requirements

- Please indicate which of the following materials will be part of your sidewalk cafe by checking the box next to the category. If applicable, please confirm the materials comply with the Dining Out NYC requirements by checking the box next to the associated requirement.
- Refer to the [Setup Guides](#) in the Dining Out NYC website for more information regarding materials.

### Materials Checklist:

#### \*Required\*

#### ☒ Perimeter Demarcation (All of the following must be met)

- ☒ Perimeter demarcation must be clear and visible by using a lightweight and removable self-supporting base wall, railing, planter, fence, or stanchion and rope.
- ☒ Maximum height is 2 feet 6 inches (excluding planting(s)).
- ☒ Not affixed to the sidewalk.

#### \*Optional- Only check the material categories you intend to use in your sidewalk cafe\*

#### ☐ Furnishings (if using, the first two below must be met)

- ☐ Lightweight and easily movable.
- ☐ Not affixed to the sidewalk.
- ☐ Check here if you plan to place tables/chairs on top of a cellar or basement door. If so, please complete the [Cellar or Basement Door Certification](#).

#### ☐ Awnings Physically Attached to the Building (if using, all of the following must be met)

- ☐ Minimum 8 feet height from the ground and does not exceed 10 feet height.
- ☐ Easily removable, comprised of fire-grade and wind resistant materials.
- ☐ Does not extend beyond the perimeter of the sidewalk cafe.
- ☐ Complies with the New York City Building Code. Please note that this may require additional permits from DOB, and/or approval from the Landmarks Preservation Commission (LPC) as applicable.

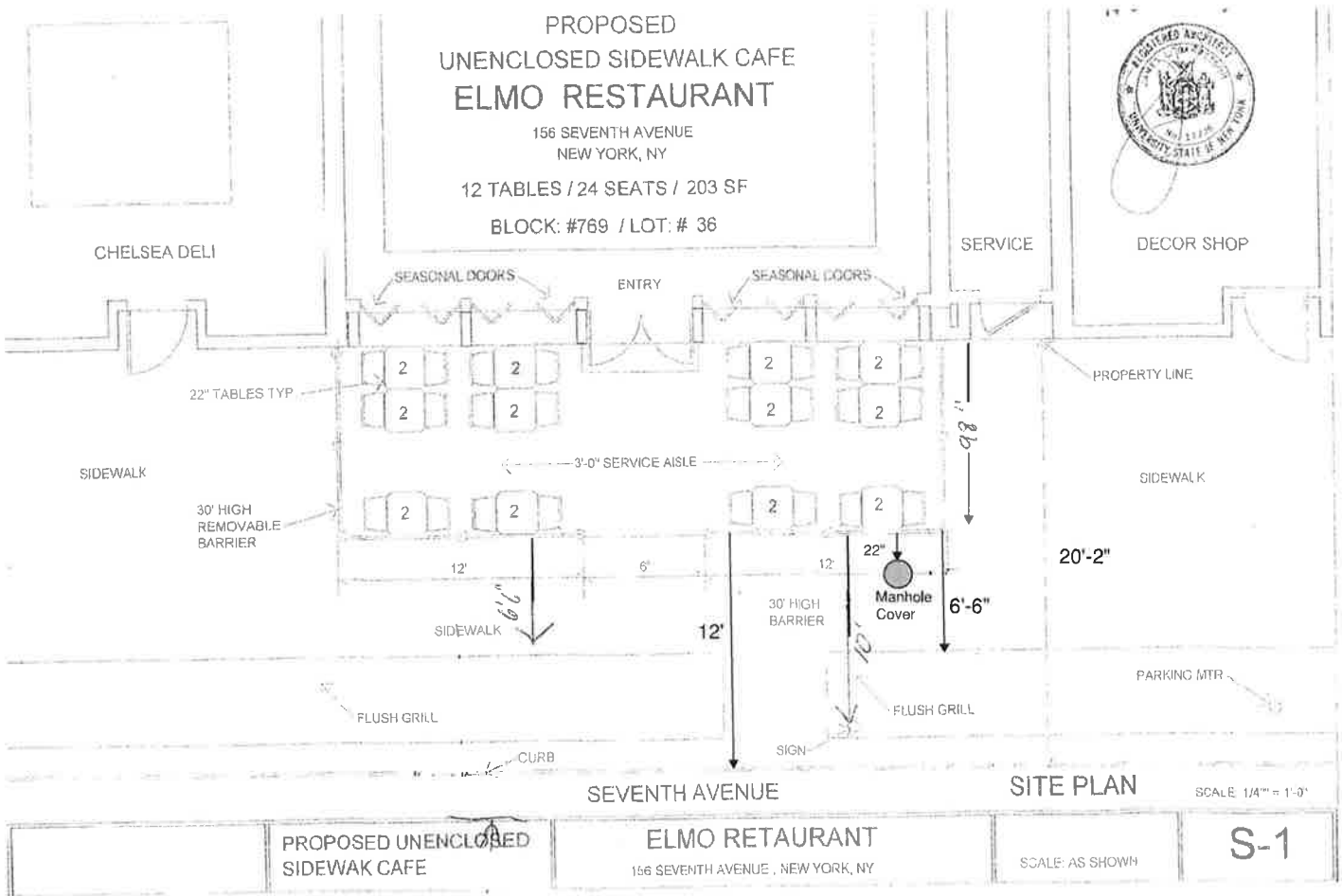
#### ☐ Overhead Coverings/ Umbrellas (if using, all of the following must be met)

- ☐ Minimum 7 feet height from the ground and does not exceed 10 feet height.
- ☐ Easily removable, comprised of fire-grade and wind resistant materials.
- ☐ Does not extend beyond the perimeter of the sidewalk cafe.
- ☐ The umbrella/overhead covering has a weighted base and any supports are not affixed to the sidewalk.
- ☐ Any support structures are of sufficient size and strength, made of durable materials, and free of defects.

#### ☐ Lighting and Electrical Connections (if using, all of the following must be met)

- ☐ Any lighting is outdoor rated, properly secured, and lightweight.
- ☐ Connection is directly connected to ground floor restaurant's power source and within the perimeter of the cafe.
- ☐ Does not extend beyond the perimeter of the sidewalk cafe.
- ☐ Does not exceed 10 feet in height.
- ☐ Not attached to any City property, including street trees.
- ☐ Electrical work complies with the applicable requirements set forth in DOT's rules and the New York City Electrical Code. Please note that this may require additional permits from DOB or FDNY, and/or approval from the Landmarks Preservation Commission (LPC) as applicable.





10' to sign  
6'6" to grate



