# Manhattan Community Board 4 (All Fields Must Be Completed)

NYS Liquor License/DOT Dining Out Stipulations Application

CORPORATION NAME			DOING BUSINESS AS (DBA)						
PMACS 12 LLC	С		TBD						
STREET ADDRESS			CROSS STREETS			ZIP COD	E		
327 West 57th	Street		8th Avenue & 9	th Aven	ue	10019			
Applicant	NAME:	See attached Addendum 1		NAME: Michael Paleudis, Esq.					
(Attach a list of all individuals that will be listed/associated	PHONE:	See attached Addendum 1	ATTORNEY/ REPRESENTATIVE	PHONE: (212) 837-8482					
with the license)	EMAIL:	See attached Addendum 1		EMAIL:	mjp@k	plawyers.	com		
	NAME:	Michael Kelleher		NAME:		st 57th St n Oelbau			
MANAGER	PHONE:	(973) 619-5961	PHONE:	(917) 6	08-1424				
	EMAIL:	mikekelleher@pmacshospitality.com		EMAIL:	327we	st57ths	treet@gmail.com		
APPLICATIO	ON TYP	E ( X New York State Liqu	or License	De	pt. of Tra	insportati	ion Dining Out )		
	Has applica	ant owned or managed a similar business?		(YI	s)	NO			
New New	What is/wa	s the name and address of establishment?		See a	attached	m 2			
	What were	the dates applicant was involved with this form	ner premise?	See attached Addendum 2					
Corp	What is the	license # and expiration date?							
Change/Class	Is applican	t making any alterations or operational changes	? YES			NO			
Change/Method of Operation Change/Removal	If alteration	is or operational changes are being made, pleas	e describe/list all changes		,				
Alteration	What is the	current license # and expiration date?							
Alteration	Please list/o	describe the nature of all the changes and attach	the plans:						
METHOD OF	OPER	ATION							
TYPE OF ALCOHO	OL	Liquor/Wine/Beer & Cider	O Beer & C	Cider		O Wine	/Beer & Cider		
		Restaurant Cabaret C	Night Club O Hote	. 0	Bar/Tavem	0 0	atering Establishment		
ESTABLISHMENT TYPE	ì	Adult Entertainment	ar O Dance Club	O Spo	irts Bar C	Club (Frater	nal Organization - Members Only)		
Has applicant filed with the SLA? If yes, when? If no, when does applicant plan to file?  NO May 14, 2025									
		ole? If yes, please attach a diagram	YES NO						
of the On-Premise liquor license establishments within a 500 foot radius of the establishment and the Public Interest Statement.									
Is the 200 Foot Ru	le applicat	ole? If yes, please attach a diagram							
of the schools and houses of worship within a 200 foot radius of the establishment.									
		MCB4 Policy Regarding of Alcoholic-Serving	YES NO						

1 of 11

		MONDAY	TUESDAY	Y - V	WEDNESDAY	THUR	RSDAY	FRIDAY	SA	TURDAY	SU	NDAY
HOURS	Indoors	11am-2am	11am-2am 11am-2am		11am-2am		11am-4ar	n 11	11am-4am 11am		n-2am	
of Operation	Outdoors N/A		N/A		N/A	N/A		N/A		N/A	N	I/A
Kitchen  Music (indoors)		11am-2am	11am-2a	m	11am-2am	11an	n-2am	11am-4a	m 1	1am-4am	11a	m-2am
		11am-2am	11am-2a	ım	11am-2am	11ar	m-2am	11am-4aı	n 1	11am-4am		11am-2am
If yes, what typ			BACKGRO	DUND	LIVE MUSIC		DJ	JUKE BO	ox	KA	RAOKE	
	2.1	THE WATER		o	CCUPANCY							
		Capacity Pursuant to Certificate of Occupancy	Maximum Occupancy (Including Employees)	Number of Tables			mber of e-Only Bai		ber of Up Bars	Number of at Stand-U		
INSIDE		170	170	22	148		0	2		2 18		
OUTSIDE (Rooftop/Rear Yard/Patio/Ter /Garden: within the premises)												
DOT Dining Out: Sidewa Cafe					_	/	_					
DOT Dining ( Roadway	Out:					_	_					_
How frequent	tly will the	owner(s) be at the	ne establishment	?		Daily						
Will there be	dancing?					YES	(NO)					
		le or table servic	e for alcohol bev	erages ot	her than	YES	100					
Will applicant be hosting private promotional or corporate events?						YES	NO	Approxin	nately	six times	per ye	ear
Will outside J	promoters l	oe used on a regu	lar basis? If yes	, please de	escribe.	YES NO						
Will applicant have a security plan? If yes, please attach.						YES	NO	See atta	ched	Addendur	m 3	
Will security plan be implemented?						YES	NO					
Will State certified security personnel be used?						YES	NO					
Will New Yo	ork Nightlif	e Association an	d NYPD Best Pr	ractices be	e followed?	VES	NO					
Does application?	nt agree to	notify MCB4 pr	or to making ch	anges to i	ts method of	(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	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?	Front of establishment at 12am. Garbage will collected by 2am daily.					

LOCATION & ZONING						
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	NO	CL - Clinton			
Does the building have a Certificate of Occupancy ("C of O") or a Letter of No Objection?	VES	NO				
Is a Public Assembly permit required?	VES	NO				
Are your plans filed with DOB?	YES	NO				
What is the zoning designation for this location?	C6-4					

Community Notification/Relations								
NOTIFICATION:	# 1	See attached e	email					
List all block associations; tenant associations, co-op boards or condo boards of residential buildings; and community groups that applicant has notified	# 2							
	# 3							
regarding its application. For each, please list both the organization and individual you contacted.	# 4							
	# 5							
When did applicant post the notice that	was prov	vided?	Posted revised notice on 05/01/2025					
Where did applicant post the notice tha	t was pro	vided?	Entryway of proposed premises and light poles on the block					
Please provide dates when applicant m above.	et with th	ne groups listed	To this date none of the groups have requested meetings.					
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.				VES	NO	(973) 619-5961		
Will applicant inform the Community and/or provide a hyperlink to applicant			gs	VES	NO			

Space/Floor	Description/ Use of Space	Capacity	Hours	# of Tables	# of Seats	# of Service- Only Bars	# of Stand-Up Bars/Seats at Bar	Music
Cellar	Cold and dry storage, office, compressors	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Ground floor	Bars, dining, restrooms, kitchen	170	11am - 2am (Sun - Thurs) 11am - 4am (Fri & Sat)	22	148	0	2 bars/ 18 seats	✓

State the name and type of business previously located in the space.	Alaia Wings Inc. d/b/a Allstars Sports Bar - Grill					
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.	VES	NO	Alaia Wings Inc. d/b/a Allstars Sports Bar - Gril			
Do you plan any changes to the existing façade? If yes, please describe.	YES	NO	New signage, paint	and spotlights		
Has the applicant/owner(s) read MCB4 ADA Guidelines Memo?	VES	NO				
Is the entrance ADA Compliant?	YES	NO				
Do you plan any changes to the existing façade? If yes, please describe.	YES	NO	New signage, paint	and spotlights		
Will applicant have a vestibule within the establishment?	YES	NO				
Will applicant use a storm enclosure?	YES	NO				
Does applicant agree to keep the sidewalk clear of all items or obstructions, such as sandwich boards, sidewalk signs, freestanding menus and plants, as per the law?	YES	NO				
Will applicant comply with the NYC noise code?	VES	NO				
Will the establishment have any of the following: (circle all that apply)	FRENCH DOOF		GARAGE DOORS	WINDOWS THAT CAN BE OPENED		
Will applicant close all windows, French doors, garage doors when any music or amplified sound (including televisions) is played inside the establishment?	YES	NO	N/A			
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	N/A			
Has applicant obtained an acoustical report from a certified sound engineer to assess potential noise disturbance to the neighboring residents and buildings?	VES	NO	See attached report			
Will applicant follow the recommendations of a certified sound engineer to mitigate potential noise disturbance to the neighboring residents and buildings, including placing speakers on the floor of the establishment?	YES	NO				
Will the kitchen exhaust system extend to the roof?	YES	NO				
Will the establishment have an illuminated sign?	YES	NO				
Will the establishment have a pole-supporting canopy extending over the sidewalk?	(YES)	NO				
Where will the air conditioner be located? What type is it?	3 - 3 ton split units with gas furnaces in space, 1 - 5 ton rooftop packaged unit with gas furnace					
When was the air conditioner installed?			, 5 ton - 2011			

OUTDOOR PRIVATE PROPERTY – ROOFTOP, REAR	YARL	), TEF	RRACE			
Has the applicant/owner(s) read MCB4 Rear Yard Rooftop Policy?		NO	N/A			
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	<b>+</b>			

Has the applicant read MCB4 Sidewalk Café Policy?	YES	NO	
Will applicant be applying for sidewalk seating now or in the future?	YES	NO	
If you answered no to the question above, jump to the next page			
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	
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 applicant respect trees and tree pits and insure the health of the tree?	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) or adjacent sidewalk?	YES	NO	
Will applicant permit NO wait lines or smoking outside?	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 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 applicant agree to abide by all applicable fire codes, including not blocking fire escapes?	YES	NO	
Will the outdoor dining deposit its garbage in a container on the parking lane?	YES	NO	
Will the café have a 3 foot-wide serving aisle running the entire length of the sidewalk seating?	YES	NO	
Will the sidewalk seating have a platform?	YES	NO	
oes applicant agree to keep the sidewalk clear of all items or obstructions, such a sandwich boards, sidewalk signs, freestanding menus and plants, as per the w?	YES	NO	
/ill there be a lighting plan that allows safe usage of the outdoor space without srupting neighbors?	YES	NO	
Will the sidewalk seating block subway grate, utility hardware or Siamese water connection?	YES	NO	
construction or construction protection has reduced the sidewalk width, will oplicant always maintain an 8-foot clear path of sidewalk between the erimeter of the café and the closes obstruction including construction arricades?			

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)
f 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 now 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)
- Applicant agrees to implement all recommendations of Acoustilog Report dated April 30, 2025.
- External lighting will not change from present.
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 (MCI (MCB4's recommendation is based on a value 4, 2025 full board meeting, with in favor of the recommendation, 0 members abstaining and 0 present but	oote taken at its 144 members voting mbers opposed, 0	of the method of ope	l stipulations agreed to by applicant/owner are part ration
MCB4 REPRESENTATIVES			
Nelly Gonzalez MCB4 Assistant District Manager	Frank Holozubiec  MCB4 BLP Committee Co-Chain	lyli	Wendy Gonzalez MCB1 BLP Committee Co-Chair
APPLICANT AGREEMENT WITI	H THE COMMUNIT	TY.	A CONTRACTOR OF THE STATE OF TH
all of these stipulations are essential p agrees to have these stipulations incor	rerequisites to the MC porated in the method ment between MCB4 at These stipulations sup	CB4 recommendation of operation of its and applicant and n	nay only be altered in writing signed by

Michael Kelleher

PRINT NAME OF APPLICANT

Michael Kelleher

SIGNATURE OF APPLICANT

05 / 05 / 2025

DATE

SIGN HERE

# **Addendum No. 1: Owners**

- Michael McNamee
   (917) 517-2283
   michael@pmacshospitality.com
- Michael Kelleher
   (973) 619-5961
   mikekelleher@pmacshospitality.com

# Addendum 2 Michael McNamee's Licensed Establishments

Premises Name	Address	Type of Interest/	License ID
		Interest Began	
Castleknock Inc.	264-266 West 47th Street,	03/2006 – present	0370-24-121758
The Mean Fiddler &	New York, NY 10036	Owner/ Manager	
The Woo Woo			
Donegal Inc.	236 West 54 <sup>th</sup> Street,	02/2010 - 01/2025	0340-23-134034
The Three Monkeys	New York, NY 10019	Owner	
Castleparknyc Inc.	204 West 55th Street,	06/2013 – present	0340-23-132782
Tanner Smiths	New York, NY 10019	Owner	
Ahascra, LLC	248 West 55th Street,	07/2014 – present	0340-23-137678
Vida Verde	New York, NY 10019	Owner	
Dutch Freds Inc.	307 West 47 <sup>th</sup> Street,	05/2015 – present	0370-24-105008
	New York, NY 10036	Owner	
Knickerbocker Social LLC	7 West 45 <sup>th</sup> Street,	05/2017 – present	0370-24-107967
Haswell Green	New York, NY 10036	Owner/Manager	
PMACS 7 LLC*	738 8 <sup>th</sup> Avenue,	06/2022 – present	0340-23-129073
The Dickens	New York, NY 10036	Owner	
PMACS 8 LLC*	160 West 54th Street,	11/2022 – present	0370-23-128943
Bartley Dunne's	New York, NY 10019	Owner	
PMACS 9 LLC*	795 8 <sup>th</sup> Avenue,	01/2024 – present	0370-24-111326
Sir Henry's	New York, NY 10019	Owner	
PMACS 10 LLC*	321 West 44 <sup>th</sup> Street,	09/2024 – present	0340-24-134477
Miss Nellie's	New York, NY 10036	Owner	
Inishowen NYC LLC	832 8 <sup>th</sup> Avenue,	03/2025 – present	0524-25-04170
The Three Monkeys	New York, NY 10019	Owner	

<sup>\*</sup>Michael Kelleher is also an owner.



## SECURITY POLICY

- 1. As a general guideline, there would be a minimum of one licensed and trained security guard on the floor when 75 or more patrons are present at the same time. For larger groups, there would be one such security guard for every 75 club patrons present, discretion should be used by management to determine the appropriate number of security personnel based on the event or crowd to ensure safety and lawfulness.
- 2. PMACS use the services of a security guard company rather than employing its own security guards, the security guard company must be licensed by the NYS Department of State.
- 3. Security guards should be trained in techniques to de-escalate potential violent encounters and difficult situations.
- 4. Our Establishment policy would mandate that our security would separate and remove all potentially violent patrons in a manner, consistent with the law, that is designed to prevent a continuation of violent activity inside or outside the location. Establishments must call 911 to report criminal activity
- 5. We recommended that for every five (if needed) security guards there be one (1) security supervisor to ensure a minimum span of control of one (1) security supervisor for every five (5) subordinates.
- 6. We recommended that our security guards be distinctively and uniformly attired very easily identified.
- 7. It is recommended by us that our security guards be spread throughout the establishment and not just at the door, when needed.
- 8. Our Coat check will include the customer's ability to check bags. It is recommended that our establishments will install anti-theft environmental designs such as drawers, shelves and hooks for customers who choose not to check bags. We ensure control and order are maintained in coat check area, especially at closing time. Customers should be encouraged to check coats and bags to avoid thefts.
- 9. Perpetrators should be detained by security through lawful means. Witnesses should be encouraged to wait for the police to arrive in order to assist in the investigation. At a minimum, they should be asked to provide their identifying information so that they may be contacted by the police in the future. They should also be encouraged to make a statement to establishment personnel regarding the incident if the establishment so requests. Our establishments should act as complainants in appropriate cases.
- 10. Our establishment should encourage employee witnesses to go to court and testify when requested and pay wages to them for their time.
- 11.Digital video of any unlawful conduct should be identified and provided to the NYPD when requested.

# — GOOD TIMES

# KITCHEN MENU

327 W 57TH ST ——

# Chicken Wings 17

choice of: buffalo, lemon garlic or bbq

# Spinach Artichoke Garlic Bread 15 french loaf

## **Potato Croquettes 16**

prosciutto, grueyre, truffle aioli, parmesan

## **Crispy Brussels Sprouts 14**

whipped burrata, honey dijon

# Pork & Prawn Wontons 15 chili crunch oil

# Salt & Pepper Chicken 16

chinese bbq sauce, five spice aioli

# APPETIZERS

# **Blooming Onion 15** chipotle aioli

## Nachos 17

cheese, jalapeño, pico de gallo, avocado, sour cream Add: chicken +\$3 | steak +\$5

#### Meatballs 17

roasted tomato sauce

#### Hummus 16

olives, pickles, crudites, pita

# Smashed Fingerling Potatoes 14 aleppo pepper, crème fraîche

#### Mozzarella Sticks 15

house marinara, country buttermilk ranch Make 'em Nashville Hot + \$2

# Margherita Flatbread 17 hot honey +\$2 | pepperoni +\$4

# BBQ Brisket Flatbread 18 cheese, jalapeños, cotija cheese

# Fried Calamari 18

thai chilis, sesame seeds, sweet chili sauce

#### Diablo Mussels 21

chorizo, chipotle, cilantro, garlic bread

# Big Wedge 18

iceberg, tomato, red onion, bacon, blue cheese, country buttermilk ranch

# SALADS & BOWLS

#### Italian Chop 22

mixed greens, prosciutto, chickpeas, mozzarella, pecorino, pepperoncini, dijon vinaigrette

#### Vegan Poke 20

spicy cauliflower, avocado, edamame, cucumber, pickled onions, vegan chipotle mayo, rice, tempura enoki mushroom

......

# BURGERS .

all burgers served with choice of fries or salad

#### Burger 22

three marble meat, gruyere, bone marrow crumble, caramelized onions

## Double Western Burger 24

cheddar, jalapeño, onion ring, smoked pork belly bacon, bbg sauce

# Smash Iberico Burger 21

house grinder pork patty, prosciutto, fried peppers, smoked mayo

# Lamb Burger 20

arugula, tzatziki, red onion

# **ENTREES**

#### **Braised Short Ribs 35**

manchego mashed potatoes, roasted wild mushrooms

#### Grilled Sirloin Steak Frites 28

herb-ricotta butter, rosemary, thyme

## Pan Roasted Salmon 26 tomatoes, baby spinach, squash

# Dry Rubber Pork Tenderloin 23 cheddar grits, mango salsa

#### Fish & Chips 21

house-cut fries, tartar sauce

# Spicy Rigatoni 23

mini mozzarella, vodka sauce

#### Shepherd's Pie 19

Minced beef, carrots, peas, whipped potatoe

# SIDES -

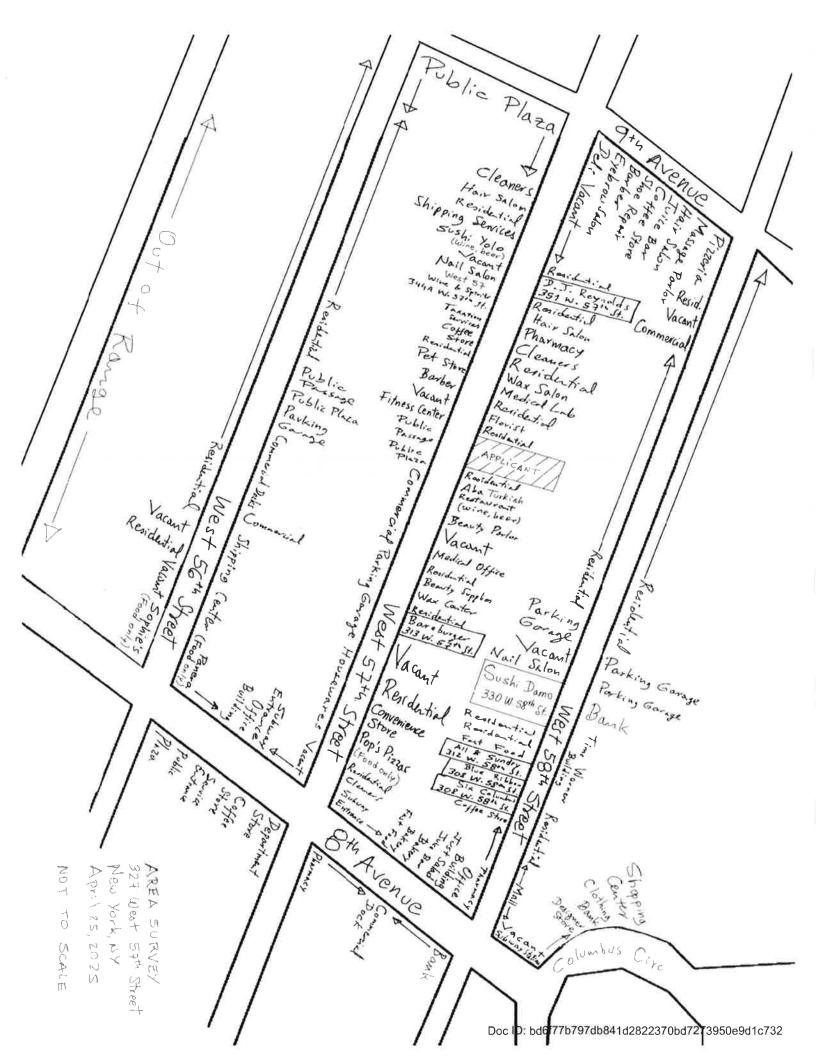
House Cut Fries 8 Truffle Fries 12 Onion Rings 11

# DESSERT -

Churros 12

vanilla ice cream

**Chocolate Mousse 12** 



# Landess-Simon, Inc.

# Legal & Commercial Photography

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

# Re: 327 West 57th Street

- 1. Sushi Damo 330 West 58th Street (2091)
- 2. All & Sundry 312 West 58th Street (2591)
- 3. Blue Ribbon 308 West 58th Street (275')
- 4. Six Columbus Hotel 308 West 58th Street (275')
- 5. Bareburger 313 West 57th Street (1701)
- 6. D. J. Roynolds 351 West 57th Street (2631)

# **Schools & Churches**

No schools and churches within 500' area.



MICHAEL J. PALEUDIS, MEMBER + ♦ ★△ BENJAMIN A KORNGUT, MEMBER + LAURA E RYAN, ASSOCIATE A ELKE A. HOFMANN, OF COUNSEL +★Φ LEONARD M. FOGELMAN. OF COUNSEL + DAVID M. DAHAN, OF COUNSEL +Q ADAM I, KLEINBERG, OF COUNSEL + A PAUL C. TAYLOR, OF COUNSEL Δ+

ADMITTED TO PRACTICE +NY, ♦ CT, ★PA, △NJ, ΩMA, ΦCA

May 1, 2025

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

Re:

PMACS 12 LLC

Premises: 327 West 57th Street, New York, NY 10019

# To Whom It May Concern:

Our office represents PMACS 12 LLC, a New York company that has been created to operate a restaurant 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.

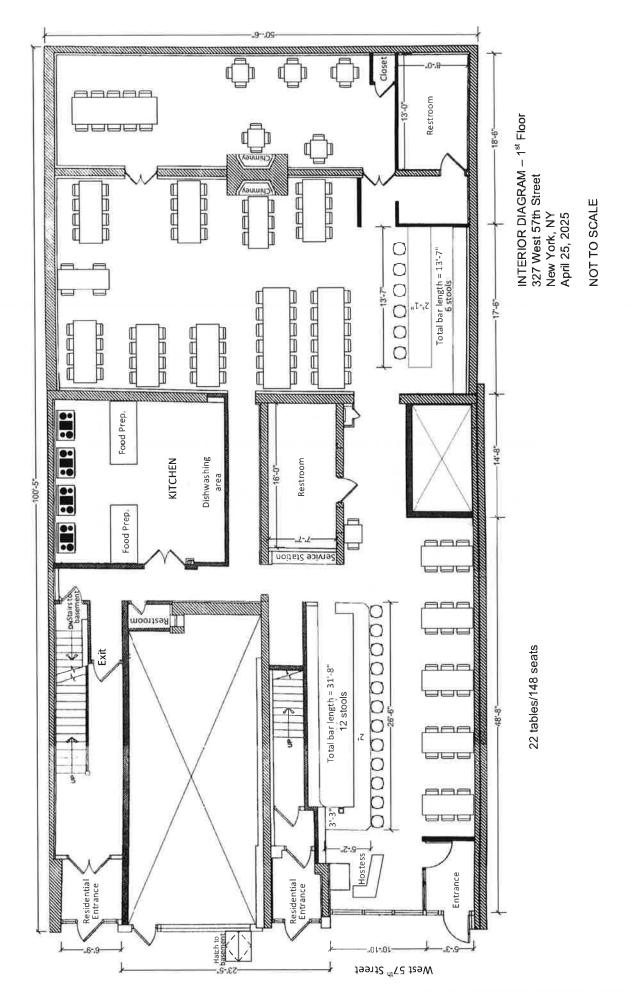
- a) While there are other licenses within 500 Feet of the premises, the Applicant provided proper notice to Manhattan Community Board 4 on April 1, 2025 and will meet with the Business Licenses & Permits Committee on May 13, 2025.
- b) The applicant has, or will, obtain all necessary state and local permits and licenses to operate the restaurant.
- 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 has consulted with a sound engineer to mitigate noise disturbance. Thus, the establishment will not increase the noise level.
- e) To the applicant's knowledge, there is no adverse history at the proposed premises.

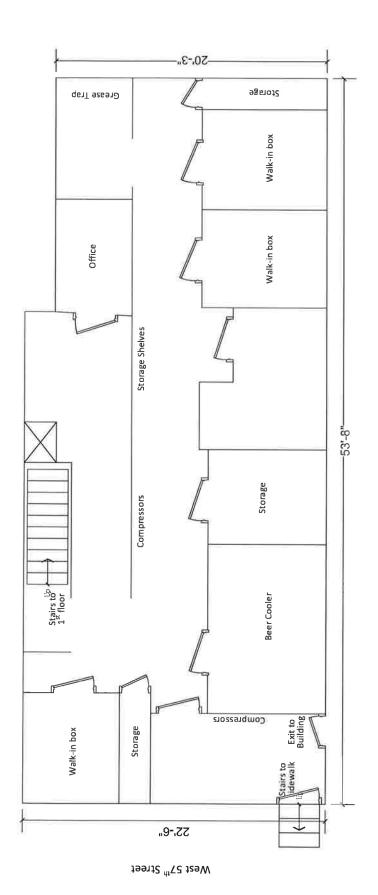
Respectfully submitted,

Michael Paleudis, Esq.



327 West 57th Street New York, NY 10019





INTERIOR DIAGRAM – Basement 327 West 57th Street New York, NY April 25, 2025

NOT TO SCALE



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

April 30, 2025

Mr. Mike Kelleher Pmacs9 LLC 240 West 52nd Street New York, NY 10019

Re: All Stars Bar, 327 West 57th Street, New York, NY 10019

Dear Mr. Kelleher,

Pursuant to your request, I have studied the noise issues at the above premises on April 25, 2025.

#### SUMMARY

You are opening a new ground-floor bar/restaurant. The design of the sound system will keep noise levels within Noise Code limits. Sound control recommendations provided. Most importantly, the existing ceiling speakers, which create holes, will be eliminated.

#### DBA VS ONE-THIRD OCTAVE BAND MUSIC LEVELS

One way that sound levels are often measured is by using the "A scale", the A-weighted decibel scale. This dBA scale (see Noise Code Section §24-231 a1) is the most common type of sound measurement, which represents a summation of middle (midrange) and high frequencies (treble), but largely ignores low-frequency "bass" sounds. Measuring the dBA levels requires only a simple sound level meter. DBA is what the City DEP inspectors usually use, and they normally consider anything above 42 dBA to be unreasonable.

C-weighted decibels or dBC (see Noise Code Section §24-231 a3) are also a measurement of all frequencies, but this method includes the important low-frequency "bass" sounds. However, dBC readings pick up so many frequencies at the same time that they usually do not distinguish between normal background noise and music beats.

One-third-octave band sound level readings (see Noise Code Section §24-231 a2) were also taken, which are measured in decibels, or dB. Sounds with frequencies below 250 Hertz are called bass or low frequencies, which sound like thumping or vibration. This range of low frequencies is addressed in the Noise Code regulations and is the sound most likely to cause neighbor complaints. Bass and drums usually make sounds in these frequency ranges. These sounds require a complex spectrum analyzer to measure them.

#### THE NOISE CODE - MUSIC

§24-231 Commercial music.

(a) No person shall make or cause or permit to be made or caused any music originating from or in connection with the operation of any commercial establishment or enterprise when the level of sound attributable to such music, as measured inside any

Page 1 of 8

Acoustilog, Inc.

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receiving property dwelling unit:

- (1) is in excess of 42 dB(A) as measured with a sound level meter; or
- (2) is in excess of 45 dB in anyone-third octave band having a center frequency between 63 hertz and 500 hertz (ANSI bands numbers 18 through 27, Inclusive), in accordance with American National Standards Institute standard \$1.6-1984; or
- (3) causes a 6 dBC or more increase in the total sound level above the ambient sound level as measured in decibels in the "C" weighting network provided that the ambient sound level is in excess of 62 dBC.

# THE NOISE CODE - UNREASONABLE NOISE

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

(62) Unreasonable noise means any excessive or unusually loud sound that disturbs the peace, comfort or repose of a reasonable person of normal sensitivities, injuries or endangers the health or safety of a reasonable person of normal sensitivities or which causes injury to plant or animal life, or damage to property or business.

# §24-218 General prohibitions.

- (a) No person shall make, continue or cause or permit to be made or continued any unreasonable noise.
- (a-1) No person shall make, continue or cause to permit or be made or continued any unreasonable noise:
  - (1) for any commercial purpose or during the course of conducting any commercial activity; or
  - (2) through the use of a device, other than a device used within the interior living space of an individual residential unit, installed within or upon a multiple dwelling or a building used in part or in whole for non-residential purposes.
- (b) Unreasonable noise shall include but shall not be limited to sound, attributable to any device, that exceeds the following prohibited noise levels:
  - (1) Sound, other than impulsive sound, attributable to the source, measured at a level of 7 dB(A) or more above the ambient sound level at or after 10:00 p.m. and before 7:00 a.m., as measured at any point within a receiving property or as measured at a distance of 15 feet or more from the source on a public right-ofway.
  - (2) Sound, other than impulsive sound, attributable to the source, measured at a level of 10 dB(A) or more above the ambient sound level at or after 7:00 a.m. and before 10:00 p.m., as measured at any point within a receiving property or as measured at a distance of 15 feet or more from the source on a public right-of-way.
  - (3) Impulsive sound, attributable to the source, measured at a level of 15 dB(A) or more above the ambient sound level, as measured at any point within a receiving property or as measured at a distance of 15 feet or more from the source on a public right-of-way. Impulsive sound levels shall be measured in the A-weighting network with the sound level meter set to fast response. The ambient sound level shall be taken in the A-weighting network with the sound level meter set to slow response.

Page 2 of 8

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

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

### INSPECTION

The existing space is occupied by the All Stars Sports Bar & Grill. According to the manager, there have been no noise complaints from the upstairs neighbors in many years of operation.

He also told me that there has been extensive soundproofing installed on the ceiling.

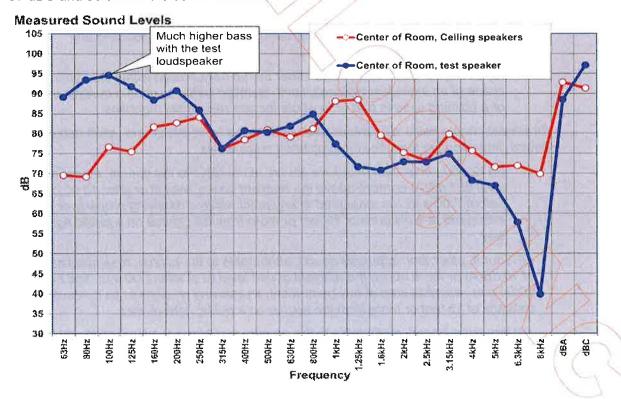
The speakers are flush-mounted into the ceiling, which I do not usually recommend.

#### **TEST**

A test music selection was auditioned using a loudspeaker in the front half of the first floor of the existing bar/restaurant.

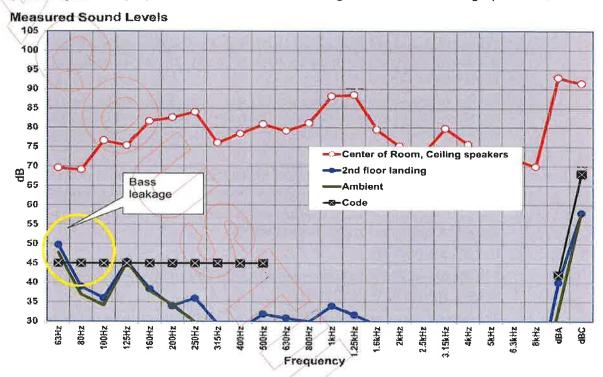
Tests were conducted twice; first with the existing ceiling speakers followed by testing with a large loudspeaker that I brought with me.

See the graph below. There were much higher bass levels with the test loudspeaker, measuring 97 dBC and 88 dBA in the center of the restaurant.

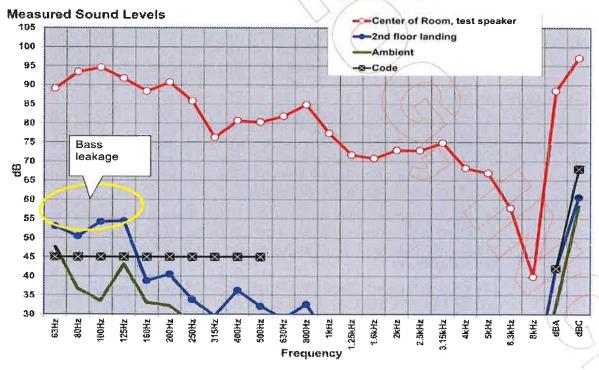


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There was no access to the second-floor apartment, so sound was measured directly outside of the apartment in the second-floor hallway. There was audible bass leakage from the ceiling speaker system, slightly louder than the ambient background level. See the graph below.



Using the test loudspeaker, there was more bass leakage. See the graph below.



Page 4 of 8 Acoustilog, Inc email: acoustilog1@verizon.net

## RECOMMENDATIONS

# SOUND SYSTEM - ALL ROOMS

- 1. All of the ceiling speakers will be removed.
  - a. The existing speaker holes will be sealed up with the same number of sheetrock layers that are in the rest of the soundproof ceiling. This will eliminate the weak links in the ceiling.
  - b. A large number of small speakers, typically 4 8 per room, will be used for even coverage without excessive volume. The type of speaker is not critical since the volume will be limited as described below. The woofers should be no larger than 6".
  - c. Suggested models include Behringer Model 1C-BK, JBL Control 1 or Yamaha NS-AW150. These should be used as a distributed system. Data attached.
  - d. Hang the speakers from the ceiling or walls using resilient mounts such as springs or neoprene mounts. Data attached.
  - e. Do not use subwoofers.
  - f. The system should be set up in stereo. Stereo sounds louder to people without actually increasing the sound level.
  - g. Any good commercial stereo power amp of 75 watts per channel or higher, preferably without volume controls, can easily handle all the speakers in the room. This is done using the series-parallel hookup arrangement shown in the diagram. Run each speaker's wire back to the amplifier to simplify an otherwise complicated hookup. This is called "home run" wiring. Use #18 gauge zip cord for the speakers. Do not buy Monster cable. Set the volume on the amplifier to maximum to prevent employees from turning up the amps louder.
- The sound system will incorporate an equalizer. The equalizer will then feed into a limiter. Both functions can be accomplished with a processer such as a DBX DriveRack PA2. Installed in the system right before the amplifier and locked with a password, it will prevent the sound system from exceeding a pre-determined sound level, set by the sound installer.
  - a. Set the volume on the amplifier(s) to maximum to prevent employees from turning up the amps louder.
  - b. Using the crossover section, attenuate (lower) all frequencies 125 Hertz and below by setting a high-pass filter on both stereo channels to a cutoff frequency of 125 Hertz and a slope of 6 dB/octave.
  - c. Set the compressor Ratio control to infinity, Over-Easy to off, and the Threshold control so as to normally limit only 3 decibels while playing the loudest possible music. If the music tries to get louder for any reason, the sound will stay at the same volume.
  - d. Using the compressor Output level control to set the maximum sound level to 90 dBC and 85 dBA, measured in the center of each room. The sound installer can do this with a simple Radio Shack sound level meter. Set the meter to read "C", and "Slow". This will be a good starting point from which to operate the sound system.

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- e. To ensure accuracy of the meter, you can bring it to my office to be calibrated.
- 3. The processor unit could be set more accurately in conjunction with tests made of noise levels in the neighboring spaces.

#### DOORS

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

## THE NOISE CODE - OUTDOOR NOISE

Noise Code Section § 24-244 states,

Sound reproduction devices.

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

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

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

If I can be of further assistance, please call.

It is strongly recommended that all complicated construction projects get regular inspection visits at critical times, to make sure the system performs properly. This is an optional service which I can provide. All Acoustilog, Inc.-designed information supplied is for the original client and may not be copied in any way for different projects by any architect, consultant, engineer or other party. Copyright Acoustilog, Inc. ® 2025. All rights reserved. No reproduction of any type permitted without written permission of Acoustilog, Inc.

Yours Truly,

Alan Fierstein

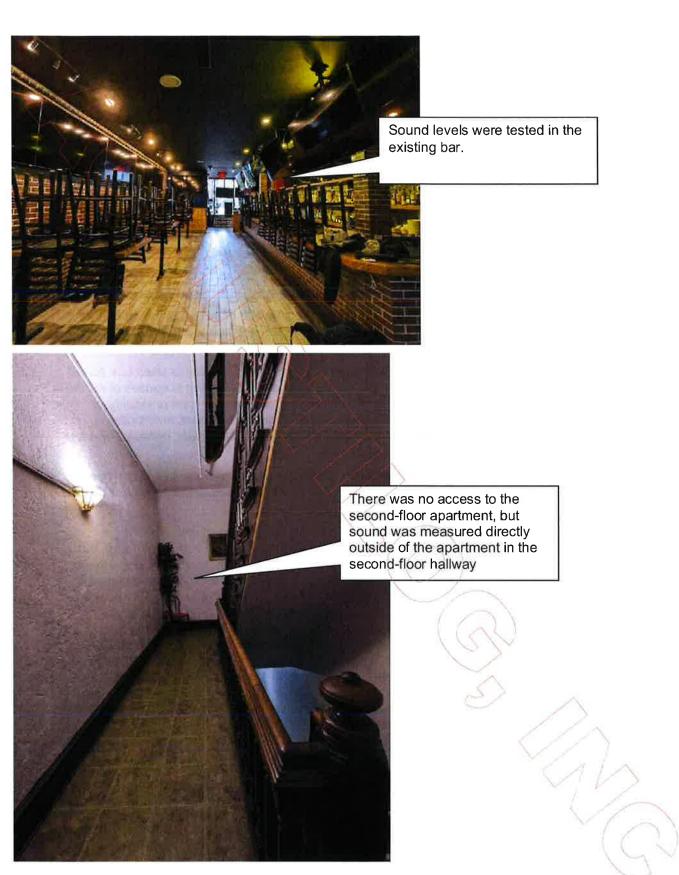
President acoustilog1@verizon.net

All readings re: .0002 microbar and to Code.
Readings taken with Bruel & Kjaer 2250/2260/2270
Analyzer, Bruel & Kjaer 4134, 4135, 4145, 4155,
4165, 4189 or 4190 Microphone, Acoustilog 232A
Reverberation Timer. Calibrated to Bruel & Kjaer
4220 Sound Source or Quest CA-15.

Page 6 of 8

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# Behringer Monitor Speakers 1C-BK - Black

5.5" 100W Passive 2-way Monitor Speakers for Fixed Installation (pair) - Black



# High-precision components deliver incredible sound quality

IC-BK passive monitor speakers derive their massive sound from powerful 5.5" cellulose cone woofers and high-resolution 0.5" tweeters. Built with high-precision components, these speakers exhibit absolute phase linearity, delivering exceptionally clear sound reproduction and excellent frequency response from 60Hz all the way up to 23kHz. On top of that, you won't have to worry about blowing the 1C-BKs' tweeters, thanks to the auto-overload protection that's built into these speakers' low-distortion, phase-optimized crossovers. In other words, these little guys sound great!

# Behringer 1C-BK Passive Monitor Speakers Features:

- Ultra-linear design delivers exceptionally clear sound reproduction and excellent frequency response
- High power handling capabilities provide full-range output with extremely low distortion
- Phase-optimized and high-precision crossovers for absolute phase linearity
- Auto-overload protection prevents tweeter damage and resets automatically
- · Solid protective grills and exceptionally rugged construction for long life and durability
- · Brackets for wall/ceiling mounting are included

For stunningly accurate sound and stylish, neo-classic design, look to Behringer 1C-BK passive monitor speakers!

# **Tech Specs**

Powered No

LF Driver Size 5.5"

HF Driver Size 0.5"

Power Rating (Program) 25W

Peak Power Capacity 100W

Impedance 4 ohms

Frequency Range 60Hz-23kHz (-10dB)

Crossover Frequency 5000Hz

Maximum Peak SPL 112dB @ 1m



# Control® 1 Pro

Two-Way Professional Compact Loudspeaker System

#### **Professional Series**

# **Key Features:**

- ▶ 150 Watts Continuous Power Handling
- Professional Drivers and Crossover Network
- Included Mounting Bracket
- Transparent and Faithful Sonic Performance
- Magnetically Shielded Transducers
- ► SonicGuard™ Overload Protection
- Available in Black or White Finishes

# **Applications:**

Representing the next-generation in professional high-performance, compact loudspeaker systems, the Control® 1 Pro builds on its proud heritage while incorporating the latest innovations in JBL Professional loudspeaker systems design. Featuring proven JBL transducer technologies, the Control 1 Pro is perfect for a wide variety of critical near-field audio applications.

With independent, monitor-grade high and low frequency drivers, the Control 1 Pro's professional crossover network provides steep slopes for exceptional sonic performance and incorporates full-range SonicGuard™ overload protection into the design ensuring network and transducer protection from excessive power surges from the amplifier.

The Control 1 Pro's rugged and durable molded enclosure houses magnetically shielded transducers making it ideal for use with video and computer monitors or other magnetically sensitive equipment. Moreover, the Control 1 Pro's compact design makes it ideal for audio-visual applications, computer workstations, recording and broadcast studios, mobile audio-video control rooms and foreground and background music.

The Control 1 Pro can easily be mounted against a wall or other flat surface with the enclosed brackets or simply used as a bookshelf speaker.



# Candifications

Specificati	ons:	
System:		
	cy Range (-10 dB):	
Frequency Re	sponse (+/- 3 dB):	100 Hz - 18 kHz
	Power Capacity <sup>1</sup> :	150 W
	Sensitivity <sup>2</sup> :	87 dB SPL, 1 W 1 m (3.3 ft)
7	Maximum SPL	108 dB continuous, 114 dB peak
Dire	ectivity Factor (Q)2:	6.0
Dir	ectivity Index (DI):	7.8 dB
< / /No	ominal Impedance:	4 ohms
Cre	ossover Frequency:	4.2 kHz
	verload Protection:	Full-range SonicGuard™ power limiting to protect network and transducers

Transducers:	
	LF Driver: 135 mm (5.25 in) low frequency loudspeaker
	HF Driver: 19 mm (.75 in) polycarbonate dome tweeter
	Input Connectors: Spring-loaded terminals
Enclosure:	
	Enclosure Material: Polypropylene Structural Foam

Finish: Black (C1Pro) or White (C1Pro-WH) Dimensions: 235 mm x 159 mm x 143 mm  $(9.3 \text{ in } \times 6.3 \text{ in } \times 5.6 \text{ in})$ Net Weight (each): 1.8 kg (4 lb)

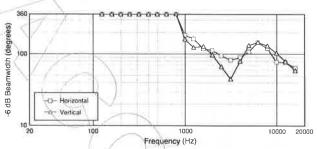
Shipping Weight (pair): 4.6 kg (10 lb) Included Accessories: Mounting Bracket Assembly

TEC Standard, full bandwidth pink noise with 6 dB crest factor, 2 hour duration. Calculated based on power rating and sensitivity, exclusive of power compression.

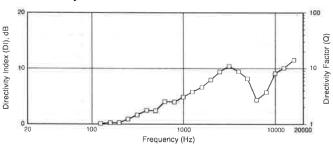
JBL continually engages in research related to product improvement. Some materials, production methods and design refinements are introduced into existing products without notice as a routine expression of that philosophy. For this reason, any current JBL product may differ in some respect from its published description, but will always equal or exceed the original design specifications unless otherwise stated.

# Control 1 Pro Two-Way Professional Compact Loudspeaker

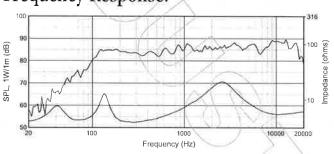
# Beamwidth:



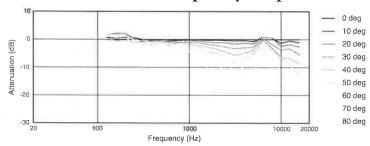
# **Directivity Index:**

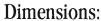


# Frequency Response:

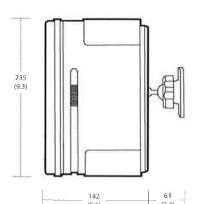


Horizontal Off-Axis Frequency Response:



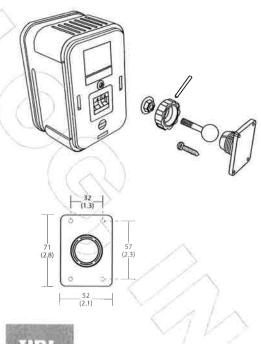






Dimensions in mm (in)

# **Mounting Bracket:**





8500 Balboa Boulevard, P.O. Box 2200 Northridge, California 91329 U.S.A. © Copyright 2014 JBL Professional

www.jblpro.com

SS C1P CRP 03/14

# NS-AW150 Outdoor 2-way Speakers





# \$129.95 PR.

REE Shipping - Learn More

NS-AW150 Black - Available





Select a color/finish above.

## NS-AW150 Black





Specs

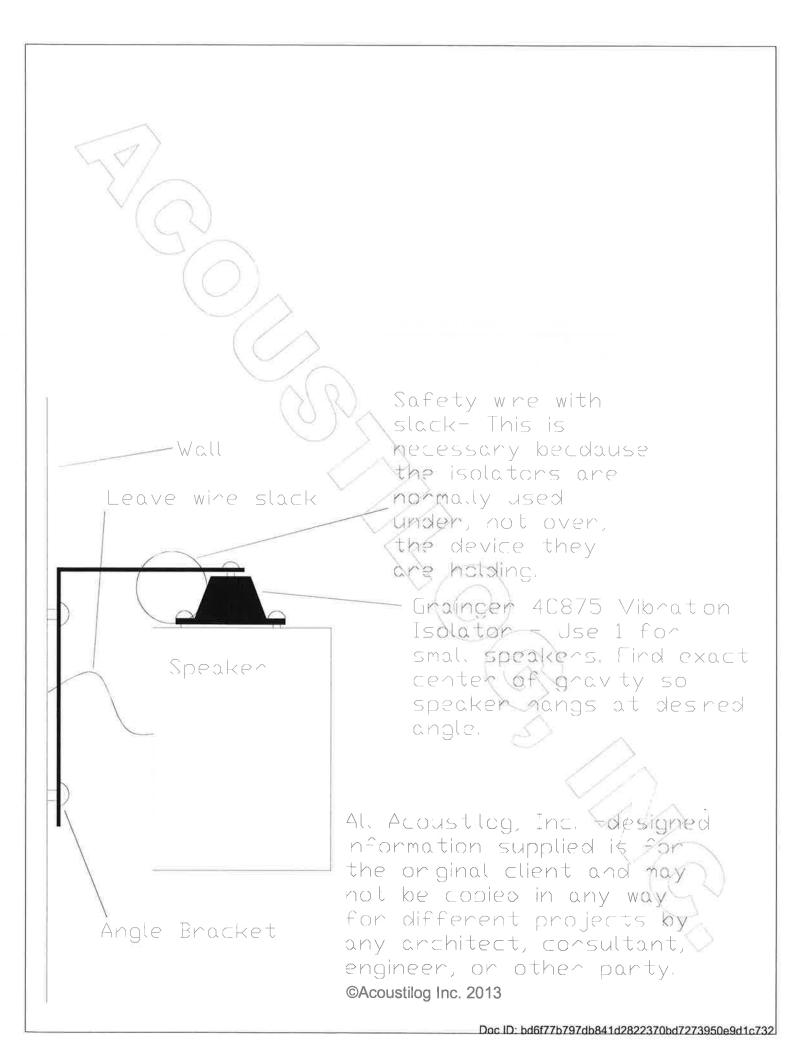
Downloads

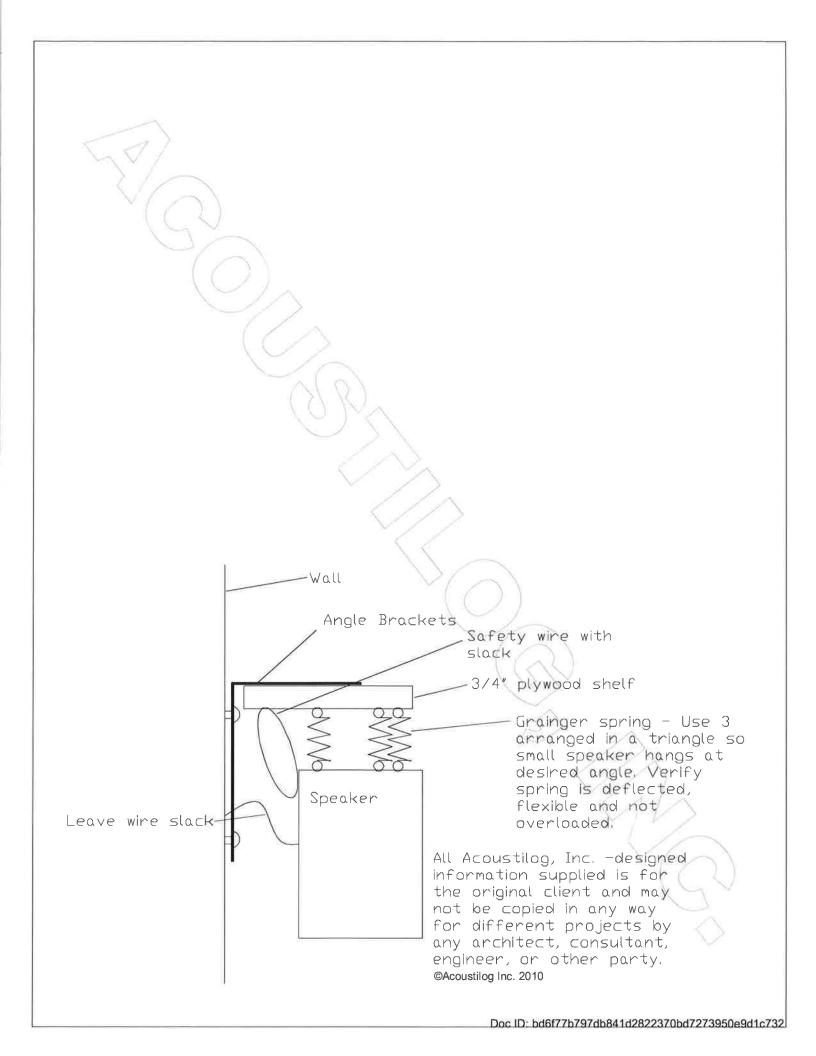
# **Product Information**

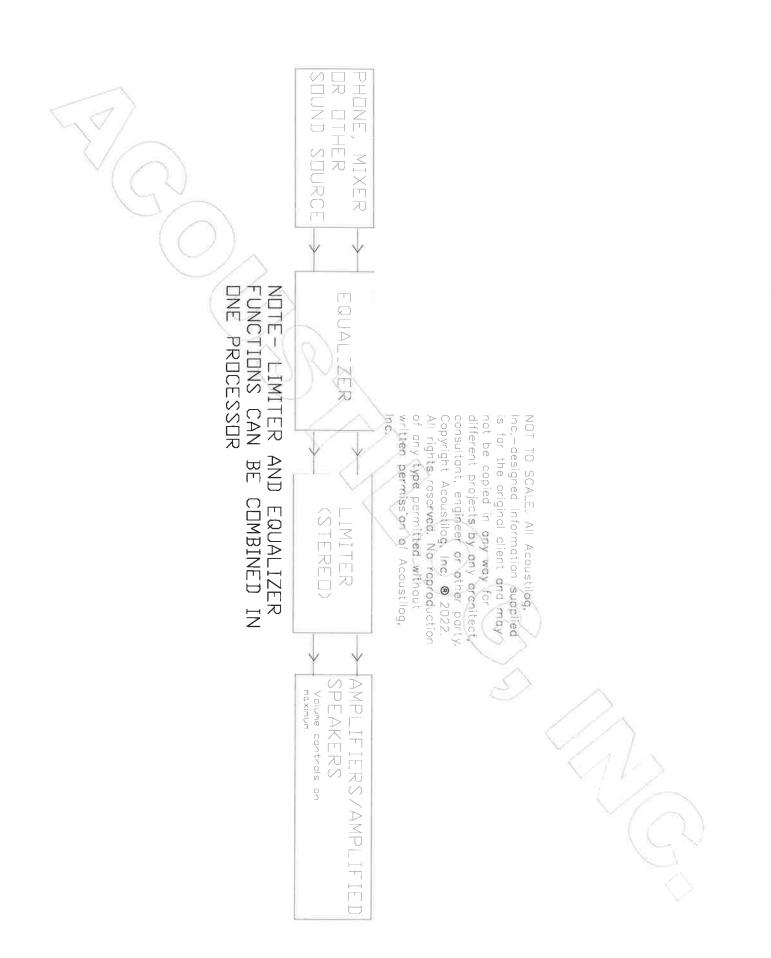
# NS-AW150 Outdoor 2-way Speakers

All-weather speaker system with wide frequency response.

- 5" High Compliance Polypropylene Mica Filled Woofer
- 1/2" PEI Dome Tweeter
- Wide Frequency Response (55 Hz-40 kHz)
- 120 W Maximum Input
- · Wall Mounting Bracket Included
- · Vertical or Horizontal Placement
- · 5-way Binding Post Speaker











## ALL YOU NEED TO GET THE MOST FROM YOUR PA NOW WITH COMPLETE CONTROL FROM YOUR

The Universack® PA2 provides all the processing you need between your must and amplifiers to optimize and protect your laudepeakers. With the latest advancements in cibr's propostary AutoFQ™ and AFS™ algorithms, a new input delay module for delaying the FOH system to the backline. Ethernet control va an Android E., CSB, Mac E., or Windows B device, and updated Wizards, the DriveRack PA2 continues the DriveRack legacy of great sounding, powerful, and affordable loudspeaker management processors, for a whole new generation



#### AUTOEO"

Now, improved AutoEQ algorithm ensures an extremely accurate, that, and non intrusive automatic ECI experience

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

#### ENHANCED AFS" FEEDBACK ELIMINATION

Enhanced AFS<sup>®</sup> algorithm for factor more procise lendency graph attent without adversely attenting your system's hore

Nothing turns audiences away like annoying and potentially painful audio feriditable Fortuna of Judio engineers have reviewed their already stellar Advanced Feedback Suppression algorithm and made it work even better. The DriveRack PA2 littens for and anticipates feedback and adjusts speaker output automatically before it even has a chance. while never aftering your sound

#### UPDATED WIZARD SETUP FULLCTIONS

Updated Yv parak have initial article easy, while instring speaker tunings and other settings. are up to date

Would function us the Dissellack PA2 yearle you through easy, step-by-step processes to help you get the most from your loudspeaker system. Holes you easily configure level balancing, AutoEQ, Advanced Feedback Suppression, and provides access to built in and constantly updated speaker tunings from most major speaker manufacturers

#### AVAILABLE INPUT PROCESSING

- obs Compression
- A ALS" (Advanced Leedback Suppression
- Graphy EQ
- ) i) Band Parametro, FΩ (adjusted when using the AutoEG
- s Subhermonic Synthesis

#### AVAILABLE OUTPUT PROCESSING

- Crossovet laupports till range: 2 way. and 3 way systems)
- » R Band Farametric FOn (used for
- speaker timings) n day i mong.
- . Dover Alignment Delays.

# DriveRack PA2

Complete Loudspeaker Management System

MSRP \$621.91 \$399.95 AVE \$224.99



#### OVERVIEW

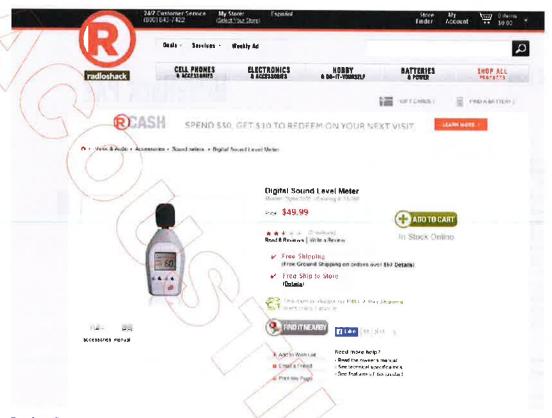






# Features

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



## **Product Summary**

# Fine-tune your audio.

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

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

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

#### Shipping

Usually ships in 1 - 2 business days

In store: <u>Check availability</u> By phone: 1-800-843-7422 **Manufacturer Warranty** 

Parts: 12 monthLabor: 12 month













Title

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