

Manhattan Community Board 4

(All Fields Must Be Completed)

CORPORATION NAME		DOING BUSINESS AS (DBA)						
Hell's Kitchen Salt & Pepper Inc.		44 1/2						
STREET ADDRESS		CROSS STREETS		ZIP CODE				
626 10th Avenue, New York, NY 10036		West 44th and West 45th		10036				
OWNER <small>(Attach a list of all the people that will be associated/listed with the license)</small>	NAME:	Boris Brodsky		ATTORNEY/ REPRESENTAIVE	NAME:	Thomas j. McCallenm Esq. Carreas & McCallen PLLC		
	PHONE:	917-414-8344			PHONE:	212-732-3640		
	EMAIL:	boris@lizfields.com			EMAIL:	sla@carrerasmccallen.com		
MANAGER	NAME:			LANDLORD	NAME:	Emmut Properties		
	PHONE:				PHONE:	212-489-5559		
	EMAIL:				EMAIL:			
APPLICATION TYPE (Check One)								
<input type="radio"/> New	Has applicant owned or managed a similar business?					YES	NO	
	What is/was the name and address of establishment?							
	What were the dates applicant was involved with this former premise?							
<input checked="" type="radio"/> Transfer	What is the prior license # and expiration date?					1158874		
	Is applicant making any alterations or operational changes?					YES	NO	No
	If alterations or operational changes are being made, please describelist 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 <input type="radio"/> Beer <input type="radio"/> Wine & Beer							
ESTABLISHMENT TYPE	<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/owner filed with the SLA? If yes, when? If no, when do you plan to file?					YES	NO	No	
Is the 500 Foot Rule applicable? If yes, please attach a diagram of the On-Premise liquor license establishments within a 500 ft. radius of your establishment and the Public Interest Statement.					YES	NO	Yes	
Is the 200 Foot Rule applicable? If yes, please attach a diagram of the schools and houses of worship that trigger the rule.					YES	NO	No	
Has applicant/owner(s) read MCB4 Policy Regarding Concentration and Location of Alcoholic-Serving Establishments?					YES	NO	Yes	

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

HOURS* (Indoor Only)		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
	Operation	11:00 AM - 12:00 AM	11:00 AM - 12:00 AM	11:00 AM - 12:00 AM	11:00 AM - 01:00 AM	11:00 AM - 01:00 AM	11:00 AM - 01:00 AM	11:00 AM - 12:00 AM
	Kitchen	10:00 AM - 12:00 AM	10:00 AM - 12:00 AM	10:00 AM - 12:00 AM	10:00 AM - 12:00 AM	10:00 AM - 12:00 AM	10:00 AM - 12:00 AM	10:00 AM - 12:00 AM
	Music	Ambient, recorded music - 10:00 AM til 12:00 AM during operating hours						

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

BACKGROUND

LIVE MUSIC

DJ

JUKE BOX

KARAOKE

OCCUPANCY

	Capacity (Certificate of Occupancy)	Maximum # of Persons You Anticipate Occupying Premises (Including Employees)	Number of Tables	Number of Seats	Number of Service Only Bars	Number of Stand-Up Bars	Number of Seats at Stand-Up Bar
INSIDE	72	72	17	47	None	1	10
OUTSIDE (Other than sidewalk café)	None		11	22			
SIDEWALK CAFÉ	8	8					

How many floors are there? What is the capacity for each floor?

Two

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

Fulltime, throughout operating hours

Will you be applying or intending to apply for a cabaret license with DCA? If yes, will there be dancing?

YES

NO

No

Will applicant have bottle or table service for beverage alcohol?

YES

NO

No

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

YES

NO

No

Will security plan be implemented?

YES

NO

No

Will State certified security personnel be used?

YES

NO

No

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

YES

NO

No

Will applicant be using delivery bicycles? If yes, how many?

YES

NO

No

Will delivery bicycles be clearly marked with the name of the restaurant and will staff wear attire clearly noting name as described by NYC Law?

YES

NO

N/A

Where will delivery bicycles be stored during the day when not in use?

N/A

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	No
Are your plans filed with DOB?	YES	NO	No

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	None	
	# 2		
	# 3		
	# 4		
	# 5		
Please provide dates when applicant met with the groups listed above.	N/A		
Who was your contact person at each group you met with?	N/A		
When did applicant post the notice that was provided?	N/A		
Where did applicant post the notice that was provided?	N/A		
Will applicant provide owner cell phone number to neighbors and respond to complaints that arise? Please provide number in space provided.	YES	NO	Yes - 917-414-8344
Will applicant inform the Community Board office of its job openings and/or provide a hyperlink to applicants jobs webpage?	YES	NO	Yes

BUILDING DESIGN			
State the name and type of business previously located in the space.	Hell's Kitchen Cream & Sugar Inc. - Full service Restaurant		
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.	YES	NO	Yes, Hell's Kitchen Cream & Sugar Inc.
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
Will applicant not place any items or obstructions on the sidewalk, for example, 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
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 PM Friday and Saturday and 10 PM 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?	YES	NO	No
Will applicant follow the recommendations of a certified sound engineer to mitigate potential noise disturbance to the neighboring residents and buildings, including placing speakers on the floor of the establishment?	YES	NO	N/A
Will the kitchen exhaust system extend to the roof?	YES	NO	Yes
Will the establishment have an illuminated sign?	YES	NO	Yes
Will the establishment have a canopy extending over the sidewalk?	YES	NO	No
Where will the air conditioner be located? What type is it?	Backyard - control, roof		
When was the air conditioner installed?	Ten (10) years		

OUTDOOR ITEMS - OTHER THEN SIDEWALK CAFÉ

Has the applicant/owner(s) read MCB 4 Rear Yard Rooftop Policy?	YES	NO	Yes
Will applicant use any outdoor spaces: rooftop, rear yard, patio, porch, balcony, pavillion, tents, deck or gazebo? If yes, which one(s)?	YES	NO	Yes
Are the floorplans for the outdoor space(s) included?	YES	NO	Yes
Will applicant close and vacate the outdoor space(s) by 11PM on Friday & Saturday and 10 PM on all other days?	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 not allow standing space for patrons to drink or smoke in any outdoor space(s)?	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 applicant agree to post signs outside asking customers to respect the neighbors'?	YES	NO	Yes
Will applicant agree to train staff to encourage a peaceful environment?	YES	NO	Yes
Will applicant provide effective sound control (landscaping enclosure, soundproofing tenants apartments)	YES	NO	Yes
Will there be a lighting plan that allows safe usage of the outdoor space without disrupting neighbors?	YES	NO	Yes

OUTDOOR ITEMS – SIDEWALK CAFÉ			
Has the applicant/owner(s) read MCB4 Sidewalk Café Policy?	YES	NO	Yes
Will applicant be applying for a sidewalk café now or in the future?	YES	NO	Yes, Existing
Is applicant in this application seeking to include a sidewalk café in its liquor license?	YES	NO	Yes
If yes, has applicant submitted an application and plans to NYC Dept. of Consumer Affairs? Please attach application and plans.	YES	NO	Yes, Approved
Will applicant close and vacate the sidewalk café by 11 PM on Friday & Saturday and 10 PM on all other days?	YES	NO	Yes
Will applicant be serving alcohol in the sidewalk café? If so, will you have waiter service?	YES	NO	Yes
Will the café have a 3 ft. wide serving aisle running the entire length of the sidewalk cafe?	YES	NO	Yes
Will applicant mark the perimeter of the café on the sidewalk?	YES	NO	Yes
Will the service and consumption of alcohol in the sidewalk café only be via seated food service?	YES	NO	Yes
Will the sidewalk café not provide standing space for drinking or smoking?	YES	NO	Yes
Will applicant use any portable natural gas heaters? If so, do you have the requisite approvals from DOB & the Fire Department?	YES	NO	No
Will applicant have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	Yes
Will all furniture, plants and barricades be stored inside between the evening closing hours and the morning opening hours?	YES	NO	Yes
Will all furniture be stored inside between December 21 st and March 21 st , and any other day when it rains or snows?	YES	NO	Yes
Will applicant use umbrellas?	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	NO	Yes

ADDITIONAL STIPULATIONS: (Office Use Only)

- Any storm enclosure will extend no more than 18 inches from the building facade
- All sidewalk cafe tables & chairs will be moved inside nightly. All planters will be moved against the building
- In months when sidewalk cafe is not in active use, all sidewalk cafe furniture including planters, will be removed from sidewalk

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

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

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

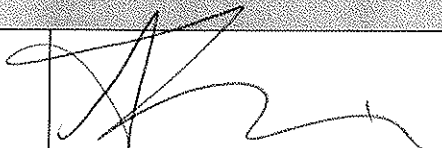
Manhattan Community Board 4 (MCB4) recommends:

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

Denial Approval

CB4 REPRESENTATIVES

Nelly Gonzalez
CB4 Assistant District Manager


Frank Holozubiec
CB4 BLP Committee Co-Chair

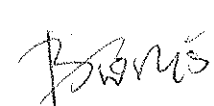

Brett Lazarin
CB4 BLP Committee Co-Chair

APPLICANT AGREEMENT WITH THE COMMUNITY

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

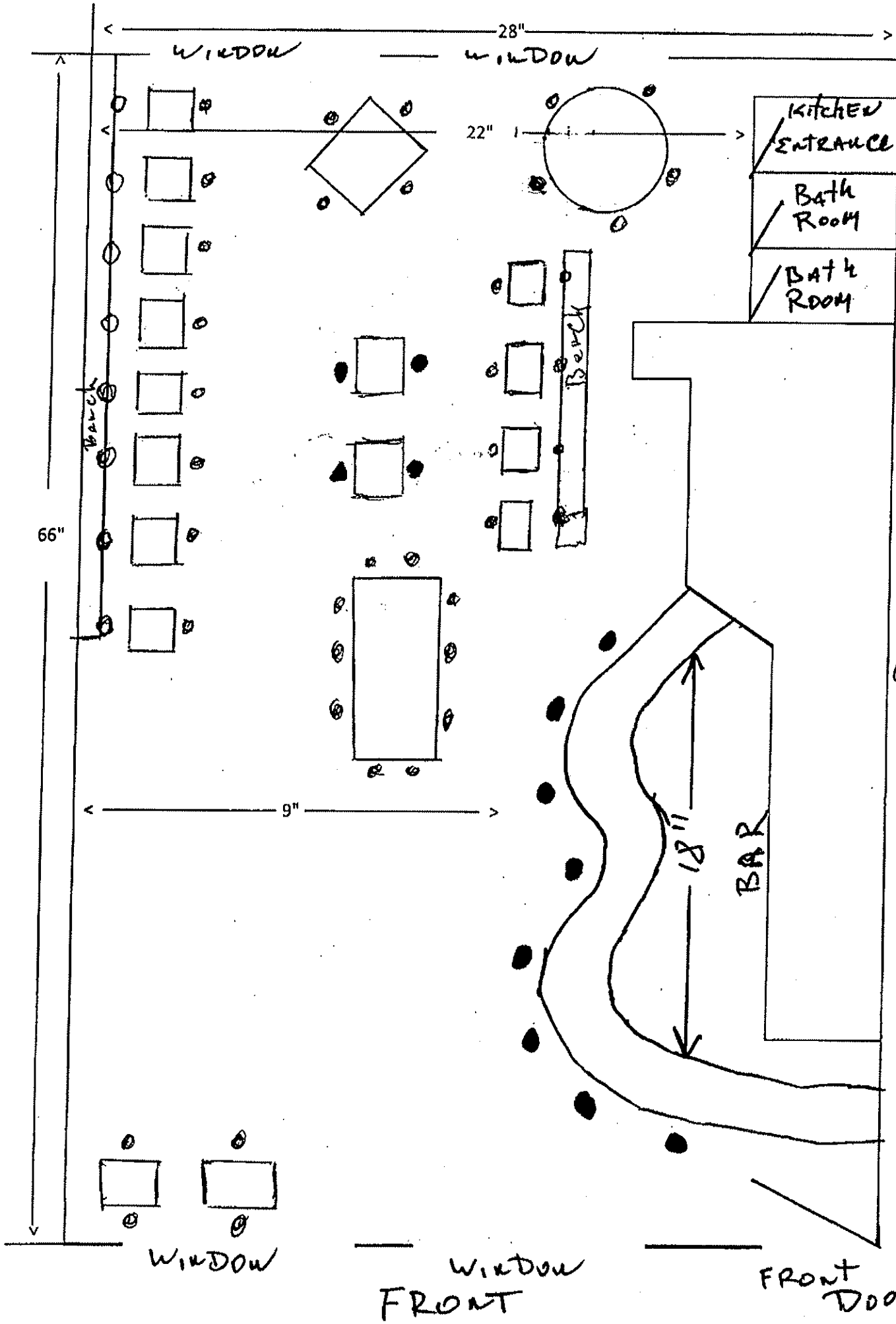
SIGN HERE




PRINT NAME OF APPLICANT


SIGNATURE OF APPLICANT

10/2/14
DATE



MAID ROOM

Back Yard Patio

