



**JOHN WEIS**  
Chair

**ROBERT J. BENFATTO, JR., ESQ.**  
District Manager

June 10, 2010

Dennis Rosen  
Chairman  
New York State Liquor Authority  
80 S. Swan Street, 9<sup>th</sup> Floor  
Albany, New York 12210

**Re: Jonathan Segal or Entity to be formed**  
*530-542 West 27th Street (btwn 10th & 11th Avenues)*

Dear Chairman Rosen:

Manhattan Community Board 4 (MCB4) recommends denial of a new full liquor license for Jonathan Segal or Entity to be formed, to be located on the 6<sup>th</sup> floor and roof of a commercial building, unless the following stipulations, agreed to by the applicant, are part of its method of operation:

- 1) Hours of operation for the sixth floor venue shall be until no later than 12:00 a.m. Sunday through Thursday and no later than 2:00 a.m. on Friday and Saturday. Hours of operation for the roof shall be no later than 11 pm Sunday through Thursday and no later than 1:00 am on Friday and Saturday. Currently there are no residences in the immediate vicinity of the establishment but this situation will be changing over the next year.
- 2) The establishment will have a total capacity of 400 people, with 156 seats and 18 bar stools on the 6<sup>th</sup> floor, and 186 seats and 26 bar stools on the roof level.
- 3) The establishment will have soft background music.
- 4) There will be occasional private corporate events. At these events there will be additional security.
- 5) The applicant agrees not to use outside promoters or d.j.s. No dancing will be permitted, and a cabaret license will not be applied for at this time.
- 6) The applicant has retained the services of and has been working with Accoustilog, a certified soundproofing engineer, and shall implement that firm's soundproofing recommendations for its indoor and outdoor facilities. These recommendations shall include, but not be limited to, decibel restrictors / controls and sound-absorbing material. The applicant also shall continue working with that firm or another certified

soundproofing engineer, so that any sound emanating from the roof space shall be minimized. A copy of Accoustilog's full report will be submitted with the application.

7) The roof space shall be partially covered with a canopy, the design and placement of which has been recommended by Accoustilog.

8) No one will be seated or allowed to stand or congregate within seven feet from the side of the building on the roof space, to minimize sound levels, as per Accoustilog's design recommendations. The establishment's staff shall ensure that this condition is enforced.

9) Any speakers shall be capped at a specified sound level and face a direction intended to minimize sound levels, again in a system designed by Accoustilog.

10) Kitchen exhaust will exit through ventilation above the highest floor of the surrounding buildings, including buildings that are currently being built, and shall be constructed in a manner so as not to disturb neighboring residences or offices. Also, it shall be compliant with the NYC Buildings Code.

11) The applicant agrees to follow the best practices as outlined by the New York Nightlife Association which were developed in cooperation with the NYC Police Department.

12) When the residential buildings currently under construction near the venue are completed and occupied, the applicant shall provide 24-hour contact information to CB\$ and pertinent community representatives. The applicant shall also meet with the managers and residents of these buildings and provide telephone numbers with which the applicant or his representatives may be reached to address any problems or concerns.

A signed copy of the stipulations agreed to by the applicant is enclosed. This application is for a restaurant / lounge located on the sixth floor and roof of a commercial building, in the immediately vicinity of which there are no residential buildings, though two are being built. The applicants have described their establishment as being intended to blend in with the art and fashion environments in the area.

Sincerely,



John Weis  
Chair  
Manhattan Community  
Board 4

[Signed 6/10/10]

Burt Lazarin  
Co-Chair  
Business License & Permits  
Committee – South

[Signed 5/10/10]

Hugh Weinburg  
Co-Chair  
Business License & Permits  
Committee – South