



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, 9th Floor
Albany, New York 12210

Jonathan Mintz
Commissioner
City of New York
Department of Consumer Affairs
42 Broadway
New York, NY 10004

Re: Hudson Leaseco LLC d/b/a Good Units
353 West 57th Street (8th/9th) aka 368 West 58th Street

Dear Chairman Rosen and Commissioner Mintz:

Manhattan Community Board 4 (MCB4) recommends denial of an alteration to a full liquor license and cabaret license for Hudson Leaseco LLC d/b/a Good Units, unless the following stipulations, agreed to by the applicant, are part of their method of operation; this application only applies to the cellar and subcellar of the hotel known as 'Good Units'.

- 1) Hours of operation of Good Units will be no earlier than 5:00 p.m. and no later than 4:00 a.m., Thursday through Sunday and no earlier than 5:00 p.m. and no later than 2:00 a.m. Monday through Wednesday. An earlier start time can occur if a 'convention' type event is arranged within the hotel, but will always abide by the laws of the NY SLA concerning the sale and consumption of alcohol and the stipulations that follow.
- 2) The establishment will have a total capacity of no more than 425 in the cellar and subcellar. Table and chair arrangements and numbers will be dependent upon the event but will never exceed capacity of 425.
- 3) There will be no more than one permanent stand up bar in the cellar and one permanent stand up bar in the sub-cellar. This will be the arrangement in lieu of

the current 'rolling bar' that they are permitted to use under their current license.

- 4) The applicant will retain all control and responsibility for operation and security of the establishment. If any outside promoter is used, their role will be limited to marketing.
- 5) The applicant will not distribute advertisement fliers around the exterior of the establishment.
- 6) The applicant agrees to employ two New York licensed guards outside of the Hudson Hotel on West 58th Street to monitor noise levels from guests and disburse crowds and traffic as needed during Good Units events as well as all other large events in other areas of the hotel. Additionally the applicant will provide dedicated and licensed security posted inside the West 57th Street doors to ensure they are not used as a guest entrance/exit or a temporary exit to allow for smoking. The total number of security guards employed on lounge and nightclub detail, dependent upon the size of the crowd of the venue, will comply with the New York Nightlife Association best practices of one security guard per 75 patrons.
- 7) The applicant agrees to follow the best practices as outlined by the New York Nightlife Association which was developed in cooperation with the New York City Police Department.
- 8) A certified soundproofing engineer will recommend and implement soundproofing on all indoor and outdoor facilities, including but not limited to the 'Private Park' on the 2nd floor, the Sky Terrace on the 15th Floor and the two 'Penthouse' units on the 24th Floor. The recommendations of the sound engineer include, but are not limited to, decibel restrictors/controls and sound absorbing material. A copy of the full report will be submitted with the application and is attached to this letter. A double door entry way is currently employed to minimize sound escaping from the establishment.
- 9) To ensure that neighbors are not negatively impacted by sound emanating from the sidewalk in front of the establishment due to the gathering of people upon closing, the applicant's security personnel will monitor the area and encourage patrons to either enter the establishment or leave the area. Security personnel will be reassigned from the building interior to the street to assist in monitoring noise levels and assisting in the management of taxis at the conclusion of an event.
- 10) The applicant intends to have live, background and DJ music in the Good Units. Applicant has stated they will advise MCB4 and the Midtown North Police Precinct of the NYPD as to ongoing schedule of public events in advance of the date. The calendar of events will be available online to neighboring residents.
- 11) There will be no French doors or windows that open to the street front.

- 12) Kitchen exhaust will exit through ventilation above the highest floor of surrounding buildings and be constructed in a manner to not disturb neighboring residents or offices. Additionally it will be compliant with NY DOB code.
- 13) Applicant will never install a storm vestibule enclosure as they have the double door 'soundtrap' vestibule.
- 14) The applicant will proactively clean the sidewalk and area immediately outside of the establishment and Good Units related trash on immediate neighboring properties.
- 15) No outdoor sidewalk space will be used for queuing of patrons waiting to enter the establishment. Applicant stated queuing will occur inside in the 'reservoir space' on the first floor of the hotel so there will be no outdoor velvet rope lines.
- 16) Applicant will provide 24 hour contact details to CB4 and pertinent community representatives.
- 17) Applicant will arrange for representatives to regularly attend Precinct Council, Block Association and Community Board meetings to address and resolve any community problems that may arise from this establishment. The hotel and community associations will report progress and/or issues back to MCB4 regularly by email, writing or in person.
- 18) There will be no use of any outdoor spaces (rooftop, patio or sidewalk café) at this time for the sale or consumption of alcoholic beverages related to the Good Units cellar and subcellar.
- 19) Hudson Hotel (including Good Units) agrees to make every reasonable effort to restrict all smoking on the street from all venues/bars/restaurants located on premises and instead direct them to the designated smoking areas in the 'Private Park' section of the hotel on the 2nd floor.
- 20) The applicant is simultaneously applying to the NYC DCA to obtain a cabaret license which will be incorporated into their method of operation of the liquor license. The cabaret license will only permit dancing in the 'Good Units' cellar and subcellar of the establishment. There is no other dancing permitted within the Hudson Hotel property.

Hudson Leaseco LLC has determined the name of this establishment to be 'Good Units' and is located in the cellar and subcellar of the Hudson Hotel. The restaurant, Hudson Bar, Library Bar and 'Private Park' are controlled by a separate liquor license and located on the mezzanine level of the Hudson Hotel. The applicant has stated they will limit the use of the 'sky terrace' located outside on the 15th floor to be used under their hotel liquor license and will employ sound limiting measures when in use.

Entrance to the 'Good Units' cellar and subcellar will only be on West 58th Street mainly through the hotel's entrance just to the West of the main hotel entrance door,

but occasionally through the main hotel entrance door. The entrance located on West 57th Street will only be used for emergency access and egress only.

It should also be noted that the applicant did attend a meeting conducted by City Councilmember Gale Brewer as well as appropriate city agencies, MCB4 and community representatives to devise a method to relieve vehicular traffic congestion on West 58th Street as it applies to the Hudson Hotel. The recommendations were approved by MCB4 and we await implementation by NYC DOT. The applicant agreed to work with all agencies on an ongoing basis to effect changes required to facilitate a more organized flow of traffic. A copy of MCB4's letter pertaining to these recommendations is enclosed.

A signed copy of the stipulations agreed to by the applicant is enclosed on the MCB4 form as well as the independent list of stipulations prepared by the applicant themselves. Also enclosed is a copy of the security plan submitted by the applicant.

Sincerely,



John Weis
Chair
Manhattan Community
Board 4



John Owens
Co-Chair
Business License & Permits
Committee - North



Chuck Spence
Co-Chair
Business License & Permits
Committee - North