



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD No. 4

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J. LEE COMPTON
Chair

ANTHONY M. BORELLI
District Manager

January 6, 2006

Governor George E. Pataki
The Executive Chamber
Capitol
Albany, NY 12224

Re: New York State Liquor Authority

Dear Governor Pataki,

We were pleased to learn that you are planning to make major changes in the operations and staffing of the New York State Liquor Authority (SLA), and in fact have already begun this process. Manhattan Community Board No. 4 represents the neighborhoods of Chelsea and Hell's Kitchen, which together are home to hundreds of liquor-licensed establishments. Our Board is in regular contact with the SLA as we review dozens of applications for new liquor licenses, renewals, alterations, and transfers every month.

In the past, we have often been frustrated by the SLA's apparent indifference to community recommendations, although the 500 foot hearing rule requires the SLA to consider whether a new license will be in the best interest of the community. We are very pleased to note, however, that the SLA recently denied a liquor license application that was strongly opposed by the surrounding community. We hope that this trend will continue, and that we can expect more such deference to community concerns in the future.

Community Boards are charged with public review of liquor license applications and submission of the public opinion to the SLA. The Boards are composed of members of the communities in which the businesses will operate - their members live and work in the neighborhoods, and know them very well. We know which formerly commercial streets have been largely converted to residential living, which storefronts are located directly below residential tenants, and which intersections are suffering 3AM gridlock due to departing clubgoers. We ask the SLA to respect our expertise.

Our Board, which includes liquor license holders as well as residents, generally prefers to ask potential applicants to take measures to mitigate their impacts on their neighbors, rather than to ask the SLA for an outright license denial. In particular, we often ask applicants to install adequate soundproofing, to keep doors and windows closed, and to close backyards and roof decks at a reasonable hour. The applicants agree to these stipulations, but the SLA has taken no notice of them. The agreed-upon stipulations should be incorporated into the Method of Operations section of the licenses, and should be enforced by the SLA. If the Method of Operations does not reflect the agreement reached between the applicant and the Board, the application should be rejected until it is properly amended.

Once a license is issued, all of its terms, including the agreed-upon stipulations, should be enforced by the SLA. At the moment, however, the SLA has a serious shortage of inspectors. We ask that you increase the SLA's budget, and specifically require that more inspectors be hired. Without adequate staff, the SLA cannot be effective.

We also ask that you appoint an SLA Commissioner who resides in New York City, and who therefore understands the quality-of-life issues in our neighborhoods where nearly 40% of all on-premises licenses are issued. Alternatively, we ask that the new SLA Chair be a New York City resident.

Finally, we would like to draw your attention to two issues of particular concern in our community. First, we have reached a point of liquor license saturation in several parts of our community district - most notably in West Chelsea. That area is now home to ten nightclubs within 3 blocks. The total liquor licensed capacity of those blocks is over 10,000. The area is so badly jammed with traffic that residents several blocks away are unable to sleep due to the honking. Although we are not asking for a blanket moratorium on new licenses in the area, we do request that the SLA devise policies to set maximum capacity in any block/two-block area. Meanwhile, we will continue to review each application on a case-by-case basis and we especially ask that the SLA respect our recommendations on new licenses in saturated neighborhoods.

Second, we have an ongoing problem with businesses that serve liquor outdoors in backyards and on roofdecks that are surrounded by the bedroom windows of residential neighbors in Chelsea and Clinton. We generally have no objection to the daytime operation of these spaces, but it is absolutely necessary that liquor licenses for outdoor spaces include mandatory closing times. We negotiate these closing times with applicants based on neighborhood conditions and business plans, and ask only that our agreements be codified through inclusion in the Method of Operations section of the license. Again, we ask the SLA to particularly respect our recommendations on these kinds of licenses.

We are optimistic about the changes you have planned for the SLA, and would appreciate the opportunity to discuss them further with your office or with the new SLA leadership. Please let us know if we can be of any assistance as you move forward with your plans.

Sincerely yours,



Lee Compton
Chair, Manhattan Community Board No. 4

Kevin Kossi
Co-Chair
Business Licenses & Permits Committee

John Weis
Co-Chair
Business Licenses & Permits Committee

Elected Officials
NYC Community Boards