



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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JEAN-DANIEL NOLAND
Chair

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

Executive Committee

Item #: 2 (ratification)

March 17, 2008

Chairman Daniel Boyle
New York State Liquor Authority
80 South Swan Street
Albany, NY 12210

Re: SD Hospitality Corp d/b/a Scruffy Duffys-690 Ninth Ave (47/48)

Dear Commissioner Boyle:

At its March 12, 2008 meeting, the Executive Committee of Manhattan Community Board 4 unanimously voted to recommend denial of a New On-Premise Liquor License for **SD Hospitality Corp d/b/a Scruffy Duffys at 690 Ninth Avenue** for the following reasons:

- The application is for a new establishment that triggers the SLA's 500 foot rule.
- The application is for a bar/restaurant establishment on Ninth Avenue in an area of high liquor license saturation.
- The plans presented were for an establishment with 75 patrons with only 40 seated diners with hours of operation from 11 a.m. to 4 a.m. daily. The proposed establishment appears to be more of a bar than a restaurant.
- Four block associations (West 44th, 45th, 46th and 47/48th), one neighborhood association (Hell's Kitchen Neighborhood Association) and numerous residents appeared at the March 11th Business Licenses and Permits Committee meeting where this application was presented. All of the above expressed their objection to this license stating there is no public interest or need for another on-premise liquor license for a bar/restaurant in this area.
- The community presented a list of 20 similar establishments along Ninth Avenue within five blocks of this proposed establishment. A high number of these similar establishments are within 500 feet of the proposed establishment.
- A committee member, familiar with the Special Clinton District zoning, cited many essential businesses needed by the residents which have been forced out of the community by the dozens of approved drinking and eating

establishments who are willing to pay a higher rent. The addition of another bar/restaurant is materially changing the established character and quality of the community.

- Numerous residents appeared and spoke in opposition of recommending approval of this application due to intolerable disturbances every night from the existing establishments, let alone an additional bar. The common complaint was of bar-hopping patrons out of control in the late hours of the night.

While the Community Board recognizes that this is a good operator who has a long history of running a previous establishment within the community, the main concern is over-saturation of these bars along Ninth Avenue. It was noted by one Executive Committee member that Ninth Avenue in Hell's Kitchen is becoming 'Bourbon Street North'.

The decision for recommending denial of this license was deferred to the Executive Committee as the Business Licenses and Permits Committee could not reach a definitive decision at its March 11th meeting, where this application was presented and time was of the essence for the applicant.

Sincerely,



Jean-Daniel Noland
Chair
Manhattan Community
Board Four

cc: Applicant
Fred Gioffre
Assemblymember Richard Gottfried
Senator Thomas Duane
Speaker Christine Quinn