



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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JEAN-DANIEL NOLAND
Chair

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

January 14, 2009

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

Re: Sweet 51 Corp – 321 West 44th Street (8/9) New OP

Dear Commissioner Boyle:

Manhattan Community Board 4 recommends denial of a new full liquor license for Sweet 51 Corp – 321 West 44th Street unless the following stipulations, agreed to by the applicant, are part of the method of operation for this establishment:

- There will be two showrooms used for comedy shows only, no music performance. There will be one piano lounge used for live acoustic/karaoke and piano music.
- The entrance and exit for this establishment is on West 45th Street and the address is 322 West 45th Street. No other exit or entrance will be utilized for public access, except for fire egress.
- There is no use of outdoor space for service, specifically rooftops, patios or sidewalk cafe.
- The outdoor sidewalk will minimally be used for congregation of crowds. There is an indoor waiting area that will accommodate 20. As the entrance of this establishment is on a predominantly residential street, the applicant will work with the local community groups (block association, MCB4) to exercise excellent crowd control which will also involve signage outdoors asking to keep neighbor disturbances to a minimum. The applicant will assign staffing for the door as 3 persons on weekends (Friday and Saturday) with two security staff outside during all hours of operation. The applicant will assign two persons on weekdays (Sunday through Thursday) with one security staff outside during all hours of operation.
- Total capacity of the establishment is 299 with predominantly table service only except for one bar for patrons in the piano lounge with total capacity of 90 patrons, 20 maximum at the bar. There will be two other bars used only to service the tables.
- All patrons entering the establishment will be charged a cover charge for the show(s) and there will be no open bar/club environment, i.e. this establishment will be used only for shows.
- Hours of operation will be noon to 4 am, 7 days per week with the last show starting at 11 pm.

- The applicant will not use any outside promoters for events or scheduling at this establishment.
- The applicant will not distribute flyers or cards to potential patrons anywhere on the streets west of 8th Avenue (specifically in front of this establishment). Distribution of flyers to patrons who are queued in front by other businesses will be discouraged by security staff and the applicant agreed to be responsible for sweeping up any litter from their queued patrons in front of their entrance as well as in front of neighboring establishments on the block immediately after the patrons enter the establishment. The applicant will maintain clean sidewalks and gutter policy in front of their establishment and neighboring buildings compliant with the requirements of DSNY.
- The applicant will use licensed security guards and the security plan will include video surveillance of the outdoor and indoor entrance area.
- The applicant is not applying for a cabaret license.
- There will be a service kitchen with no open flame cooking or any cooking that requires exhaust systems. The menu is predominantly finger foods that can be prepared with only microwave or convection heating.
- The applicant will hire and utilize a certified sound engineer to install soundproofing to include, but not be limited to, acoustical tiles so that noise disturbances will be kept to a minimum. All soundproofing work will be fully completed before the establishment opens to the public.
- The applicant will have managers/owners attend the local block, tenant and police precinct community council meetings regularly to resolve any problems or issues with the community. The applicant will also distribute 24 hour contact information of the key managers/owners to the community organizations.
- The applicant agreed to post notices on both West 44th and West 45th Streets in advance of the MCB4's full board meeting on January 7th and agreed to address concerns raised during the public session. The applicant has adequately met this requirement.

This establishment is primarily a comedy club venue that will be owned/operated by the current owners of Sweet Caroline's Comedy Club in Times Square.

Sincerely,



Jean-Daniel Noland
Chair
Manhattan Community
Board Four



Lisa Daglian
Co-Chair
Business License &
Permits Committee

Chuck Spence
Co-Chair
Business License & Permits
Committee

cc: Applicant
Fred Gioffre
Elected Officials