



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

330 West 42nd Street, 26th floor New York, NY 10036
tel: 212-736-4536 fax: 212-947-9512
www.nyc.gov/mcb4

COREY JOHNSON
Chair

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

June 5, 2013

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

**Re: 58-60 9th Ave Restaurant LLC
d/b/a Forty Four Acres
58-60 9th Avenue (@15th)**

Dear Chairman Rosen:

Manhattan Community Board 4 (MCB4) recommends denial of transfer on premise liquor license for 58-60 9th Ave Restaurant LLC d/b/a Forty Four Acres – 58-60 9th Avenue unless the following stipulation, agreed to by the applicant, is part of the method of operation for this establishment with a capacity of 91, with 26 tables and 84 seats, and one stand-up bar with 7 seats.

A signed copy of the questionnaire, stipulations and community agreements are enclosed.

Sincerely,

Corey Johnson
Chair

[signed 06/05/13]
Paul Seres
Co-Chair
Business License &
Permits Committee

[signed 06/05/13]
Lisa Daglian
Co-Chair
Business License &
Permits Committee

Manhattan Community Board 4
(All Fields Must Be Completed)

Liquor License Stipulations Application

APPLICANT		JOINING BUSINESS AS (DBA)		
58-60 th 9 th Ave Restaurant LLC		Forty Four Acres		
STREET ADDRESS		CROSS STREETS		
58-60 9 th Ave.		1 st St. + 9 th Ave		
OWNER	NAME:	Michael Shah	ATTORNEY NAME:	Joseph Lavey
	PHONE:	212-213-8777	PHONE:	212-219-1193
	FAX:	212-202-6010	FAX:	212-226-7554
MANAGER	NAME:	Victor Jung	LANDLORD NAME:	Delshah 60 Ninth Ave LLC
	PHONE:	917-373-5974	PHONE:	212-213-8777
	FAX:	212-202-6010	FAX:	212-202-6010
DESCRIPTION OF BUSINESS				
Establishment Type:		<input type="radio"/> Bar/Tavern <input type="radio"/> Bed & Breakfast <input type="radio"/> Eating Place Beer <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input checked="" type="radio"/> Restaurant <input type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization - Members Only) <input type="radio"/> Other (Explain): _____		
Method of Operation:		<input checked="" type="radio"/> Restaurant <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Pizzeria <input type="radio"/> Cafe <input type="radio"/> Other (Explain): _____		
License Type:		<input checked="" type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input type="radio"/> Wine & Beer		
APPLICATION TYPE (check one)	<input type="radio"/> New	Has applicant owned or managed a similar business?	YES	NO
		What is/was the name of establishment?		
		What is/was the address of the establishment?		
		What were the dates the applicant was involved with this former premise?		
	<input checked="" type="radio"/> Transfer	What is the prior license #?	1140559	
		What is the expiration date on the prior license?	7/31/2013	
		Are you making any alterations or operational changes?	YES	NO
		If alterations or operational changes are being made, please attach the plans to this form.		
	<input type="radio"/> Alteration	What is the current license #?		
		What is the expiration date on the current license?		
Please describe the nature of the alterations and attach the plans				

OPERATIONAL ISSUES

HOURS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
	Operation	8 AM - 2 AM	8 AM - 2 AM	8 AM - 2 AM	8 AM - 4 AM	8 AM - 4 AM	8 AM - 4 AM	8 AM - 2 AM
	Music	↓	↓	↓	↓	↓	↓	↓
	Kitchen	↓	↓	↓	↓	↓	↓	↓

OCCUPANCY	INDOOR				BAR			OUTSIDE	
	Capacity (Certificate of Occupancy)	Maximum # of Persons You Anticipate Occupying Premises (Including Employees)	Number of Tables	Number of Seats	Number of Service Only Bars	Number of Stand-Up Bars	Number of Seats at Bars	Number of Seats	Number of Tables
	91		26	84	0	1	7	0	0

How many floors are there? What is the capacity for each floor? (please respond in space provided)	<input checked="" type="radio"/>	1-4	5+
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)	YES	<input checked="" type="radio"/> NO	N/A
Will applicant have bottle service?	YES	<input checked="" type="radio"/> NO	N/A
Will you be hosting private parties and promotional events?	<input checked="" type="radio"/> YES	NO	N/A
Will outside promoters be used?	YES	<input checked="" type="radio"/> NO	N/A
Will the security plan submitted be implemented?	<input checked="" type="radio"/> YES	NO	N/A
Will State certified security personnel be used?	<input checked="" type="radio"/> YES	NO	N/A
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?	<input checked="" type="radio"/> YES	NO	N/A
Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided)	YES	<input checked="" type="radio"/> NO	N/A
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)	YES	NO	N/A
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)	YES	NO	<input checked="" type="radio"/> N/A
Will applicant provide contact information to neighbors and respond to complaints that arise?	<input checked="" type="radio"/> YES	NO	N/A
Will you inform the Community Board office of your job openings and/or provide a hyperlink to your jobs webpage?	<input checked="" type="radio"/> YES	NO	N/A
If you plan to have music, what type(s)?	<input checked="" type="radio"/> BACKGROUND	<input type="radio"/> LIVE MUSIC	<input checked="" type="radio"/> DJ

Wine / sparkling wine only

Depends on future Bar Plans

BUILDING DESIGN

Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.	<input checked="" type="radio"/> YES	NO	N/A
Will applicant follow the recommendations of a certified sound engineer to mitigate potential noise disturbance to the neighboring residents and buildings, including placing speakers on the floor of the establishment?	<input checked="" type="radio"/> YES	NO	N/A
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.)	<input checked="" type="radio"/> YES	NO	N/A

OUTDOOR ITEMS			
Will applicant use the rooftop, rear yard or any outdoor space?	YES	<input checked="" type="radio"/> NO	N/A
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	YES	NO	<input checked="" type="radio"/> N/A
The service and consumption of alcohol in the rear yard, on the rooftop, or in any other outdoor space will be only via seated food service.	YES	NO	<input checked="" type="radio"/> N/A
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	YES	NO	<input checked="" type="radio"/> N/A
Applicant will do everything in their power to provide an effective sound baffling or sound controlled environment through landscaping or some type of enclosure, where possible; provided they do not violate any fire or building code regulations? This includes possibly working with landlords for soundproofing tenants apartments (such as installing soundproofing windows, acoustical tiles, etc.).	<input checked="" type="radio"/> YES	NO	N/A
Applicant will enforce a quiet environment in the outdoor space, so as not to disturb nearby residents (e.g. there will be no amplified music, as per the law, and windows and doors to areas that play amplified music shall be closed). The applicant will make every effort possible to limit the noise emanating from diners by posting signs outside and also on menus asking for respect of the neighbor's privacy and peace. The staff will also encourage a peaceful environment amongst the outdoor diners.	<input checked="" type="radio"/> YES	NO	N/A
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	<input checked="" type="radio"/> N/A

LOCATION & ZONING				
Primary Zoning District:	C6-2A		Overlay (if Applicable):	N/A
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	<input checked="" type="radio"/> NO	N/A	
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input checked="" type="radio"/> YES	NO	N/A	
Is the 500 Foot Rule or 200 Foot Rule Triggerred? If yes, which? Please attach a diagram of the establishments that triggers the rule.	<input checked="" type="radio"/> YES	NO	N/A	500' only. see attached
Is a Public Assembly permit required?	YES	<input checked="" type="radio"/> NO	N/A	
Are your plans filed with DOB?	YES	NO	N/A	
Building Type	<input type="radio"/> Residential <input checked="" type="radio"/> Commercial <input type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____			
Adjacent Buildings	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____			
NOTIFICATION: What organizations / community groups have you notified regarding your application?	# 1	Meatpacking Improvement District		
	# 2			
	# 3			

Manhattan Community Board 4 (MCB4) recommends:		<input type="radio"/> Approval <input type="radio"/> Denial unless all agreed to by applicant is part of the method of operation <input type="radio"/> Denial
CB4 REPRESENTATIVES		
Nelly Gonzalez <i>CB4 Community Associate</i>	Lisa Dughan <i>CB4 BLP Committee Co-Chair</i>	Paul Seres <i>CB4 BLP Committee Co-Chair</i>
APPLICANT AGREEMENT WITH THE COMMUNITY		
Pursuant to these stipulations, this applicant agrees to have these provisions incorporated in the method of operation of their liquor license. Additionally, the applicant agrees to the community agreements as the basis for the community supporting this application.		
SIGN HERE →	SIGNATURE OF APPLICANT	DATE

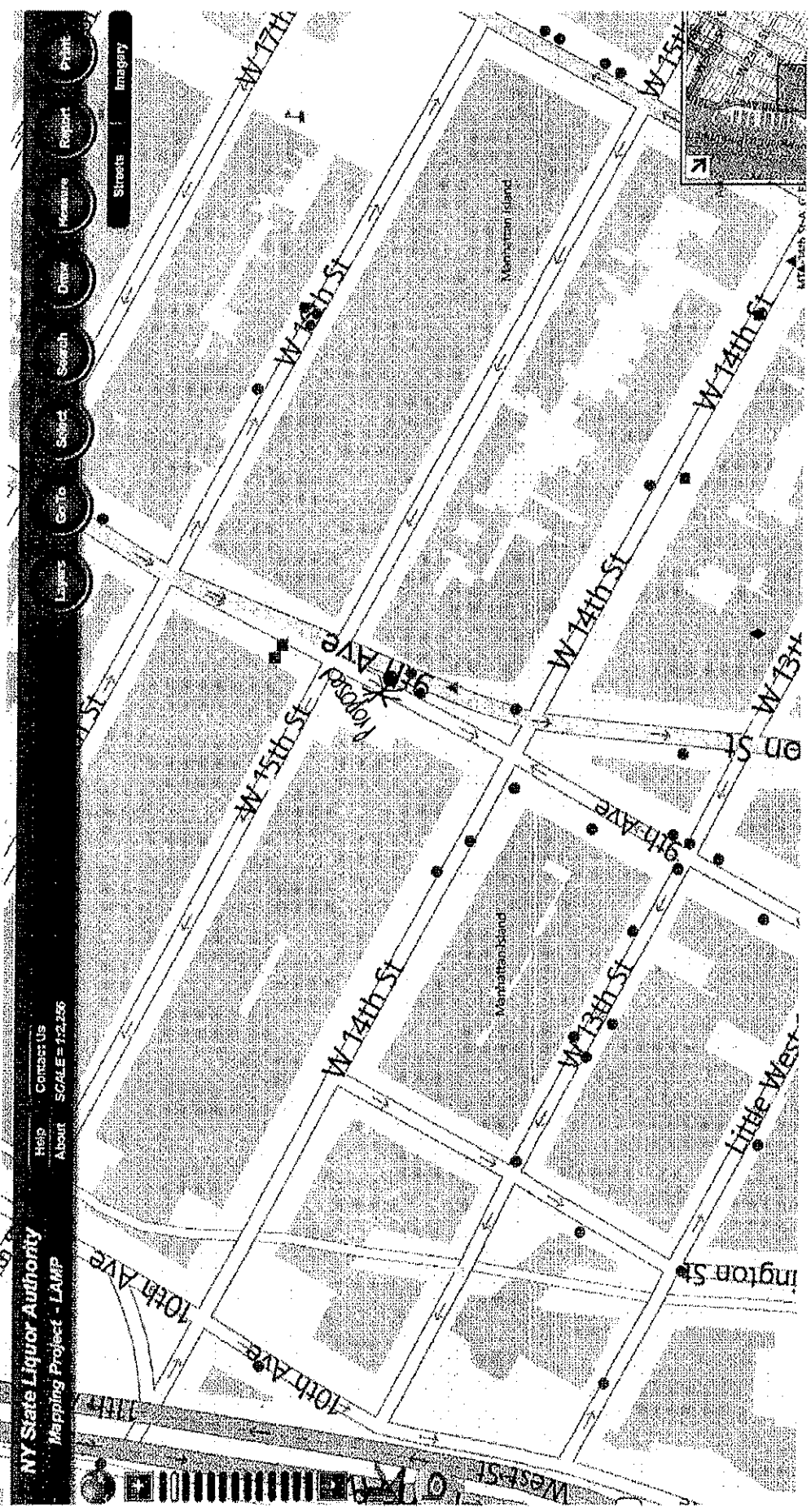
NY State Liquor Authority
Mapping Project - LAMP

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SCALE = 1:2,256

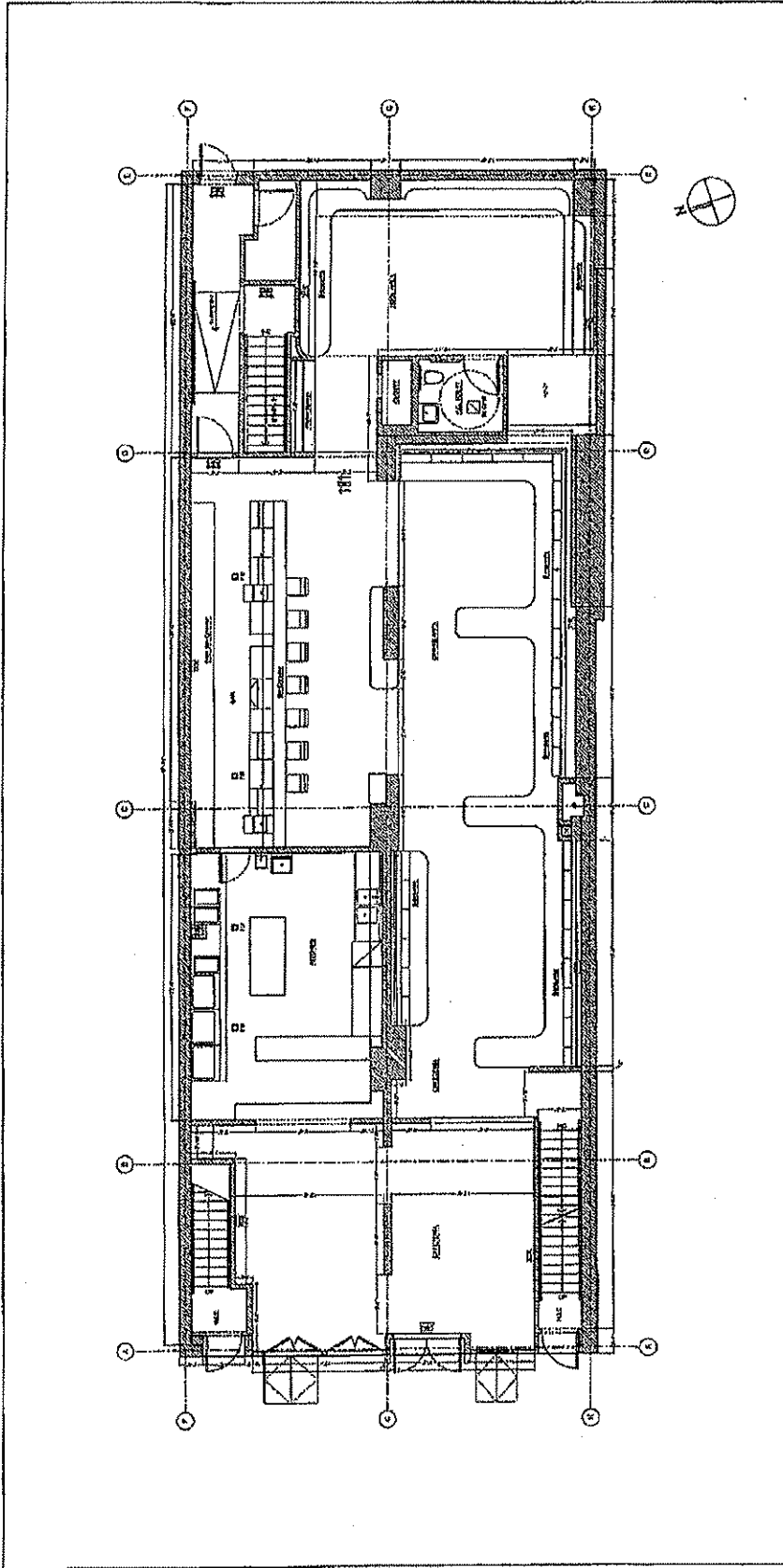
- Layers
- Color
- Search
- Draw
- Measure
- Report
- Print

Streets Imagery



OP Establishments within 500' of 58-60 9th Avenue

Name	Address	Approx. Distance
POP II LLC	58 60 9TH AVENUE	30 ft
ORIGINAL HOMESTEAD,THE	56 9TH AVENUE	45 ft
RANA USA LLC	75 9TH AVE STE 01A55	165 ft
BUDDAKAN NY LP	75 9TH AVE CHELSEA MARKET	165 ft
MKT GROUP LLC	75 9TH AVENUE	170 ft
MEATPACKING RESTAURANT LLC	44 9TH AVE AKA 351 356 W 14 ST	180 ft
400 WEST 14TH INC	400 W 14TH STREET	235 ft
MANON LLC	407 W 14TH ST	255 ft
SUTOL OPERATING CO LLC	409 411 W 14TH STREET	280 ft
SPICE MARKET LLC	29 35A 9TH AVENUE	355 ft
675 HUDSON VAULT LLC	675 HUDSON STREET	430 ft
THE VAULT LLC	VAULT AT 675 HUDSON ST	430 ft
BD STANHOPE LLC AND E&S HOTEL	369 W 16TH ST	450 ft
LUCKY 13 LLC	355 W 14TH STREET	455 ft
REHANDARI LLC	24 9TH AVENUE	460 ft
HUDSON RIVER INN LLC E&S HOTEL	88 9TH AVENUE	470 ft
MARITIME F&B LLC E&S HOTEL	88 9TH AVE 2ND FLOOR	470 ft
BILLS 22 NINTH AVENUE LLC	22 9TH AVENUE	485 ft
SOHO HOUSE NEW YORK LLC	29 35 9TH AVENUE	490 ft
13TH STREET ENTERTAINMENT LLC	409 W 13TH ST	495 ft



PROJECT: EXISTING CONDITIONS FIRST FLOOR
 SCALE: 1/8" = 1'-0"
 DATE: 10-01-2013
 DRAWN BY: TC
 CHECKED BY: TC
 PROJECT NO: A-001.00

PROJECT: 1200 5TH AVENUE
 ARCHITECTURE: 58-60 NINTH AVENUE
 INTERIORS: NEW YORK
 LIGHTING: 12/07/08

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 INTERIORS: NEW YORK
 LIGHTING: 12/07/08

bluarch
 ARCHITECTURE
 INTERIORS
 LIGHTING
 112 West 27th Street, 5th Fl. NYC, NY 10001
 New York City, NY 10001
 T 212-975-5289
 F 212-458-1524
 www.bluarch.com

Forty Four Acres

Sample Market Menu

starters

- seasonal soup \$7
- salt cod fritters, pickled pepper aioli \$6
- shrimp hushpuppies, spicy tartar \$7
- crispy chicken wings, roasted garlic compote \$8
- chicken liver mousse, brioche \$7
- meat and cheese plate \$14
- black kale salad, pickled beets, goat cheese, zinfandel vinegar \$13
- arugula salad, toasted almonds, oranges, riesling vinaigrette \$12

sandwiches

- artisanal 10oz. beef burger \$14
- farm fresh veggie burger \$13
- free range turkey burger \$15
- 44 Acres burger sampler \$14
- daily flatbread sandwich \$11
- daily meat sandwich \$12
- breakfast all day egg sandwich \$6

entrées

- sea scallops, red lentils, pickled beet compote, pea shoots, crème fraîche \$27
- fulton street shrimp & grits, andouille sausage, jalapeño grits, tomatoes, scallions, shrimp stock, butter \$23
- fingerlakes normandy duck breast, cannellini beans, fennel, pomegranates, wood sorrel \$26
- american wagyu steak, grilled oyster mushrooms, roasted red potatoes, watercress \$33
- spit roasted finger lakes chicken, roasted winter squash, brussels sprout leaves, natural sauce \$22
- daily housemade pasta of the day \$18
- daily fisherman's catch of the day \$mp

desserts

- one choice of dessert from our menu



Certificate of Occupancy

CO Number: 103466633F

This certifies that the premises described herein conforms substantially to the approved plans and specifications and to the requirements of all applicable laws, rules and regulations for the uses and occupancies specified. No change of use or occupancy shall be made unless a new Certificate of Occupancy is issued. *This document or a copy shall be available for inspection at the building at all reasonable times.*

A.	Borough: Manhattan	Block Number: 00738	Certificate Type: Final
	Address: 58 9 AVENUE	Lot Number(s): 79	Effective Date: 11/21/2006
	Building Identification Number (BIN): 1013041	Building Type: Altered	
<i>For zoning lot metes & bounds, please see BISWeb.</i>			
B.	Construction classification: 2-B	Number of stories: 3	
	Building Occupancy Group classification: J-3	Height in feet: 36	
	Multiple Dwelling Law Classification: CNL	Number of dwelling units: 2	
C.	Fire Protection Equipment: Sprinkler system		
D.	Type and number of open spaces: None associated with this filing.		
E.	This Certificate is issued with the following legal limitations: None		
Borough Comments: None			

Christopher M Santilli
Borough Commissioner

Borough Commissioner

Commissioner



Certificate of Occupancy

CO Number: 103466633F

Permissible Use and Occupancy							
Floor From To	Maximum persons permitted	Live load lbs per sq. ft.	Building Code habitable rooms	Building Code occupancy group	Zoning dwelling or rooming units	Zoning use group	Description of use
CEL				F-4		6	STORAGE
001	91	120		F-4		6	EATING AND DRINKING ESTABLISHMENT
002		60	2	J-3	1	2	ONE (1) APARTMENT
003		60	3	J-3	1	2	ONE (1) APARTMENT NOTE: THESE PREMISES 58 NINTH AVE. AND 60 NINTH AVE. AND 62-66 NINTH AVE. CONSISTING OF LOT 78,79 & 76. HAVE BEEN DECLARED ONE ZONING LOT AS PER SECTION 12-10 OF THE ZONING RESOLUTION AND HAVE BEEN RECORDED AT THE OFFICE OF THE CITY REGISTER UNDER REEL 3486 PAGES 2026-2032 AND 2203-2206
							NOTE: A SEWER EASEMENT HAS BEEN DECLARED BETWEEN PREMISES 58 NINTH AVE. AND 60 NINTHE AVE. AND HAS BEEN RECORDED AT THE OFFICE OF THE CITY REGISTER UNDER CRFN #2004000228253. NOTE: PART OF THE GROUND FLOOR EATING AND DRINKING ESTABLISHMENT IS LOCATED IN THE ADJACENT BUILDING 60 9TH AVE. (113 OCCUPANTS), THE TOILET FACILITIES FOR THE GROUND FLOOR EATING & DRINKING ESTABLISHMENT ARE LOCATED IN 58 9TH AVE. THE BOILER PROVIDING HEAT TO BOTH 58 & 60 9TH AVENUE. IS LOCATED IN 60 9TH AVE. THE EATING & DRINKING ESTABLISHMENT WILL HAVE THEIR OWN INDEPENT HEATING SYSTEM.

Christopher M Santilli

Borough Commissioner

Borough Commissioner

Commissioner



Certificate of Occupancy

CO Number: 103466633F

Permissible Use and Occupancy							
Floor From To	Maximum persons permitted	Live load lbs per sq. ft.	Building Code habitable rooms	Building Code occupancy group	Zoning dwelling or rooming units	Zoning use group	Description of use
				J-3			NOTE (CONTD): KITCHEN OF THE EATING AND DRINKING LOCATED IN 60 NINTH AVENUE WILL DRAIN INTO THE SEWER OF 58 NINTH AVENUE. THE GAS SUPPLY FOR THE HVAC UNITS OF THE EATING AND DRINKING ESTABLISHMENT WILL ORIGINATE FROM 60 NINTH AVENUE. THE UNITS WILL BE LOCATED ON THE ROOF OF 68 NINTH AVENUE. THE GAS SUPPLY FOR THE 920 HOT WATER HEATES OF THE EATING & DRINKIN G ESTABLISHMENT WILL ORGINATE IN 60 9TH AVE. THE 2 HOT WATER HEATERS WILL BE LOCATED IN 58 9TH AVENUE.
END OF SECTION							

Christopher M Santalli
 Borough Commissioner

Borough Commissioner

[Signature]

Commissioner



COREY JOHNSON
Chair

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

CITY OF NEW YORK
MANHATTAN COMMUNITY BOARD No. 4
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PUBLIC NOTICE

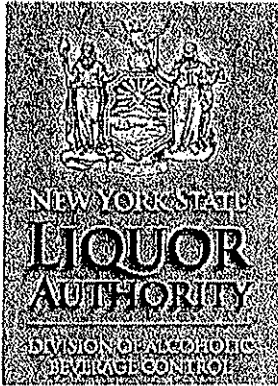
Business Licenses and Permits Committee
will discuss an application submitted by

58-60th 9th Ave Restaurant LLC

An application for an On-Premise Liquor License

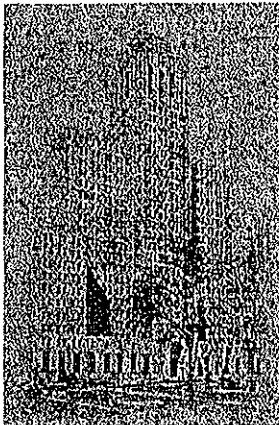
DATE:	Tuesday, April 9, 2013
TIME:	6:30 PM Intercontinental NY Time
PLACE:	Square - 300 West 44 th Street

We invite you to attend this meeting and give your comments on this application.
Alternately, you may mail, fax or email us at the address listed above.
For more information, please call 212-736-4536.



DIVISION OF ALCOHOLIC BEVERAGE CONTROL
Andrew M. Cuomo, Governor
Dorris Rosen, Chairman
Jeanique Greene, Commissioner

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Public Query - Results

License Information

Serial Number: 1140559
License Type: ON-PREMISES LIQUOR
License Status: License Is Active
Credit Group: 3
Filing Date: 06/02/2003
Effective Date: 08/01/2011
Expiration Date: 07/31/2013

Premises Information

Principal's Name: LIEBENTHAL,ROY
HARMIC 9, LLC
Premises Name: POP II LLC
Trade Name:
Zone: 1
Address: 58 60 9TH AVENUE

NEW YORK, NY 10011
County: NEW YORK

You can select one of the following links to perform another search:

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New York State Liquor Authority • 89 S. Swan Street • 9th Floor • Albany, New York • 12210-8002

Forty Four Acres

In celebration of the history of Meat Packing District, formerly known as "Farmer's Market", we are introducing a Rustic New American Fare Farm to Table concept featuring artisanal burgers, sandwiches and shareable plates. Our menu will feature locally sourced produce, beef, poultry and seafood from local purveyors within 100 miles of our venue.

The name Forty Four Acres pays tribute to the size of the Meatpacking District Zone. We will have a counter service menu for quick grab and go; as well as full service dining with communal tables.

Executive Chef: Coming late Spring 2013

58-60th 9th Ave Restaurant LLC d/b/a "Forty Four Acres" occupies space located at 58-60th 9th Ave.

We plan to operate a Full Service Restaurant at this location, with hours of operation from Mon to Wed 8am to 2am; Thur to Sat 8am to 530am; Sun 8am to 2am. We intend to apply to the New York State Liquor Authority for a Full OP license.

Please sign this petition to show the Community Board that you support this establishment in your neighborhood.

Thank you.

Signature	Name	Address
	DAVID W. S. ...	95 Minton N.Y. 11104
	Bronson Stamp	254 Sim Ave Apt 4
	Anthony Orante	418 West 17 Street
	Daniel Wagner	232 W 24th street 1W
	Paul Taylor	London UK
	...	LA, CA
	David Ugh	42 Broadway
	Andrew Fivers	236 W 6 St
	Miguel Palacios	225 W 16 St
	Kevin Bernal	60 Chelsea Piers
	Daniel Woodard	60 Chelsea Piers
	ALAIN MARTIN	535 23 rd St
	...	212 315 W 52
	Koyla Muller	36 Arzon Pl
	Catherine Morgan	240 Cumberland
	...	556 West 11 th
	Mar. Reese	345 4th Ave BT

Signature	Name	Address
<i>C Petronia</i>	Camilla Petronio	785 West End ave apt 12c
<i>J Kim</i>	James Rivers	1115 29th Queens NY
<i>J</i>	James Fleetwood	217 W. 16th St
<i>Jk</i>	Judith Kami	77 W 10th St
<i>W</i>	Brook Anderson	347 Hudson St
<i>M</i>	Xenia Mobil	742 Lexington
<i>A</i>	Alex Liccio	310 Grandmills
<i>M</i>	Molagone Lawson	77 Jane St #1
<i>C Silva</i>	Anna Silveira	94.39 ALSTYNE AVE
<i>J</i>	ESTEFANIA DE CONDO.	94.39 ALSTYNE AVE
<i>J</i>	Heather Schatz	433 W. 14th
<i>A</i>	Addison Addison chandley	same "
<i>O</i>	Olive Olive Ann Schatz	same "
<i>E</i>	Eric Ann	same "
<i>a</i>	Aris Dae	522 Sherman ave
<i>D</i>	Daniel Bartolo	522 Sherman Ave
<i>J</i>	Jeanette Rodas	522 Sherman Ave
<i>T</i>	Tristan Esterson	6 Little W 12th
<i>S</i>	Shane Davis	61 Broadway St
<i>A</i>	Allave Strong	70 Hester St
<i>M</i>	Myles Myles Tobler	306 W 14th
<i>M</i>		111 8th Ave

Signature	Name	Address
<i>A. Kreuder</i>	Kreuder	391 2nd Ave, NY

<i>Kim</i>	Kim Macron	28 Essex
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<i>Elyse Bect</i>	Bender	316 E 62nd St NY 10065
<i>AVNE</i>		333 7th Ave
<i>VIRNCOMBE</i>		

<i>Indira HSAN</i>	<i>Indira</i>	295 7th Ave
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<i>ES</i>	Farhan Hatt	26 Bedford
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<i>AR</i>	Hoban J THAL	246 W 20th
-----------	--------------	------------

<i>MIC</i>	Mur Val	137th Ave
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<i>Jay</i>	Joseph Zamboni	428 9th
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<i>Stacy</i>	Vanni Garcia	5th Ave
--------------	--------------	---------

<i>D. King</i>	DEBRA D.	194 7th Ave
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58-60th 9th Ave Restaurant LLC d/b/a "Forty Four Acres" occupies space located at 58-60th 9th Ave.

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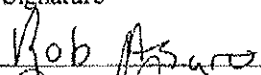

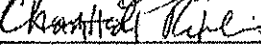
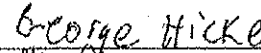
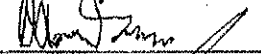
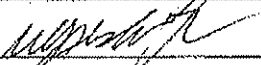
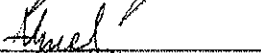
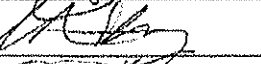


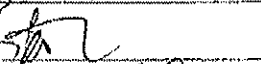






Signature	Name	Address
	Jasmin Ortiz	1236 Virginia Ave. Bx. N.Y. 10473
	Andrew Antonios	340 W 114th St. NY, NY 10027
	Peter Siskun	360 W. 21st St apt 85 NY
	Sam Lybyn	140 Cabrini Blvd
	Micha Nandaraaj	420 W. 116th St NY, NY 10027
	Robin Krosinsky	170 East 79th St
	Eva Arramov	98 Thompson
	Phoebe Sun	204 W 109th St
	Mana F. Garcia	820 W 180th St apt 59 NY NY 10032
	Lee S. Wang	West St #4th 60W
	Sofia Lushkaj	327 W 92nd St NY NY
	Dutch Sanchez	18 W 114th
	Alex Garcia	18 W 114th
	Han-Bin Chai	200 Riverside Dr Apt 4B
	Jimmie Treadwell	234 76th St. 3A
	Laura Massana	47. 67 W 126 St #4
	Natalie Schuman	450 E 63rd St #12J

58-60th 9th Ave Restaurant LLC d/b/a "Forty Four Acres" occupies space located at 58-60th 9th Ave.

We plan to operate a Full Service Restaurant at this location, with hours of operation from Mon to Wed 8am to 2am; Thur to Sat 8am to 530am; Sun 8am to 2am. We intend to apply to the New York State Liquor Authority for a Full OP license.

Please sign this petition to show the Community Board that you support this establishment in your neighborhood.

Thank you.

Signature	Name	Address
	Rob Asaro	1919 Malabar Ave Brooklyn
	David Sosa	557 West 159th St Apt 1
	Chantel Rawlins	623 Courtlandt Ave Apt 6A
	George Hickey	339 E 140th St.
	Markus Torjano	880 Throgs Neck Ave Bronx, NY
	Yusef Coatl	89 Malcolm X Blvd
	Ahmed Juwal	270 6 Ave New York, NY
	Kent Shely	1809 Alameda Rd Brooklyn
	ANTHONY ALLISONE	401 W 140th St NY 10034
	SAM KRESCHNER	456 GREENWICH ST. N.Y.
	Erik Compa	456 Greenwich St
	STIAN NILSEN	46 GREENWICH AVE NYC 10011
	Hattie Applewood	70 Jan. NY, NY
	Liz Cassarino	208 17 Street Brooklyn NY 11211
	Jeremy Ing	169 Manhattan Ave
	Meoed Orsel	333 19th
	Yusef Coatl	30-20 Thompson

Signature	Name	Address
	Anne Byrne	418 West 17th Street
	Allison Bornstein	605 West 17th Street
	Charlotte Wille	418 West 17th Street
	Charmaine Chun	85 Broadway
	Jia Chikrai	25-06 47th Street
	Chris Nolhis	29-35 83rd St
	Hirohiko Goto	92-11 110th St 11377
	Arturo Mas-Jardú	205W 15th St
	Rudolph Tronconi	12 E 8th St
	Sam Monaghan	72 CHARLES ST
	CHRISTIAN SAN JOSE	OXFORD ENGLAND
	William Mc CABE	422 S 27th Street
	Jean Marc Keller	AFFINIA HOTEL
	Philipp Rieger	"
	Nikas Rieger	"
	RIEKER-MÜLLER	"
	Armin Holland	12 Canal St
	Rafael Gonzalez	66 Broadway
	Joseph Torres	86 E Broadway
	Ethan Garcia	436 West 17th
	Jake Shakum	132 Austin
	Mark Moya	12 Houston St
	R. Curtis	53 Broadway
	Joe O'Connell	38 West Broadway St
	Lanny Asaro	52 Broad St



HELBRAUN LEVEY & O'DONOGHUE LLP
ATTORNEYS AT LAW

March 7, 2013

Mr. Robert J. Benfatto
District Manager
Manhattan Community Board #4
330 West 42nd Street, 26th Floor
New York, New York 10036

RE: Entity to be formed by Michael Shah
58 60 9th Avenue
New York, NY 10011

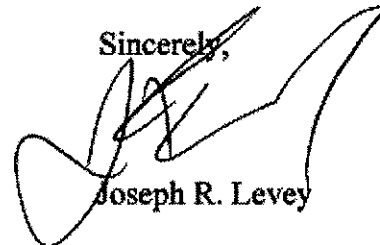
Dear Mr. Benfatto:

I am writing to you on behalf of my client, with an entity to be formed at 58 60 9th Avenue. They will be occupying space at the above address and they intend to open a restaurant/ bar. Our client's intention is to apply to the New York State Liquor Authority for an on premise license for this location.

As you are aware, part of the licensing process requires that the local Community Board be notified to be given an opportunity to comment on the application. Please consider this letter notification of our intent to apply to the New York State Liquor Authority for the above referenced license.

Please forward any meeting notification information and/or questionnaire to our office manager, Jessica Verderame, at the address indicated in my letterhead above, or to Jessica@helbraunlevey.com. If you need any further information, please contact me at 212-219-1193.

Sincerely,



Joseph R. Levey

STATE OF NEW YORK
 EXECUTIVE DEPARTMENT
 DIVISION OF ALCOHOLIC BEVERAGE CONTROL
 STATE LIQUOR AUTHORITY

Standardized **NOTICE FORM** for Providing a 30-Day Advance Notice to a Local Municipality or Community Board in connection with the submission to the State Liquor Authority of a (check one)
 New Application **Renewal Application** **Alteration Application**
 Corporate Change for an On-Premises Alcoholic Beverage License

1.	Date the original copy of this Notice was mailed to the Local Municipality or Community Board:		0	3	0	7	2	0	1	3	
THIS 30-DAY ADVANCE NOTICE IS BEING PROVIDED TO THE CLERK OF THE FOLLOWING LOCAL MUNICIPALITY OR COMMUNITY BOARD											
2.	Name of the Local Municipality or Community Board:		Manhattan Community Board #4								
ATTORNEY REPRESENTING THE APPLICANT IN CONNECTION WITH THE APPLICANT'S LICENSE APPLICATION NOTED AS ABOVE FOR THE ESTABLISHMENT IDENTIFIED IN THIS NOTICE											
3.	Attorney's Full Name is:		Helbraun Levey & O'Donoghue LLP								
4.	Attorney's Street Address:		110 William Street, Suite 1410								
5.	City, Town or Village:		New York				State: NY		Zip Code: 10035		
6.	Business Telephone Number of Attorney:		212-219-1193								
FOR NEW APPLICANTS, PROVIDE DESCRIPTION BELOW USING ALL INFORMATION KNOWN TO DATE FOR ALTERATION APPLICANTS, ATTACH COMPLETE DESCRIPTION AND DIAGRAM OF PROPOSED ALTERATION(S) FOR CURRENT LICENSEES, SET FORTH APPROVED METHOD OF OPERATION ONLY DO NOT USE THIS FORM TO CHANGE YOUR METHOD OF OPERATION											
7.	Type(s) of alcohol sold or to be sold under the license: ("X" One)		<input type="checkbox"/> Beer Only		<input type="checkbox"/> Wine and Beer Only		<input checked="" type="checkbox"/> Liquor, Wine and Beer				
8.	Extent of Food Service: ("X" One)		<input checked="" type="checkbox"/> Restaurant (Sale of food primarily; Full food menu; Kitchen run by chef)				<input checked="" type="checkbox"/> Tavern/Cocktail Lounge/Adult Venue/Bar (Alcohol sales primarily meets legal minimum food availability requirements)				
9.	Type of establishment: ("X" all that apply)		<input type="checkbox"/> Hotel		<input type="checkbox"/> Live Music		<input type="checkbox"/> Disc Jockey		<input type="checkbox"/> Juke Box		
			<input type="checkbox"/> Cabaret, Night Club, (Large Scale Dance Club)		<input type="checkbox"/> Capacity for 600 or more patrons		<input type="checkbox"/> Bed & Breakfast		<input type="checkbox"/> Restaurant		
			<input type="checkbox"/> Club (e.g. Golf/ Fraternal Org.)		<input type="checkbox"/> Catering Facility		<input type="checkbox"/> Stage Shows		<input type="checkbox"/> Topless Entertainment		
			<input type="checkbox"/> Recreational Facility (Sports Facility/Vessel)								
10.	Licensed outdoor area: ("X" all that apply)		<input checked="" type="checkbox"/> None		<input type="checkbox"/> Rooftop		<input type="checkbox"/> Patio or Deck		<input type="checkbox"/> Freestanding Covered Structure		
			<input type="checkbox"/> Sidewalk Café		<input type="checkbox"/> Other (Specify): None						
11.	Will the license holder or a manager be physically present within the establishment during all hours of operation? ("X" one)		<input checked="" type="checkbox"/> Yes		<input type="checkbox"/> No						
12.	License serial number:		Pending				Expiration Date: N/A				
13.	The applicant's or license holder's full name, as it appears or will appear on the license:		Entity to be formed by Michael Shah								
14.	The Trade name, if any, under which the establishment conducts or will conduct business:		TBD								
15.	The establishment is located within the building which has the following street address:		58 60 9th Avenue								
16.	City, Town, or Village:		New York				NY		Zip Code: 10011		
17.	The establishment is located on the following floor(s) of the building at the above address:										
18.	Within the building at the above address, the establishment is located within the room(s) numbered as follows:										
19.	Business telephone number of applicant/licensee:		Pending				Business fax number of applicant/licensee:				
20.	Business e-mail address of applicant/licensee:										
21.	Does the applicant or license holder own the building in which the establishment is located? ("X" one)		<input type="checkbox"/> Yes (If "Yes", SKIP items 22-25)		<input checked="" type="checkbox"/> No						
OWNER OF THE BUILDING IN WHICH THE LICENSED ESTABLISHMENT IS LOCATED											
22.	Building owner's full name is:		Delshan Capital LLC								
23.	Building owner's street address:		114 East 13th Street, Store 1								
24.	City, Town, or Village:		New York				NY		Zip Code: 10003		
25.	Business telephone number of building owner:										
26.	<p>I am the applicant or hold the license or am a principal of the legal entity that holds or is applying for the license. Representations in this form are in conformity with representations made in submitted documents relied upon by the Authority when granting the license. I understand that representations made in this form will also be relied upon, and that false representations may result in disapproval of the application or revocation of the license.</p> <p>By my signature, I affirm - under Penalty of Perjury - that the representations made in this form are true.</p>										
	Printed Name		Michael Shah				Title		Principal		Signature
											X