



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

330 West 42nd Street, 26th floor New York, NY 10036
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COREY JOHNSON
Chair

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

August 5, 2013

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

Re: Aggiepolo Inc.
761 9th Avenue (50/51)

Dear Chairman Rosen:

Manhattan Community Board 4 (MCB4) recommends denial of a new On-Premise Liquor License for Aggiepolo Inc. – 761 9th Avenue (50/51) unless the following stipulations, agreed to by the applicant, are part of the method of operation for this establishment with a maximum capacity of 55, with 14 tables with 36 seats, and 1 stand up bar with 11 seats.

A signed copy of the questionnaire and stipulations are enclosed.

Sincerely,

Corey Johnson
Chair

[signed 7/31/13]
Paul Seres
Co-Chair
Business License & Permits
Committee

[signed 7/31/13]
Lisa Daglian
Co-Chair
Business License & Permits
Committee

Manhattan Community Board 4

Liquor License Stipulations Application

(All Fields Must Be Completed)

APPLICANT AGGie Polo Inc		DOING BUSINESS AS (DBA)	
STREET ADDRESS 761 9 TH AVE		CROSS STREETS W 50 TH - W 51 ST ST	
OWNER	NAME:	ATTORNEY	NAME:
	PHONE:		PHONE:
	FAX:		FAX:
MANAGER	NAME:	LANDLORD	NAME:
	PHONE:		PHONE:
	FAX:		FAX:

OWNER: Paul Kiernan
 (917) 929-0363
ATTORNEY: Michael Kelly
 (347) 256-7256
 (914) 632-6034
MANAGER: Pending
LANDLORD: 748 NINTH AVE LLC

DESCRIPTION OF BUSINESS

Establishment Type: Bar/Tavern Bed & Breakfast Eating Place Beer Cabaret Night Club Hotel Restaurant Other (Explain): OD.

Method of Operation: Restaurant Dance Club Sports Bar Adult Entertainment Wine Bar Pizzeria Cafe Other (Explain): RESTAURANT / BAR

License Type: On-Premise Wine Beer Wine & Beer

APPLICATION TYPE (check one)

<input checked="" type="radio"/> New	Has applicant owned or managed a similar business?	YES	NO
	What is/was the name of establishment?	AGTON'S McCOY'S, THE ALGIE'S SHUG	
	What is/was the address of the establishment?	611 9 TH AVE ALIAY, 768 9 TH AVE 12193 751 9 TH AVE 1108, 800 9 TH AVE 1112	
	What were the dates the applicant was involved with this former premise?		
<input type="radio"/> Transfer	What is the prior license #?		
	What is the expiration date on the prior license?		
	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	12-2am	12-2am	12-2am	12-4am	12-4am	10-4am	10-2am
	Music	ll	ll	ll	ll	ll	ll	ll
	Kitchen	12-2am	12-2am	12-2am	12-2am	12-2am	10-2am	10-2am

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
	Applying for LNO	55	14	36	0	1	11		

How many floors are there? What is the capacity for each floor? (please respond in space provided)	<input checked="" type="radio"/> 1-2	<input type="radio"/> 3-4	<input type="radio"/> 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?	YES	<input checked="" type="radio"/> NO	N/A
Will outside promoters be used?	YES	<input checked="" type="radio"/> NO	N/A
Will the security plan submitted be implemented?	YES	<input checked="" type="radio"/> NO	N/A
Will State certified security personnel be used?	YES	<input checked="" type="radio"/> NO	N/A
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?	YES	NO	<input checked="" type="radio"/> 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)	<input checked="" type="radio"/> 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	<input checked="" type="radio"/> NO	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 type="radio"/> DJ

NO SWC on W 51st for 2 years

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?	<input checked="" type="radio"/> YES	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.	<input checked="" type="radio"/> YES	NO	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.	<input checked="" type="radio"/> YES	NO	N/A
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	<input checked="" type="radio"/> YES	NO	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?	<input checked="" type="radio"/> YES	NO	N/A

Sidewalk & Cafe
on atm area only

LOCATION & ZONING			
Primary Zoning District:	RS		Overlay (If Applicable):
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	<input checked="" type="radio"/> YES	NO	N/A
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	YES	NO	N/A
Is the 500 Foot Rule or 200 Foot Rule Triggered? if yes, which? Please attach a diagram of the establishments that triggers the rule.	<input checked="" type="radio"/> YES	NO	N/A
Is a Public Assembly permit required?	YES	<input checked="" type="radio"/> NO	N/A
Are your plans filed with DOB?	YES	<input checked="" type="radio"/> NO	N/A
Building Type	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" 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		
	# 2		
	# 3		

C1-5



Clinton

Applying for a letter of no objection

ADDITIONAL INFORMATION: (Applicant Use)

NO OPERATABLE WINDOWS ON WEST 51ST ST FOR ~~2~~ 3 YEARS TO SEE how the business is run.
NO Sidewalk cafe on W 51ST ST FOR ~~2~~ 3 years TO see how the business is run
Accordian doors, 42" off the ground on 9TH Ave TO be closed at Community Board approved hours.

ADDITIONAL NOTES: (Office Use Only)

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 Daglian <i>CB4 BLP Committee Co-Chair</i>	 Paul Scres <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