



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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DELORES RUBIN
Chair

Jesse Bodine
District Manager

April 10, 2017

Vincent G. Bradley
Chairman
New York State Liquor Authority
80 S. Swan Street, 9th Floor
Albany, New York 12210

Re: Maldon LLC
463 West 23rd Street, (9/10)

Dear Chairman Bradley:

Manhattan Community Board 4 (MCB4) recommends denial of the application for a new On-Premise Liquor License by Maldon LLC, 463 West 23rd Street, New York, NY (9/10 Avenues). Given the history of community complaints regarding this location, the additional noise this establishment would bring to this very residential area, and the applicant's history of violating previous liquor license stipulations and the law -- granting a new On-Premise license to the present applicant would not serve, and would be contrary to, the public interest.

This establishment falls within the 500-foot rule, as there are at least 7 (seven) OP liquor licenses within 500 feet of this address (per the SLA's website). The present application seeks a license for a restaurant and sidewalk café on the ground floor of a large residential complex called London Terrace, occupying a whole city block. This part of 23rd Street in Chelsea is primarily residential.

This location previously housed Barchetta. Community residents reported that its operator regularly flouted its license stipulations for music while it often remained open well past the approved hours of operation. The sidewalk café was located right below bedroom windows, and the noise and smoke from the café's patrons continually degraded the quality of life of residents in the surrounding apartments.

The new operator is seeking closing hours (1:00 AM/2:00 AM weekends) that are well beyond the prevalent closing hours in the restaurants in this neighborhood, and he is determined to serve liquor in the sidewalk café, which would impair the reasonable residential quality of life of neighboring residents.

On March 21, 2017, more than 25 representatives of London Terrace, including the president of the Board of Directors of the London Terrace Towers Coop and the president of the London Terrace Gardens Tenants Association, stood up at the Business Licenses and Permits (BLP) Committee hearing of MCB4 in opposition to granting a license with a sidewalk café to this operator. They also produced a petition signed by more than 100 immediate community members.

Other factors also support the conclusion that a new license here would not be in the public interest. Particularly troubling with respect to this application is the cavalier attitude that this applicant has shown toward the community and its concerns. Mr. Stefkov, the applicant, met with concerned community members and promised to give answers to the issue of the sidewalk café, but never got back in touch with them before appearing at the BLP Committee meeting.

Second, Mr. Stefkov has a long history of crossing boundaries when it comes to stipulations or the law. According to a letter from Manhattan Community Board 2 to the State Liquor Authority (SLA), one of his establishments “Why Not Café” in Greenwich Village has been a continuous source of disturbances to the neighbors since its opening in 2013. The applicant misrepresented the business model as a coffee shop with a closing at 1:00 PM, then operated a Jazz club until 4 :00 AM; he received five (5) ECB violations from the Department of Sanitation for installing six (6) illegal benches on the sidewalk and five (5) New York City Landmarks Preservation Commission violations for various illegal modifications of the façade of the establishment; he kept open windows until late at night and according to Community Board 2, around the corner at Orio, another one of Mr. Stefkov’s establishments, he extended his sidewalk café to take over the frontage of the next two stores contributing to significant nuisances to their neighbors until the Department of Consumer Affairs intervened.

Further, the SLA terminated the Beer & Wine license of another one of Mr. Stefkov’s establishments also called “Why Not Coffee” on the Lower East Side, for changing his method of operations without approval, including the addition of live music.

Given the exceedingly troubled history of this operator, and because the applicant states that he cannot succeed in the proposed space unless a sidewalk café can be licensed for liquor - in a location where a number of operators have failed in recent years - we fear that the applicant will resort to his usual approach of operating well outside the limits of his stipulations.

For the reasons stated above, MCB4 does not believe that this applicant will respect the residential quality of his surroundings and maintain a reasonable quality of life for his neighbors. Because the requested license would not be in the public interest, MCB4 requests that the present application be denied.

If the SLA were to consider granting a license to Maldon LLC, MCB4 believes that it is essential for the community's protection that there be NO sidewalk café licensed as part of this operation. In addition, MCB4 requests that the stipulations below be included as terms of any license:

Hours of operations: close at 11:00PM every day

No sidewalk café

Background music only

Contact numbers of owner will be provided to interested community members.

Thank you for your attention and cooperation with this application.

Sincerely,



Delores Rubin
Chair

[Signed on 4/10/17]

Burt Lazarin
Co-Chair
Business Licenses & Permits
Committee

[Signed on 4/10/17]

Frank Holozubiec
Co-Chair
Business Licenses & Permits
Committee