

# Manhattan Community Board 4

(All Fields Must Be Completed)

## Liquor License Stipulations Application

CORPORATION NAME Great Performances/Artists as Waitresses, Inc and Hauser & Wirth, Inc		DOING BUSINESS AS (DBA)  TBD	
STREET ADDRESS  548 West 22nd Street		CROSS STREETS  10th & 11th Avenues	ZIP CODE  10011
OWNER  <i>(Attach a list of all the people that will be associated/listed with the license)</i>	NAME: Please see attached list	ATTORNEY/ REPRESENTATIVE	NAME: Robert Bookman - Pesetsky and Bookman
	PHONE:		PHONE: 212-513-1988
	EMAIL:		EMAIL: rbookman@pandblegal.com
MANAGER	NAME: Rebecca Martin	LANDLORD	NAME: 548 W 22nd Funding LLC
	PHONE: 203-912-8216		PHONE: 917-863-3004
	EMAIL: rbecca.martin@greatperformances.com		EMAIL: bwolfe@propertymg.com
<b>APPLICATION TYPE</b> (Check One)			
<input checked="" type="checkbox"/> New	Has applicant owned or managed a similar business?	YES	NO
	What is/was the name and address of establishment?	Please see attached list	
	What were the dates applicant was involved with this former premise?		
<input type="checkbox"/> Transfer	What is the prior license # and expiration date?		
	Is applicant making any alterations or operational changes?	YES	NO
	If alterations or operational changes are being made, please describe/list all changes.		
<input type="checkbox"/> Alteration	What is the current license # and expiration date?		
	Please list/describe the nature of all the changes and attach the plans:		
<b>METHOD OF OPERATION</b>			
TYPE OF ALCOHOL	<input type="checkbox"/> Liquor/Wine/Beer <input type="checkbox"/> Beer <input checked="" type="checkbox"/> Wine & Beer		
ESTABLISHMENT TYPE	<input type="checkbox"/> Restaurant <input type="checkbox"/> Cabaret <input type="checkbox"/> Night Club <input type="checkbox"/> Hotel <input checked="" type="checkbox"/> Bar/Tavern <input type="checkbox"/> Catering Establishment <input type="checkbox"/> Adult Entertainment <input type="checkbox"/> Wine Bar <input type="checkbox"/> Dance Club <input type="checkbox"/> Sports Bar <input type="checkbox"/> Club (Fraternal Organization -- Members Only)		
Has applicant/owner filed with the SLA? If yes, when? If no, when do you plan to file?	YES	NO <input checked="" type="checkbox"/>	
Is the 500 Foot Rule applicable? If yes, please attach a diagram of the On-Premise liquor license establishments within a 500 ft. radius of your establishment and the Public Interest Statement.	<input checked="" type="checkbox"/>	NO	
Is the 200 Foot Rule applicable? If yes, please attach a diagram of the schools and houses of worship that trigger the rule.	YES	<input checked="" type="checkbox"/>	
Has applicant/owner(s) read MCB4 Policy Regarding Concentration and Location of Alcoholic-Serving Establishments?	<input checked="" type="checkbox"/>	NO	

\*\*\* Summer Hours will be as follows: Monday to Friday: 11am - 6pm

OPERATIONAL DETAILS (*Closing time will be when establishment is vacated of all patrons)								This will be the hours for: Winter, Spring and Fall	
HOURS* (Indoor Only)	Operation	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY	
		11:00	11am - 6pm	11am - 6pm	11am - 6pm	11am - 6pm	11am - 6pm	11am - 6pm	
	Kitchen		11am - 6pm	11am - 6pm	11am - 6pm	11am - 6pm	11am - 6pm	11am - 6pm	
	Music		11am - 6pm	11am - 6pm	11am - 6pm	11am - 6pm	11am - 6pm	11am - 6pm	
If you plan to have music, what type(s)? (Circle all that apply)			<input checked="" type="checkbox"/> BACKGROUND	<input type="checkbox"/> LIVE MUSIC	<input type="checkbox"/> DJ	<input type="checkbox"/> JUKE BOX	<input type="checkbox"/> KARAOKE		
OCCUPANCY									
	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 Stand-Up Bar		
INSIDE	180 per floor		4	14	0	1	8		
OUTSIDE (Other than sidewalk café)	180 - rooftop		NA	NA	NA	NA	NA		
SIDEWALK CAFÉ	NA	NA	NA	NA					
How many floors are there? What is the capacity for each floor?					4 floors, roof, 180 each floor				
How frequently will the owner(s) be at the establishment?					Daily				
Will you be applying or intending to apply for a cabaret license with DCA? If yes, will there be dancing?					YES	<input checked="" type="checkbox"/>			
Will applicant have bottle or table service for beverage alcohol?					YES	<input checked="" type="checkbox"/>			
Will you be hosting private, promotional or corporate events?					<input checked="" type="checkbox"/>	NO			
Will outside promoters be used on a regular basis? If yes please describe.					YES	<input checked="" type="checkbox"/>			
Will you have a security plan? If, yes please attach.					<input checked="" type="checkbox"/>	NO			
Will security plan be implemented?					<input checked="" type="checkbox"/>	NO			
Will State certified security personnel be used?					<input checked="" type="checkbox"/>	NO			
Will New York Nightlife Association and NYPD Best Practices be followed?					YES	NO	Not Applicable		
Will applicant be using delivery bicycles? If yes, how many?					YES	<input checked="" type="checkbox"/>			
Will delivery bicycles be clearly marked with the name of the restaurant and will staff wear attire clearly noting name as described by NYC Law?					YES	NO	Not Applicable		
Where will delivery bicycles be stored during the day when not in use?					Not Applicable				

LOCATION & ZONING			
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	West Chelsea
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	Pending
Is a Public Assembly permit required?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
Are your plans filed with DOB?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	

Community Notification/Relations			
<b>NOTIFICATION:</b> List all block associations; tenant associations, co-op boards or condo boards of residential buildings; and community groups that applicant has notified regarding its application. For each please list both the organization and individual you contacted	# 1	Please see attached list	
	# 2		
	# 3		
	# 4		
	# 5		
Please provide dates when applicant met with the groups listed above.			
Who was your contact person at each group you met with?			
When did applicant post the notice that was provided?		10/31/2016	
Where did applicant post the notice that was provided?		Front Door of the Premises	
Will applicant provide owner cell phone number to neighbors and respond to complaints that arise? Please provide number in space provided.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Christina Karanaios: 212-476-9436
Will applicant inform the Community Board office of its job openings and/or provide a hyperlink to applicants jobs webpage?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	

<b>BUILDING DESIGN</b>			
State the name and type of business previously located in the space.	Currently - Hauser & Wirth Art Gallery		
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.	YES	NO	Unknown
Do you plan any changes to the existing façade? If yes, please describe.	YES	<input checked="" type="checkbox"/>	
Will applicant have a vestibule within the establishment?	<input checked="" type="checkbox"/>	NO	
Will applicant use a storm enclosure?	YES	<input checked="" type="checkbox"/>	
Will applicant not place any items or obstructions on the sidewalk, for example, sandwich boards, sidewalk signs, freestanding menus and plants, as per the law?	YES	<input checked="" type="checkbox"/>	
Will applicant comply with the NYC noise code?	<input checked="" type="checkbox"/>	NO	
Will the establishment have any of the following: (circle all that apply)	<b>FRENCH DOORS</b>	<b>GARAGE DOORS</b>	<b>WINDOWS THAT CAN BE OPENED</b>
Will applicant close all windows, French doors, garage doors when any music or amplified sound (including televisions) is played inside the establishment?	<input checked="" type="checkbox"/>	NO	
Will applicant close all windows, French doors, garage doors by 11 PM Friday and Saturday and 10 PM on all other days even if no music or amplified sound is played inside the establishment?	<input checked="" type="checkbox"/>	NO	
Has applicant obtained an acoustical report from a certified sound engineer to assess potential noise disturbance to the neighboring residents and buildings?	YES	<input checked="" type="checkbox"/>	
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="checkbox"/>	NO	
Will the kitchen exhaust system extend to the roof?	YES	<input checked="" type="checkbox"/>	
Will the establishment have an illuminated sign?	YES	<input checked="" type="checkbox"/>	
Will the establishment have a canopy extending over the sidewalk?	YES	<input checked="" type="checkbox"/>	
Where will the air conditioner be located? What type is it?	HVAC ducts in cafe; mechanical units in back of space on each floor		
When was the air conditioner installed?	Unknown		

<b>OUTDOOR ITEMS - OTHER THEN SIDEWALK CAFÉ</b>			
Has the applicant/owner(s) read MCB 4 Rear Yard Rooftop Policy?	<input checked="" type="checkbox"/>	NO	
Will applicant use any outdoor spaces: rooftop, rear yard, patio, porch, balcony, pavilion, tents, deck or gazebo? If yes, which one(s)?	<input checked="" type="checkbox"/>	NO	rooftop for private events
Are the floorplans for the outdoor space(s) included?	<input checked="" type="checkbox"/>	NO	
Will applicant close and vacate the outdoor space(s) by 11PM on Friday & Saturday and 10 PM on all other days?	<input checked="" type="checkbox"/>	NO	
Will the service and consumption of alcohol in any outdoor space only be via seated food service?	YES	<input checked="" type="checkbox"/>	maybe used for catered receptions
Will applicant not allow standing space for patrons to drink or smoke in any outdoor space(s)?	YES	<input checked="" type="checkbox"/>	maybe used for catered receptions
Will there be no amplified music, as per the law?	<input checked="" type="checkbox"/>	NO	
If amplified sound is played inside the establishment, will windows and doors be closed?	<input checked="" type="checkbox"/>	NO	
Will applicant agree to post signs outside asking customers to respect the neighbors'?	<input checked="" type="checkbox"/>	NO	
Will applicant agree to train staff to encourage a peaceful environment?	<input checked="" type="checkbox"/>	NO	
Will applicant provide effective sound control (landscaping enclosure, soundproofing tenants apartments)	<input checked="" type="checkbox"/>	NO	if required
Will there be a lighting plan that allows safe usage of the outdoor space without disrupting neighbors?	<input checked="" type="checkbox"/>	NO	on a per catered event basis

<b>OUTDOOR ITEMS – SIDEWALK CAFÉ</b>		Not applicable	
Has the applicant/owner(s) read MCB4 Sidewalk Café Policy?	YES	NO	
Will applicant be applying for a sidewalk café now or in the future?	YES	NO	
Is applicant in this application seeking to include a sidewalk café in its liquor license?	YES	NO	
If yes, has applicant submitted an application and plans to NYC Dept. of Consumer Affairs? Please attach application and plans.	YES	NO	
Will applicant close and vacate the sidewalk café by 11 PM on Friday & Saturday and 10 PM on all other days?	YES	NO	
Will applicant be serving alcohol in the sidewalk café? If so, will you have waiter service?	YES	NO	
Will the café have a 3 ft. wide serving aisle running the entire length of the sidewalk café?	YES	NO	
Will applicant mark the perimeter of the café on the sidewalk?	YES	NO	
Will the service and consumption of alcohol in the sidewalk café only be via seated food service?	YES	NO	
Will the sidewalk café not provide standing space for drinking or smoking?	YES	NO	
Will applicant use any portable natural gas heaters? If so, do you have the requisite approvals from DOB & the Fire Department?	YES	NO	
Will applicant have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	
Will all furniture, plants and barricades be stored inside between the evening closing hours and the morning opening hours?	YES	NO	
Will all furniture be stored inside between December 21 <sup>st</sup> and March 21 <sup>st</sup> , and any other day when it rains or snows?	YES	NO	
Will applicant use umbrellas?	YES	NO	
If construction or construction protection has reduced the sidewalk width, will applicant always maintain an 8 foot clear path of sidewalk between the perimeter of the café and the closes obstruction including construction barricades?	YES	NO	

**ADDITIONAL STIPULATIONS: (Office Use Only)**

- On days of catered events, traffic cones will be deployed to allow space for loading and unloading
- First floor cafe will close no later than 6:00p.m. nightly
- No sale of alcohol will occur on the rooftop outdoor space


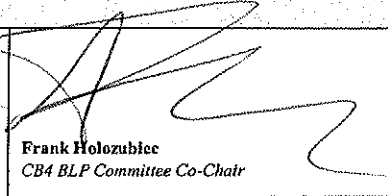
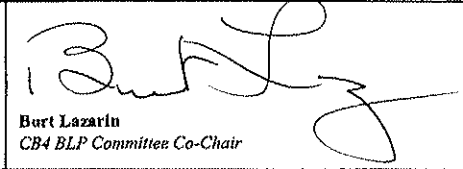
***To the extent any additional stipulation on pages 7 and 8 of this application conflicts with any response on pages 1 – 6 of this application, the stipulations on pages 7 and 8 control.***

**ADDITIONAL STIPULATIONS: (Office Use Only), *Continued***

*To the extent any additional stipulation on pages 7 and 8 of this application conflicts with any response on pages 1 - 6 of this application, the stipulations on pages 7 and 8 control.*

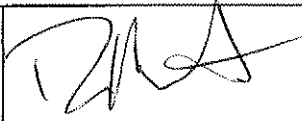


Manhattan Community Board 4 (MCB4) recommends:	<input checked="" type="radio"/> Denial unless all stipulations agreed to by applicant/owner are part of the method of operation <input type="radio"/> Denial <input type="radio"/> Approval
--	---

<b>CB4 REPRESENTATIVES</b>		
 Nelly Gonzalez <i>CB4 Assistant District Manager</i>	 Frank Holozubiec <i>CB4 BLP Committee Co-Chair</i>	 Burt Lazarin <i>CB4 BLP Committee Co-Chair</i>

**APPLICANT AGREEMENT WITH THE COMMUNITY**

Applicant agrees to these stipulations as the basis for the community support of this application and acknowledges that all of these stipulations are essential prerequisites to the MCB4 recommendation regarding this application. Applicant agrees to have these stipulations incorporated in the method of operation of its liquor license. The stipulations in this application constitute the entire agreement between MCB4 and applicant and may only be altered in writing signed by MCB4 and applicant. These stipulations supersede any oral statements or representations in connection with this application.

<b>SIGN HERE</b> →	Dean Martinus <b>PRINT NAME OF APPLICANT</b>	 <b>SIGNATURE OF APPLICANT</b>	11/5/16 10/31/2016 <b>DATE</b>
--------------------	---	---	--------------------------------------

## OWNER LIST

Hauser & Wirth

Marc Payot

[marc@hauserwirth.com](mailto:marc@hauserwirth.com)

212 794 4970

Great Performances/Artists as Waitresses, Inc.

Liz Neumark, CEO

[liz.neumark@greatperformances.com](mailto:liz.neumark@greatperformances.com)

212 727 2424

Dean Martinus, President

[dean.martinus@greatperformances.com](mailto:dean.martinus@greatperformances.com)

212 727 2424

## OTHER LOCATIONS

Name of Establishment	Address	Dates
Apollo Theater	253 West 125 <sup>th</sup> St. New York, New York 10027	2009 - present
Asia Society	725 Park Ave. New York, New York 10021	2004 – 2007
Brooklyn Academy of Music	30 Lafayette Street Brooklyn, New York 11217	2004 – present 2014 - present
Brooklyn Academy of Music	651 Fulton Street Brooklyn, New York 11219	2007 - present
Brooklyn Museum	200 Eastern Parkway Brooklyn, New York 11238	2015 - present
Caramoor Center of the Performing Arts	149 Girdle Ridge Rd., Katonah, New York 10536	2010 - present
Circle Line Harbor Cruises	Brooklyn Navy Yard Brooklyn, New York 11205	2003 - 2005
Dahesh Museum	580-590 Madison Ave. New York, New York	2005 - 2007
El Museo del Barrio	1230 5 <sup>th</sup> Ave, New York, New York 10029	2010 – 2015
Just Sprouted Café – Chelsea Piers Ct	1 Blachely Road, Stamford, Ct. 06902	2013 - 2016
Mae Mae Cafe	68 Van Dam Street New York, New York 10013	2001 - Present
IFC Café	327 6 <sup>th</sup> Ave. New York, New York 10014	2005 - 2007
Jazz at Lincoln Center Inc.	10 Columbus Circle, 5 <sup>th</sup> & 6 <sup>th</sup> Floors, New York, New York 10023	2004 - Present
Sotheby's	1334 York Ave. New York, New York 10021	2006 - 2015
Studio Museum of Harlem	144 West 125 <sup>th</sup> Street, New York, New York 10027	2011 – 2012
Great Performances/Artists as Waitresses, Inc. & Wave Hill, Inc.	675 West 252 <sup>nd</sup> St Bronx, New York 100212	Prior to 2000 - Present

## COMMUNITY NOTIFICATIONS

### BY E-MAIL

300 West 21st/22nd/23rd Streets Block Association: Eleanor Horowitz at [eleanor@quiltedcorner.com](mailto:eleanor@quiltedcorner.com)

300 West 21st/22nd/23rd Streets Block Association: Andra Gabrielle at [300wba@gmail.com](mailto:300wba@gmail.com)

300 West 21st/22nd/23rd Streets Block Association: Phyllis Waisman at [phylliswaisman@gmail.com](mailto:phylliswaisman@gmail.com)

300 West 21st/22nd/23rd Streets Block Association: Zazel Loven at [zazelloven@yahoo.com](mailto:zazelloven@yahoo.com)

400 West 21/22/23 Streets Block Association: Mary Swartz at [mjs@nyc.rr.com](mailto:mjs@nyc.rr.com)

400 West 21/22/23 Streets Block Association: Eileen McElduff at [emce33@aol.com](mailto:emce33@aol.com)

400 West 21/22/23 Streets Block Association: Jean Blair at [jblair@bobchristianson.com](mailto:jblair@bobchristianson.com)

400 West 21/22/23 Streets Block Association: Karen Jacob at [w400ba@gmail.com](mailto:w400ba@gmail.com)

Penn South 8th Ave/9th Ave (23-29) - Mario Mazzoni at [education@pennsouth.coop](mailto:education@pennsouth.coop)

West 25th Street Block Association: Carla Norstrom at [west25thstreetproject@gmail.com](mailto:west25thstreetproject@gmail.com)

Bill Borock at [wborock@hotmail.com](mailto:wborock@hotmail.com)

Elliot-Chelsea Houses Tenant Association: Florence Dent at [fdenthunter@gmail.com](mailto:fdenthunter@gmail.com)

Elliot-Chelsea Houses Tenant Association: Darlene Waters at [dwatersh@gmail.com](mailto:dwatersh@gmail.com)

### BY OVERNIGHT MAIL

Owner of 505 W. 22<sup>nd</sup> St.  
Archangel Michael RE  
157 Lexington Ave  
New York, NY 10016

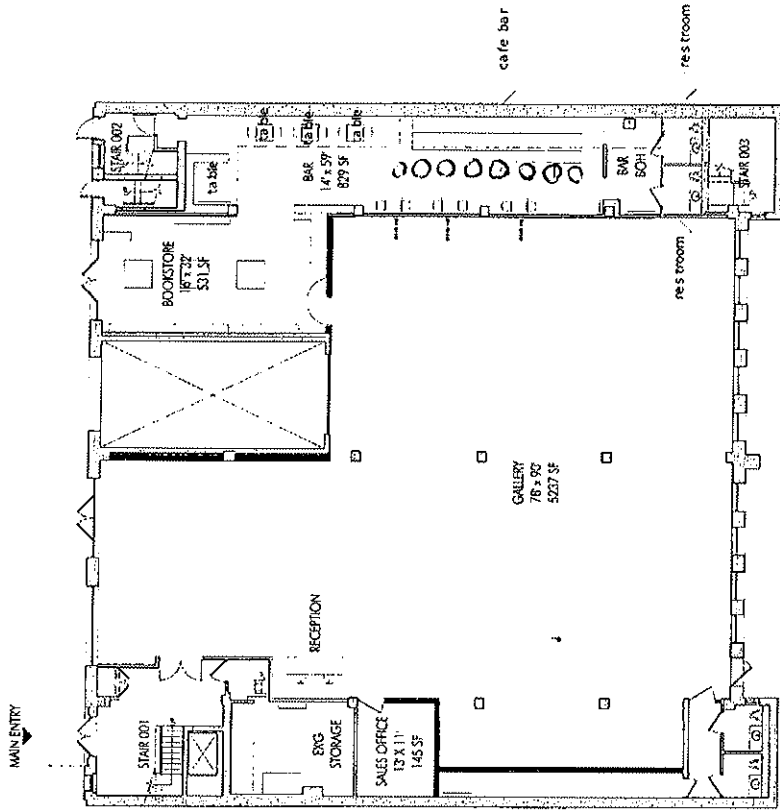
Owner  
551 W 21<sup>st</sup> St Owner, LLC  
375 Park Ave., Suite 1504  
New York, NY 10152

Owner of 503 W. 22<sup>nd</sup> St.  
Tsoumpas 203 Holdings  
1105 Lexington Ave New York, NY 10016

Mr. Nicholas D. Newman  
SREP Tenth Avenue Venture LLC  
Owner of 500, 502 & 504 W. 22<sup>nd</sup> St., New York, NY  
One Stamford Forum  
201 Tresser Blvd., 3<sup>rd</sup> Fl.  
Stamford, CT 06901

Timothy Mitchell, LMSW, Executive Director  
Flemister House  
527 W. 22<sup>nd</sup> St.  
New York, NY 10011

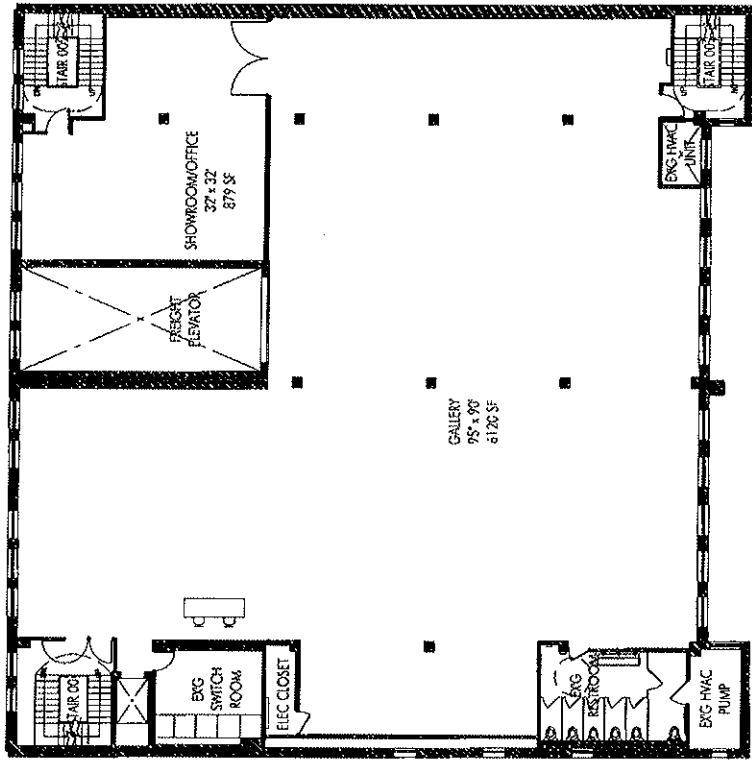
Andrews Building Corp.  
Spears Building  
525 W. 22<sup>nd</sup> St.  
New York, NY 10011



FIRST FLOOR PLAN  
548 WEST 72ND STREET  
MINNAPOLIS, MN

DATE: 11-11-2004  
BY: [signature]

MINNAPOLIS, MN  
[signature]



SECOND FLOOR PLAN  
548 WEST 22ND STREET  
DENVER, CO

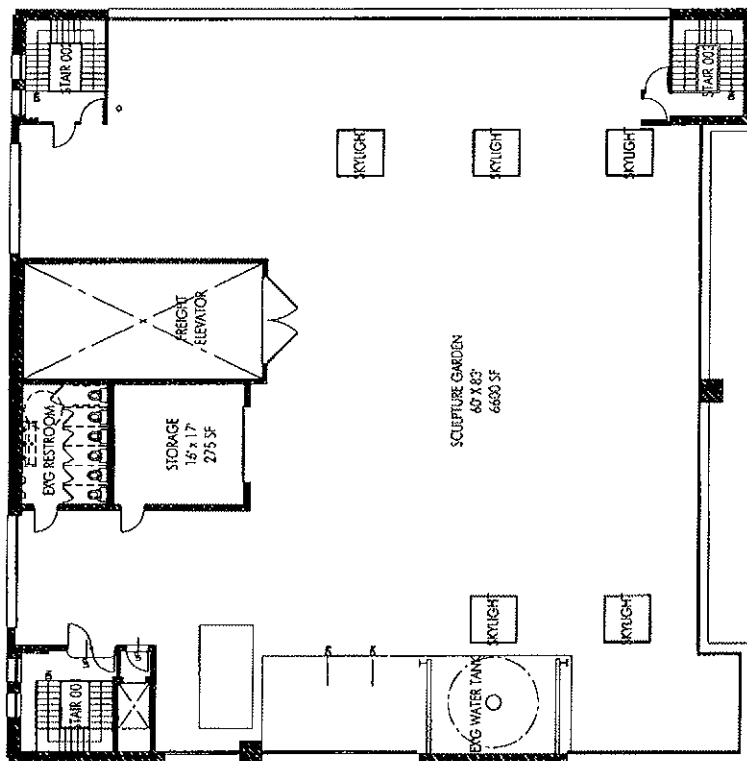
OCTOBER 18, 2011  
10:00 AM  
10:00 AM

WILSON ARCHITECTS  
1000 17TH STREET, SUITE 100  
DENVER, CO 80202  
TEL: 303.733.1100  
WWW.WILSONARCHITECTS.COM









ROOF PLAN  
345 WEST 24th STREET  
NEW YORK, NY 10011

DATE: 12/15/10  
BY: [Signature]

SCALE: 1/8" = 1'-0"

HAUSER & WIRTH  
SAMPLE MENU

Roasted Beet and Feta Salad  
Baby Arugula, Toasted Pumpkin Seeds, Red Onion Vinaigrette

Caramelized Brussel Sprout Salad  
Forest Mushrooms, Roasted Carrots, Shaved Pecorino, Warm Whole Grain Mustard Vinaigrette

Classic Tuna Nicoise  
Seared Rare Tuna, Roasted Peppers, Thyme Infused Potatoes  
Haricot Verts, Olives, Sherry Vinaigrette

Autumn Chicken Pot Pie  
Murray's Free Range Chicken  
Baby Carrots, Leeks, Local Potatoes

Brooklyn Bangers Cheddar Bratwurst  
Kale, Adirondack Potatoes, Shishito Peppers, Whole Grain Mustard Demi

Fall Harvest Ancient Grains Salad  
Beets, Squash, Leeks, Spinach, Pomegranate

Grilled Cheese Panini

Chocolate Chip Cookie

Nutter Butters

**Specialty sodas**  
rosemary limonata  
vanilla crème

**Beer**  
Sixpoint Sweet Action  
Bronx Pale Ale

**Wine**  
chardonnay 2014, crosby, california  
pinot noir 2013, millbook, new york



# Proximity Report for Location:

October 31, 2016

548 W 22 St, New York, NY, 10011

\* This report is for informational purposes only in aid of identifying establishments potentially subject to 500 and 200 foot rules. Distances are approximated using industry standard GIS techniques and do not reflect actual distances between points of entry. The NYS Liquor Authority makes no representation as to the accuracy of the information and disclaims any liability for errors.

## Closest Liquor Stores

Name	Address	Approx. Distance
HIGHLINE WINE MARKET CORP	156 10TH AVE	905 ft
IN A GLASS LLC	156 10TH AVENUE, SOUTH STORE	905 ft
MWC RETAIL LLC	606 W 28TH ST SUITE A	1620 ft
MIDTOWN SPIRITS INC	177 9TH AVE UNIT C	1620 ft
ALGA WINES & SPIRITS LTD	221 9TH AVENUE	1655 ft
ADB&SAB LLC	554 W 30TH ST	2115 ft
CHELSEA WINERY LTD	75 9TH AVENUE	2260 ft

## Churches within 500 Feet

Name	Approx. Distance
------	------------------

## Schools within 500 Feet

Name	Address	Approx. Distance
------	---------	------------------

## On-Premise Licenses within 750 Feet

Name	Address	Approx. Distance
SPIRIT CRUISES LLC	PIER 62 WEST 23RD STREET	310 ft
SPIRIT CRUISES LLC	PIER 62 CHELSEA PIERS	315 ft
SPIRIT CRUISES LLC	62 CHELSEA PIERS	485 ft
PIER SIXTY LLC	61 CHELSEA PIERS	495 ft
KONKAPOT ENTERTAINMENT INC	61 CHELSEA PIERS	495 ft
CLASSIC HARBOR LINE LLC	62 CHELSEA PIERS	500 ft
AMF BOWLING CENTERS INC	60 CHELSEA PIERS	505 ft
PIER SIXTY LLC	60 CHELSEA PIERS	505 ft
PIER SIXTY LLC	59 CHELSEA PIERS	530 ft
MANHATTAN MAHARAJA LLC	207 10TH AVE	615 ft
WICHCRAFT CHELSEA PIERS LLC	CHELSEA PIERS	635 ft
AUNT PAUL INC	205 10TH AVE	695 ft
505-23 BAR INC	505-507 WEST 23RD STREET	695 ft

## Pending Licenses within 750 Feet

Name	Address	Approx. Distance
------	---------	------------------

Name	Address	Approx. Distance
22ND STREET RESTAURANT GROUP LLC	162 11TH AVE	195 ft
SONNY LOU INC	195 10TH AVE	650 ft

**Unmapped licenses within zipcode of report location**

Name	Address
------	---------