

Manhattan Community Board 4

(All Fields Must Be Completed)

Liquor License Stipulations Application

CORPORATION NAME Green Egg, LLC		DOING BUSINESS AS (DBA) Canard	
STREET ADDRESS 503 W. 43rd St, 10th & 11th Streets, New York		CROSS STREETS W 43rd St & 10th Ave.	ZIP CODE 10036
OWNER <i>(Attach a list of all the people that will be associated/listed with the license) see attached.</i>	NAME: Jose Delgado & Ryan Maerz	ATTORNEY/ REPRESENTAIVE	NAME: Robert D. Skene, Esq.
	PHONE: 973-896-9511		PHONE: 732-727-5030
	EMAIL: jkdelgado@yahoo.com		EMAIL: sskene@skenelawfirm.com
MANAGER	NAME: TBD	LANDLORD	NAME: Forty Three Star Corp.
	PHONE:		PHONE: 718-435-5360 x209
	EMAIL:		EMAIL:
APPLICATION TYPE (Check One)			
<input type="radio"/> New	Has applicant owned or managed a similar business?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
	What is/was the name and address of establishment?		
	What were the dates applicant was involved with this former premise?		
<input checked="" type="radio"/> Transfer	What is the prior license # and expiration date?	1126744 expiring 5/31/18	
	is applicant making any alterations or operational changes?	<input type="checkbox"/> YES	<input type="checkbox"/> NO <input type="checkbox"/> No
	<i>If alterations or operational changes are being made, please describe/list all changes.</i>	N/A	
<input type="radio"/> Alteration	What is the current license # and expiration date?		
	<i>Please list/describe the nature of all the changes and attach the plans:</i>		
METHOD OF OPERATION			
TYPE OF ALCOHOL	<input checked="" type="checkbox"/> Liquor/Wine/Beer <input type="checkbox"/> Beer <input type="checkbox"/> Wine & Beer		
ESTABLISHMENT TYPE	<input checked="" type="checkbox"/> Restaurant <input type="checkbox"/> Cabaret <input type="checkbox"/> Night Club <input type="checkbox"/> Hotel <input 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?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	No. Will file 11/16
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 type="checkbox"/> YES	<input type="checkbox"/> NO	Yes. See attached.
Is the 200 Foot Rule applicable? If yes, please attach a diagram of the schools and houses of worship that trigger the rule.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	No.
Has applicant/owner(s) read MCB4 Policy Regarding Concentration and Location of Alcoholic-Serving Establishments?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	Yes.

OPERATIONAL DETAILS (*Closing time will be when establishment is vacated of all patrons)

HOURS* <i>(Indoor Only)</i>		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
	Operation	12PM-3PM	12PM-3PM	12PM-3PM	12PM-3PM	12PM-3PM		
	Kitchen	12PM-3PM	12PM-3PM	12PM-3PM	12PM-3PM	12PM-3PM		
	Music							

If you plan to have music, what type(s)? (Circle all that apply)

BACKGROUND	LIVE MUSIC	DJ	JUKE BOX	KARAOKE
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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	120	25	4	12	1	0	0
OUTSIDE <i>(Other than sidewalk cafe)</i>	N/A						
SIDEWALK CAFE	N/A						

How many floors are there? What is the capacity for each floor? 4 floors total, licensing 1st floor only, 120 max occupancy.

How frequently will the owner(s) be at the establishment? Applicant principals oversee all businesses nationwide, however, a manager will be present at all operating hours.

Will you be applying or intending to apply for a cabaret license with DCA? If yes, will there be dancing?	YES	NO	No.
Will applicant have bottle or table service for beverage alcohol?	YES	NO	Table service.
Will you be hosting private, promotional or corporate events?	YES	NO	No.
Will outside promoters be used on a regular basis? If yes please describe.	YES	NO	No.
Will you have a security plan? If, yes please attach.	YES	NO	No.
Will security plan be implemented?	YES	NO	No.
Will State certified security personnel be used?	YES	NO	No.
Will New York Nightlife Association and NYPD Best Practices be followed?	YES	NO	N/A
Will applicant be using delivery bicycles? If yes, how many?	YES	NO	No.
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	N/A
Where will delivery bicycles be stored during the day when not in use?	N/A		

LOCATION & ZONING			
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	NO	Yes- Hudson Yards
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	YES	NO	Yes.
Is a Public Assembly permit required?	YES	NO	Yes.
Are your plans filed with DOB?	YES	NO	Yes.

Community Notification/Relations			
NOTIFICATION: 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	West 43rd Street Block Association, Eduardo Zeiger West 45th Street Block Association (9th, 11th Aves), Chana Widawksy	
	# 2	Manhattan Plaza Tenants Association, Douglas Leland West 46th Street Block Association, Allison Tupper and Steve Fanto	
	# 3	West 44th Street Better Block Association, Linda Ashley	
	# 4	West 44th Steet (b/9th/10th) Block Association, Renee & Gordon Stanley & Rudy Papiri	
	# 5	West 45th Block Assocation, Tim Tanner	
Please provide dates when applicant met with the groups listed above.	10/31/2016 via e-mail.		
Who was your contact person at each group you met with?	Eduardo Zeiger, Chana Widawsky, Douglas Leland, Allison Tupper, Steve Fanto, Linda Ashley, Renee & Gordon Stanley, Rudy Papiri, Tim Tanner		
When did applicant post the notice that was provided?	10/31		
Where did applicant post the notice that was provided?	A block in each direction of the establishment anywhere that is visible		
Will applicant provide owner cell phone number to neighbors and respond to complaints that arise? Please provide number in space provided.	YES	NO	Yes. 973-896-9511
Will applicant inform the Community Board office of its job openings and/or provide a hyperlink to applicants jobs webpage?	YES	NO	Yes.

BUILDING DESIGN			
State the name and type of business previously located in the space.	Canard, Restaurant		
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.	YES	NO	Yes, Canard, Inc.
Do you plan any changes to the existing façade? If yes, please describe.	YES	NO	No.
Will applicant have a vestibule within the establishment?	YES	NO	No.
Will applicant use a storm enclosure?	YES	NO	No.
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	NO	N/A
Will applicant comply with the NYC noise code?	YES	NO	Yes.
Will the establishment have any of the following: (circle all that apply)	FRENCH DOORS		GARAGE DOORS
	WINDOWS THAT CAN BE OPENED		
Will applicant close all windows, French doors, garage doors when any music or amplified sound (including televisions) is played inside the establishment?	YES	NO	N/A
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?	YES	NO	N/A
Has applicant obtained an acoustical report from a certified sound engineer to assess potential noise disturbance to the neighboring residents and buildings?	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?	YES	NO	N/A
Will the kitchen exhaust system extend to the roof?	YES	NO	No.
Will the establishment have an illuminated sign?	YES	NO	No.
Will the establishment have a canopy extending over the sidewalk?	YES	NO	No.
Where will the air conditioner be located? What type is it?	In cafe. Fujitsu Halcyon DC Inverter		
When was the air conditioner installed?	2014		

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

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

ADDITIONAL STIPULATIONS: (Office Use Only)

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*

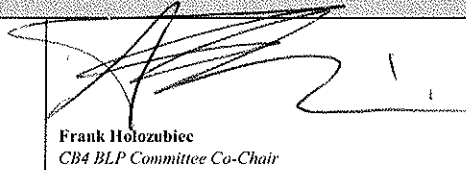
To the extent any additional stipulation on pages 7 and 8 of this application conflicts with any response on pages 1 – 6 of this application, the stipulations on pages 7 and 8 control.

Manhattan Community Board 4 (MCB4) recommends:

Denial unless all stipulations agreed to by applicant/owner are part of the method of operation
 Denial Approval

CB4 REPRESENTATIVES


Nelly Gonzalez
CB4 Assistant District Manager


Frank Holozubiec
CB4 BLP Committee Co-Chair

Burt Lizarin
CB4 BLP Committee Co-Chair

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.

SIGN HERE



Jose Delgado

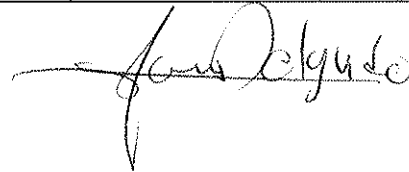
/Jose Delgado/

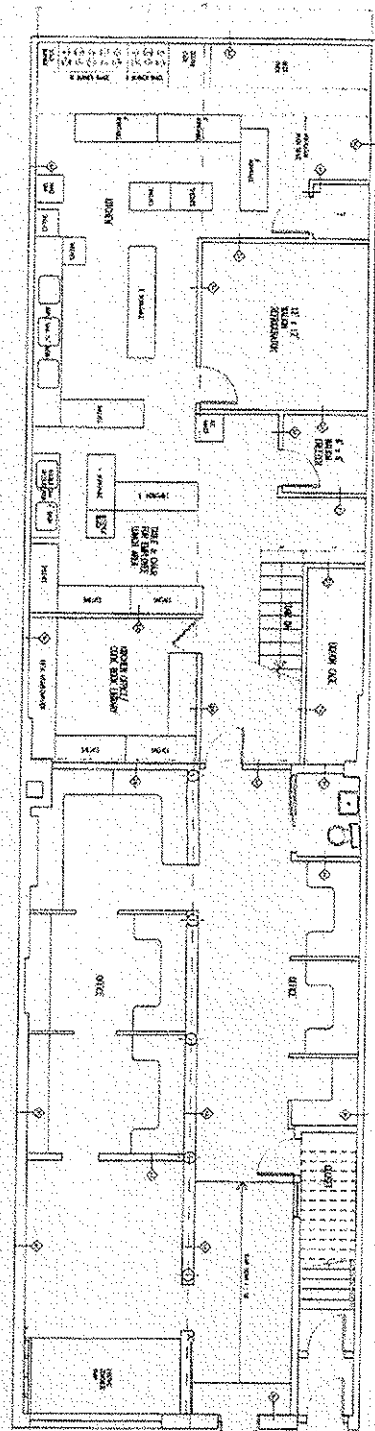
10/31/2016

PRINT NAME OF APPLICANT

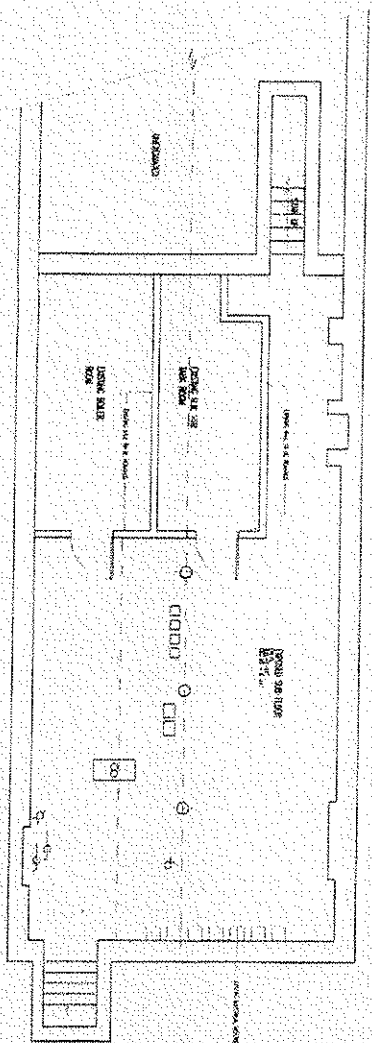
SIGNATURE OF APPLICANT

DATE

 11-15-2016



FIRST FLOOR PLAN



CELLAR PLAN

S
L
A
N
A
R
D

108-10-17
JOB: 1001: 100A + 100B

100A + 100B
872 MADISON AVE #29 NEW YORK, N.Y. 10021 212.737.8600

513 WEST 43RD STREET, NEW YORK

Scale:
NOT FOR CONSTRUCTION

1/4" = 1'-0"

PROPOSED ROOM PLAN
A-101
JULY 25, 2001

bar



premium liquors

ketel one, tanqueray, plymouth johnnie walker,
maker's mark, don julio, bacardi \$15

white wine

french, louis latour macon village chameroy '09 \$12

american, j. lohr arroyo seco chardonnay '10 \$10

new zealand, kim crawford sauvignon blanc '09 \$12-

red wine

french, m. chapotier côtes du roussillon-villages '08 \$12-

american, parker station pinot noir '09 \$10-

bubbles

french, gosset champagne, brut ny \$16-

french, charles de frères sparkling blanc de blanc \$12

bottled premium beers

heineken, amstel light, stella artoise \$7-

with

sparkling and still mineral waters, mixers, sodas, orange and cranberry juices \$6-





summer menu

to begin

lobster salad

house made linguine with poached lobster, peas, tomato, corn and micro herbs

mango gazpacho

sweet and piquant mango gazpacho with papaya pepper confetti & micro herbs

salad 3 ways

salad of cucumber sorbet, black pepper and fris  avocado, tomato, heart of palm timbale, tomato vinaigrette baby romaine grilled with parmesan, caesar drizzle parmesan crisp

entr e

roasted arctic char

on summer puree artichoke, green pea, leek vegetable brunoise and fennel pollen, green herb sauce white asparagus in lemon zest butter

grilled breast of organic chicken

zucchini-ricotta stuffing; lemon aioli; green & wax beans, fingerling potatoes, tarragon vinaigrette

chilled filet of angus beef

with sundried cherry & tomato jam, potato gruyere tart and french beans with tomato basil concasse

dessert

strawberry "sandwich"

pistachio dacquoise sandwiched with strawberry sorbet,

summer sampler

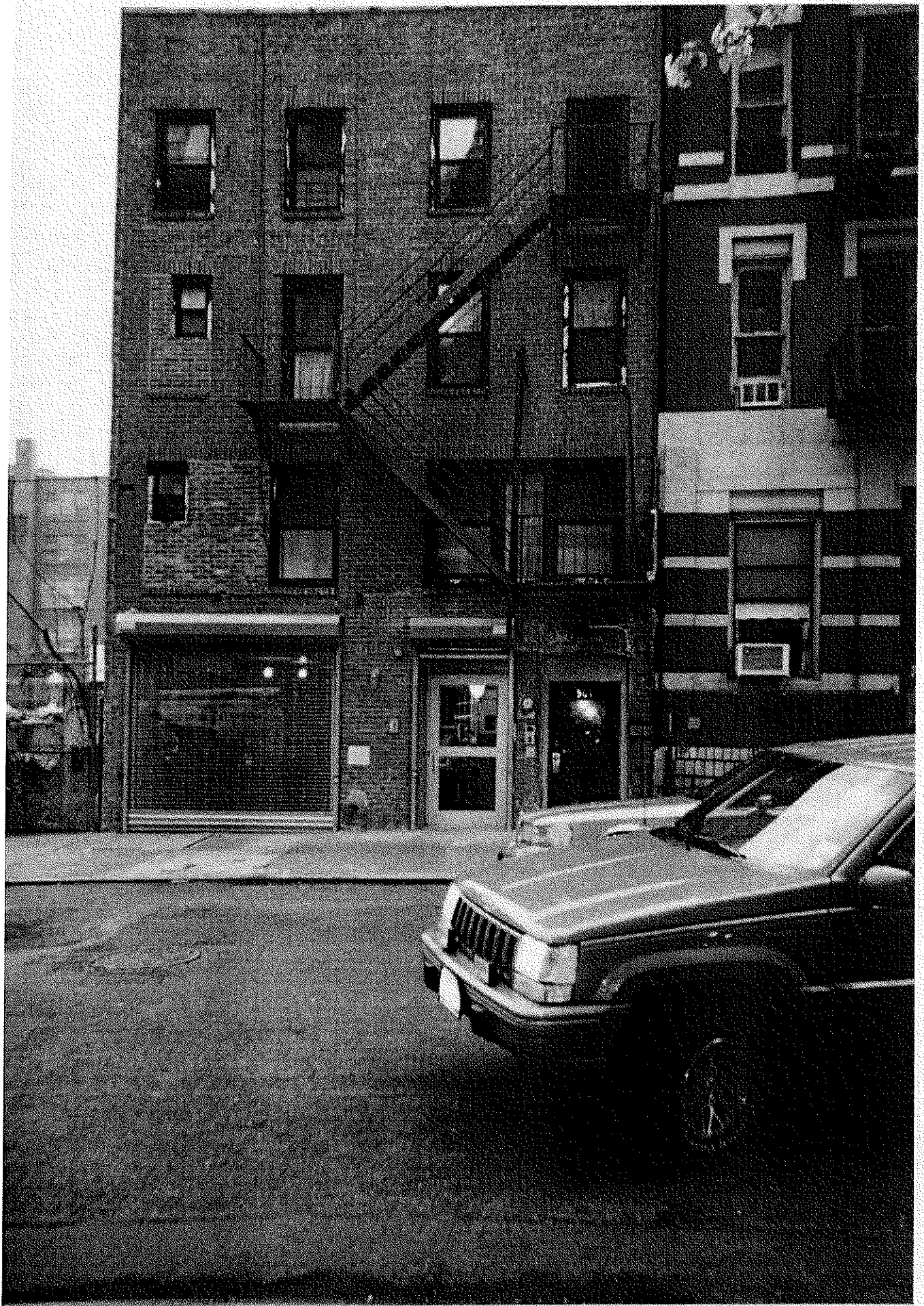
chocolate dacquoise, key lime br l , rhubarb sorbetto, fresh berries

flourless dark chocolate torte

with earl grey white chocolate mousse, candied kumquats and orange rind

above menu served at \$65- per guest





500 FOOT LAW STATEMENT

The proposed premises for the applicant is within 500-feet of three or more establishments selling liquor for on-premises consumption. This statement provides reasons in support of granting the license.

- A. The premises will be operated as a previously-licensed restaurant located within the New York City area. Therefore, the licensing of this premises will continue promote commerce and attract tourism to New York City.
- B. Prior to operation, all necessary licenses and permits will be obtained.
- C. Clientele for the premises is anticipated to continue drawing from the surrounding New York City area. As the premises was previously licensed and will have no music or live entertainment, the effect on vehicular traffic, noise level, and parking in proximity to the location will not adversely affect the surrounding neighborhood.
- D. The granting of this liquor license will have no negative impact on the neighborhood as it has been previously licensed. The issuance of the license will continue to enhance the surrounding community by providing a high quality restaurant establishment.

For these and other reasons, an on-premises hotel liquor license for this premises would be in the public interest and should be granted.

Proximity Report for Location:

October 31, 2016

Latitude: -73.9951732469579, Longitude: 40.7604131995041

* 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
GRACE WINE & SPIRITS INC	610 10TH AVENUE	230 ft
42 & 10TH SPIRITS LTD	507 W 42ND STREET	285 ft
VERITAS STUDIOS INC	527 W 45TH ST	640 ft
GRAND CRU WINE \$ SPIRITS INC	560 11TH AVE	860 ft
589 NINTH AVENUE CORP	589 9TH AVENUE	995 ft
NINTH AVENUE VINTNER LTD	669 9TH AVENUE	1270 ft
ODYSSEY WINE & SPIRITS INC	490 10TH AVE	1490 ft

Churches within 500 Feet

Name	Approx. Distance
Seventh Associate Presbyterian Church	360 ft

Schools within 500 Feet

Name	Address	Approx. Distance
PS/IS 51 ELIAS HOWE SCHOOL	520 W 45TH ST	430 ft

On-Premise Licenses within 750 Feet

Name	Address	Approx. Distance
CANARD INC	503 W 43RD STREET	5 ft
WEST SIDE STEAKHOUSE LLC	597 10TH AVENUE	70 ft
DIVISION ONE MANAGEMENT GROUP INC	500 W 43RD ST	70 ft
MR BIGGS BAR & GRILL INC	596 10TH AVE	85 ft
599 TENTH AVENUE CORP	599 10TH AVE	90 ft
ROSIERAE'S INC	500 W 43RD ST	115 ft
PIO PIO OCHO INC	604 10TH AVE	145 ft
TOR RESTAURANT LLC	607 10TH AVE	205 ft
42ND STREET HOTEL LLC 42ND STREET KITCHEN LLC	508 510 W 42ND ST	330 ft
XL DANCE BAR LLC	512 WEST 42ND STREET	340 ft
42ND&10THHOTELLCC;42ND&10THUSOPCPLLC; YOTEL	570 10TH AVENUE 4TH FL	365 ft
HELL'S KITCHEN CREAM & SUGAR INC	626A 10TH AVENUE, STORE C	400 ft
10TH AVENUE GROUP INC	626 10TH AVE	400 ft
42ND KAVA AND KAVA MIMA ASSOCIATES LLC	470 W 42ND ST	405 ft

Name	Address	Approx. Distance
KIWIS HISTORICAL BUILDING LTD	626B 10TH AVENUE	415 ft
WMW RESTAURANT GROUP LLC	628 10TH AVE	420 ft
SIGNATURE THEATRE COMPANY INC	450 W 42ND ST	510 ft
SD HOSPITALITY CORP	637 10TH AVENUE	520 ft
KIABACCA REST CORP	639 10TH AVE	575 ft
HELL'S CHICKEN LLC	641 10TH AVE	595 ft
WMW REST II LLC	644 10TH AVE	655 ft
SHEBA ETHIOPIAN RESTAURANT INC	650 10TH AVENUE	660 ft
THEATRE ROW RESTAURANT INC	424 WEST 42ND STREET	720 ft
THEATRE REFRESHMENT CO OF NY INC & MIDSUMMER	422 W 42ND ST	740 ft

Pending Licenses within 750 Feet

Name	Address	Approx. Distance
CREATIVE FOOD CRAFTS LLC	500B W 42ND ST	320 ft
470 WEST 42 ST GOURMET FOOD INC	470 W 42ND ST	420 ft
460 WINE MARKET INC	460 W 42ND ST	470 ft

Unmapped licenses within zipcode of report location

Name	Address
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