

# Manhattan Community Board 4

(All Fields Must Be Completed)

## Liquor License Stipulations Application

CORPORATION NAME <b>ENTITY TO be Formed by JEFFREY WITTELS</b>		DOING BUSINESS AS (DBA) <b>TBD</b>	
STREET ADDRESS <b>161 W 23<sup>RD</sup> ST</b>		CROSS STREETS <b>6<sup>TH</sup> + 7<sup>TH</sup> Avenues</b>	ZIP CODE <b>10011</b>
OWNER <small>(Attach a list of all the people that will be associated/listed with the license)</small>	NAME: <b>JEFFREY WITTELS</b>	ATTORNEY/ REPRESENTATIVE	NAME: <b>MICHAEL KELLY</b>
	PHONE: <b>(516) 606-5710</b>		PHONE: <b>(914) 632-6036</b>
	EMAIL: <b>JEFF@wineLegacy.com</b>		EMAIL: <b>KELLYMLK136@Gmail.com</b>
MANAGER	NAME: <b>Same + TBD</b>	LANDLORD	NAME: <b>NEW MAN ASSOCIATES LLC</b>
	PHONE:		PHONE:
	EMAIL:		EMAIL:
<b>APPLICATION TYPE (Check One)</b>			
<input type="radio"/> New	Has applicant owned or managed a similar business?		YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
	What is/was the name and address of establishment?		<b>Applicant's owns a liquor store 80 new town plaza The wine Legacy Plainview NY</b>
	What were the dates applicant was involved with this former premise?		<b>11/04 - Present</b>
<input type="radio"/> Transfer	What is the prior license # and expiration date?		<b>161 West Bar LLC 1226226 6/30/17 abandoned</b>
	Is applicant making any alterations or operational changes?		YES <input type="checkbox"/> NO <input type="checkbox"/>
	If alterations or operational changes are being made, please describe/list all changes.		
<input type="radio"/> 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 checked="" type="radio"/> Liquor/Wine/Beer <input type="radio"/> Beer <input type="radio"/> Wine & Beer		
ESTABLISHMENT TYPE	<input type="radio"/> Restaurant <input type="radio"/> Cabaret <input checked="" type="radio"/> Night Club <input type="radio"/> Hotel <input checked="" type="radio"/> Bar/Tavern <input type="radio"/> Catering Establishment <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Club (Fraternal Organization - Members Only)		
Has applicant/owner filed with the SLA? If yes, when? If no, when do you plan to file?		YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	<b>AFTER Community Board</b>
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.		YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	
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 type="checkbox"/> NO <input checked="" type="checkbox"/>	
Has applicant/owner(s) read MCB4 Policy Regarding Concentration and Location of Alcoholic-Serving Establishments?		YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	

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

HOURS* (Indoor Only)		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY	
	Operation	11am-2am	11am-2am	11am-2am	11am-4am	11am-4am	11-4am	11-2am	
	Kitchen	11am-1am	→			11am-3am	→		11-2am
	Music	11am-2	→			11am-4am	→		11am-2am
If you plan to have music, what type(s)? (Circle all that apply)		<input checked="" type="checkbox"/> BACKGROUND		<input checked="" type="checkbox"/> LIVE MUSIC		<input checked="" type="checkbox"/> DJ	JUKE BOX	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	190	190	25	105	1	1	25
OUTSIDE (Other than sidewalk café)	N/A	N/A	N/A	→			
SIDEWALK CAFÉ	N/A	→					

How many floors are there? What is the capacity for each floor?

2, 146 on the 1st, 144 in cellar

How frequently will the owner(s) be at the establishment?

at least 8 hours per day 6 days per week

Will you be applying or intending to apply for a cabaret license with DCA? If yes, will there be dancing?

YES  NO

Will applicant have bottle or table service for beverage alcohol?

YES  NO

Will you be hosting private; promotional or corporate events?

YES  NO

Private Parties & Corporate events

Will outside promoters be used on a regular basis? If yes please describe.

YES  NO

Will you have a security plan? If, yes please attach.

YES  NO

Will security plan be implemented?

YES  NO

Will State certified security personnel be used?

YES  NO

Will New York Nightlife Association and NYPD Best Practices be followed?

YES  NO

Will applicant be using delivery bicycles? If yes, how many?

YES  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

*[Handwritten signature]*

LOCATION & ZONING			
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	<input checked="" type="radio"/> NO	CG-3K
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input checked="" type="radio"/> YES	NO	
Is a Public Assembly permit required?	<input checked="" type="radio"/> YES	NO	
Are your plans filed with DOB?	YES	<input checked="" type="radio"/> 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	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?			
Where did applicant post the notice that was provided?			
Will applicant provide owner cell phone number to neighbors and respond to complaints that arise? Please provide number in space provided.	<input checked="" type="radio"/> YES	NO	
Will applicant inform the Community Board office of its job openings and/or provide a hyperlink to applicants jobs webpage?	<input checked="" type="radio"/> YES	NO	



Michael Kelly &lt;kellymlk136@gmail.com&gt;

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**JEFFREY WITTELS 161 W 23rd St**

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**Michael Kelly** <kellymlk136@gmail.com>

Sun, Jan 1, 2017 at 10:45 AM

To: wborock@hotmail.com, letters@bulbach.com, rboddington@gmail.com, jjasper@gc.cuny.edu, paul@groncki.com, eric.bomze@gmail.com, ezechella@gmail.com, willrogers@gmail.com, acevedoandassociates@gmail.com, "Craig L. Slutzkin" <craig.slutzkin@outlook.com>, craigs1029@aol.com, jakmail@earthlink.net, clkupper@aol.com, Ethan.Felson@jewishfederations.org, laranjeirag@gmail.com, sallygmg@gmail.com, beacon195@aol.com, germanygerald@aol.com, m@melissa-stern.com, mwalshny@yahoo.com, Pamela Wolff <pamela@angel.net>, dfranco243@earthlink.net, Dottie Francoeur <fcmgt@me.com>, merle.levine@gmail.com, neil@neilselkirk.com, cott@nyc.rr.com, alberttaylor@gmail.com, lesley@lyrichord.com, eleanor@quiltedcorner.com, 300wba@gmail.com, phyllisswaisman@gmail.com, zazelloven@yahoo.com, mis@nyc.rr.com, emce33@aol.com, jblair@bobchristianson.com, w400ba@gmail.com, susanb1011@aol.com, shulman@speakeasy.net, fdenthunter@gmail.com, dwatersh@gmail.com, education@pennsouth.coop, andyhummm@aol.com, donna@donnalangman.com, Jeff <jeff@winelegacy.com>, Janine Pretente <jpretentecb4@gmail.com>

Dear members of the block associations,  
Happy New Year.

See attached Community Board questionnaire and a brief description of what the applicant plans to do at the space. It was formerly occupied by Meridian. I have included their stipulations which the applicant will gladly agree to. The applicant is available to talk to or meet anyone interested.

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Thank you,

Michael Kelly  
136 Waverly Rd  
Scarsdale, NY 10583  
P: (914) 632-6036  
F: (914) 632-6034

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**2 attachments**

 **Jeff Whittels CB Questionnaire.pdf**  
2686K

 **Jeffery Whittels additional material.pdf**  
1297K

**BUILDING DESIGN**

State the name and type of business previously located in the space.				Tavern			
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.		<input checked="" type="radio"/> YES	<input type="radio"/> NO	161 WEST BAR LLC (161 WEST 23 <sup>RD</sup> STREET LLC)			
Do you plan any changes to the existing façade? If yes, please describe.		<input checked="" type="radio"/> YES	<input type="radio"/> NO	W.C.			
Will applicant have a vestibule within the establishment?		<input type="radio"/> YES	<input checked="" type="radio"/> NO				
Will applicant use a storm enclosure?		<input type="radio"/> YES	<input checked="" type="radio"/> 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?		<input checked="" type="radio"/> YES	<input type="radio"/> NO				
Will applicant comply with the NYC noise code?		<input checked="" type="radio"/> YES	<input type="radio"/> NO				
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?		<input checked="" type="radio"/> YES	<input type="radio"/> 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="radio"/> YES	<input type="radio"/> NO				
Has applicant obtained an acoustical report from a certified sound engineer to assess potential noise disturbance to the neighboring residents and buildings?		<input type="radio"/> YES	<input checked="" type="radio"/> NO				
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	<input type="radio"/> NO				
Will the kitchen exhaust system extend to the roof?		<input type="radio"/> YES	<input type="radio"/> NO	N/A			
Will the establishment have an illuminated sign?		<input type="radio"/> YES	<input checked="" type="radio"/> NO				
Will the establishment have a canopy extending over the sidewalk?		<input type="radio"/> YES	<input checked="" type="radio"/> NO				
Where will the air conditioner be located? What type is it?		EXISTING					
When was the air conditioner installed?		Years ago					

\*

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

VIA



**OUTDOOR ITEMS – SIDEWALK CAFÉ**

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

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

- Applicant will submit security plan by 1/25/17
- Front door will be kept closed at all times, except when used for entering and exiting
- Applicant agrees to all stipulations in 2/18/09 CB4 letter to SLA re prior operator

***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***

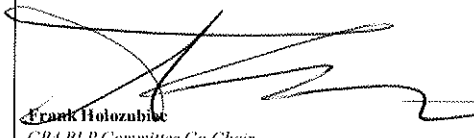
*To the extent any additional stipulation on pages 7 and 8 of this application conflicts with any response on pages 1 – 6 of this application, the stipulations on pages 7 and 8 control.*

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 Lazarin  
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**



PRINT NAME OF APPLICANT

Jeffrey Wittels

SIGNATURE OF APPLICANT



DATE

1/10/17

# RETROCLUBNYC

## SMALL PLATE MENU

### **Avocado Mango Dip**

Guacamole with fresh chopped avocados, mango, onions, tomatoes and cilantro. Served with salsa and house chips.

### **House Specialty Salad**

Spinach, roasted sweet potato, toasted pecans, beets, goat cheese crumbles, shaved red onions, and a curry vinaigrette.

### **Marinated Steak Salad**

Sliced medium rare flank marinated in chimichurri with capers, grilled onions, roasted grape tomatoes, and tossed in a spicy chili blue cheese dressing, topped with crispy shallots and crumbled blue cheese.

### **Pork Dumplings**

Ginger, Scallion, Micro cilantro, Plum Sauce.

### **Spinach Artichoke Dip**

A fine blend of spinach, artichoke hearts with garlic, onions, and cream cheese. Served in a wheat bread bowl with corn tortilla chips for dipping.

### **Veggie Plate**

Carrots, celery, cucumber, tomato and broccoli served with ranch and chili pesto.

### **Hummus Plate**

Savory garlic hummus topped off with roasted red peppers. Accompanied by pita chips, carrots, celery, cucumber, lettuce, tomatoes, and sprouts.

### **Smoked Chicken Quesadillas**

Smoked chicken, red pepper, jack and cheddar cheeses, served on flour corn tortillas with lettuce, tomato, salsa and chili pesto then topped with scallions.

### **Pear Salad**

Arugula, Dates, and Tamarind Dressing.

### **Fruit and Cheese Platter**

A seasonal selection of red berry fruits and melons complemented by a select arsenal variety of gourmet cheeses.

### **Banana Bread Pudding**

Comes with a pecan topping and served warm with a dark rum sauce.



CITY OF NEW YORK

**MANHATTAN COMMUNITY BOARD FOUR**

330 West 42<sup>nd</sup> Street, 26<sup>th</sup> floor New York, NY 10036  
tel: 212-736-4536 fax: 212-947-9512  
www.ManhattanCB4.org

**JEAN-DANIEL NOLAND**  
Chair

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

February 18, 2009

Commissioner Daniel Boyle  
New York State Liquor Authority  
80 South Swan Street  
Albany, NY 12210

**Re: 161 West 23<sup>rd</sup> Street LLC, 161 West 23<sup>rd</sup> Street (6/7)**

Dear Commissioner Boyle:

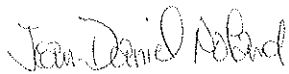
Manhattan Community Board 4 recommends denial of a new full liquor license (New OP) for 161 West 23<sup>rd</sup> Street LLC, 161 West 23<sup>rd</sup> Street (6/7) unless the following stipulations, agreed to by the applicant, are part of their method of operation:

- [REDACTED]
- The applicant will operate a Bar/Tavern/Lounge on the first floor and in the cellar.
- Total capacity is 196 with 121 on the first floor and 75 in the cellar.
- There will be no open flame cooking that require exhaust systems.
- [REDACTED]
- [REDACTED]
- The applicant is applying for a cabaret license which is included in this application.
- No outside promoters will be used for events at this establishment.
- The applicant will not have a 'velvet rope' operation with lines of waiting patrons outside the club.

- The applicant will not have French doors/windows but if they should install them they will comply with MCB4's policy of closing at 10 p.m. on Sundays/weekdays and 11 p.m. on Friday and Saturday and, as per law, whenever amplified sound is played inside.

This establishment is a new bar/tavern/lounge and will occupy the space that Suede once was located in.

Sincerely,



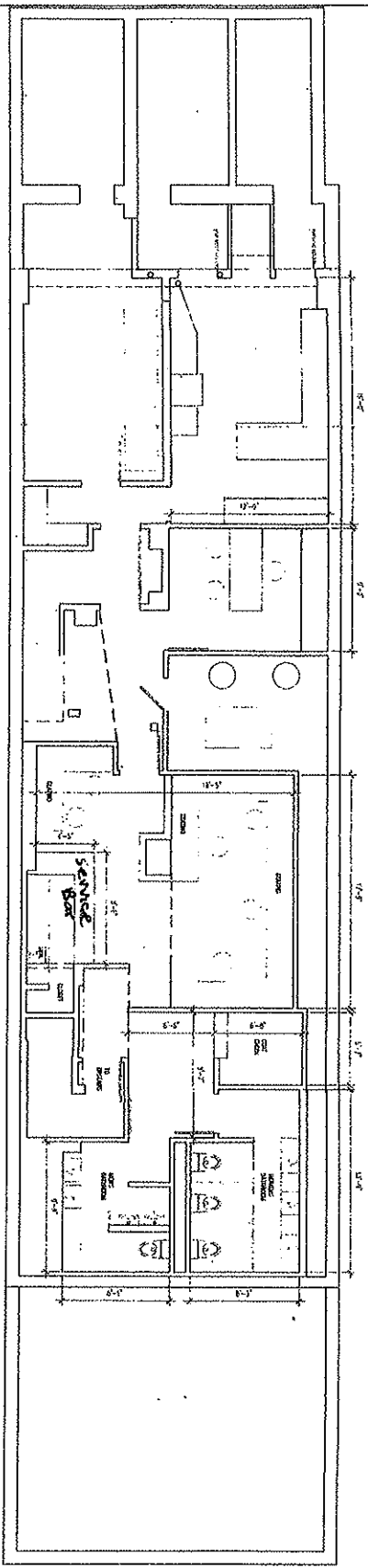
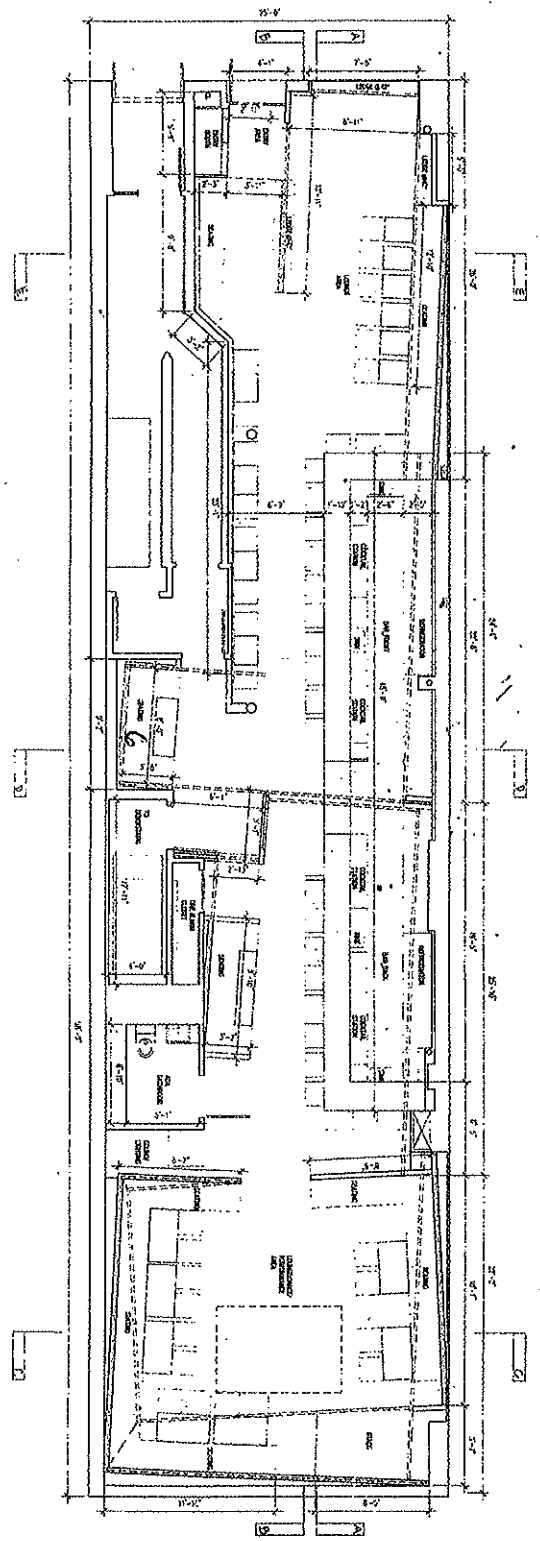
Jean-Daniel Noland  
Chair  
Manhattan  
Community Board  
Four

Lisa Daglian  
Co-Chair  
Business License &  
Permits Committee



Chuck Spence  
Co-Chair  
Business License &  
Permits Committee

cc: Applicant  
Fred Gioffre  
Elected Officials



**PROJECT:** HARBOR  
**DATE:** 10/1/83  
**SCALE:** AS SHOWN  
**DESIGNED BY:** JAMES P. GIBSON  
**PROJECT NO.:** 701 WEST 20th STREET, SUITE 105  
**ADDRESS:** BROOKLYN, NY 11211  
**PHONE:** 773-7773  
**ARCHITECT:** FORMACTIV  
**REGISTERED ARCHITECTS/INTERIORS**  
 100 WEST 20th STREET, SUITE 105  
 BROOKLYN, NY 11211  
 PHONE: 773-7773

**PROPOSAL:** PLAN AT  
 CENTER & 1ST FLOOR

**NO. 1 - 200.00**



# Certificate of Occupancy

**CO Number: 103099344F**

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.*

<b>A.</b>	<b>Borough:</b> Manhattan	<b>Block Number:</b> 00799	<b>Certificate Type:</b> Final
	<b>Address:</b> 161 WEST 23 STREET	<b>Lot Number(s):</b> 10	<b>Effective Date:</b> 11/09/2006
	<b>Building Identification Number (BIN):</b> 1014946		
	<b>Building Type:</b> Altered		

*For zoning lot metes & bounds, please see BISWeb.*

<b>B.</b>	<b>Construction classification:</b> 3	<b>Number of stories:</b> 4
	<b>Building Occupancy Group classification:</b> F-4	<b>Height in feet:</b> 40
	<b>Multiple Dwelling Law Classification:</b> None	<b>Number of dwelling units:</b> 2

**C. Fire Protection Equipment:**  
None associated with this filing.

**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 Santalbi*  
Borough Commissioner

Borough Commissioner

Commissioner