

Manhattan Community Board 4

(All Fields Must Be Completed)

Liquor License Stipulations Application

CORPORATION NAME MRT 58 Restaurant LLC		DOING BUSINESS AS (DBA) Bar 58	
STREET ADDRESS 538 W. 58th Street		CROSS STREETS 10th & 11th Avenue	ZIP CODE 10019
OWNER <i>(Attach a list of all the people that will be associated listed with the license)</i>	NAME: Samir Gandhi	ATTORNEY/ REPRESENTAIVE	NAME: Stacy L. Weiss
	PHONE: 215-715-4611		PHONE: 212-521-0828
	EMAIL: sgandhi@gandhilaw.com		EMAIL: slweissattorney@aol.com
MANAGER	NAME: Samir Gandhi	LANDLORD	NAME: RNMB West 58 LLC
	PHONE: 215-715-4611		PHONE: 516-773-9300
	EMAIL: sgandhi@gandhilaw.com		EMAIL: bwrynn@mcsamhotel.com
APPLICATION TYPE (Check One)			
<input type="checkbox"/> 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?	All are active/ See attachment	
<input type="checkbox"/> Transfer	What is the prior license # and expiration date?	N/A	
	Is applicant making any alterations or operational changes?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
	<i>If alterations or operational changes are being made, please describe/list all changes.</i>		
<input checked="" type="checkbox"/> Alteration	What is the current license # and expiration date?	Serial #1295337 Expiration Date: 09/30/2018	
	<i>Please list/describe the nature of all the changes and attach the plans:</i> Adding Outside Patio -see attached plans		
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 type="checkbox"/> Restaurant	<input type="checkbox"/> Cabaret	<input type="checkbox"/> Night Club
	<input type="checkbox"/> Adult Entertainment	<input type="checkbox"/> Wine Bar	<input type="checkbox"/> Dance Club
	<input checked="" type="checkbox"/> Hotel	<input type="checkbox"/> Bar/Tavern	<input type="checkbox"/> Catering Establishment
	<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 checked="" type="checkbox"/>	Once approved by Manhattan CB 4 + 30 days from notice
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 checked="" 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.	<input type="checkbox"/> YES	<input checked="" type="checkbox"/>	All Active/ See Attachment
Has applicant/owner(s) read MCB4 Policy Regarding Concentration and Location of Alcoholic-Serving Establishments?	<input checked="" type="checkbox"/>	<input type="checkbox"/> NO	

Samir Gandhi Licenses

Hotel	Issue Date	Expires	Number
SNRP WEST 37 LLC & BALLINTEER CORP HILTON GARDEN INN NEW YORK/TIMES SQUARE SOUTH 326 330 W 37TH ST NEW YORK, NY 10018 (HOTEL LIQUOR)	PENDING		#1295337
MRT 58 RESTAURANT LLC BAR 58 538 W 58TH ST NEW YORK, NY 10019 (ON-PREMISES LIQUOR)	10/14/2016	09/30/2018	#1295337
HI DELANCEY RESTAURANT LLC 1 148-150 DELANCEY ST NEW YORK, NY 10002 (ON-PREMISES LIQUOR)	05/16/2016	12/31/2017	#1275363
IMDN Holdings LLC and EDJD Properties INC HOLIDAY INN NYC TIMES SQUARE SOUTH 585 8TH AVE NEW YORK, NY 10018 (HOTEL LIQUOR)	11/12/2015	10/31/2017	#1287122
HI 290 RESTAURANT LLC LILLIES 290 WILD AVE STATEN ISLAND, NY 10314 (ON-PREMISES LIQUOR)	05/26/2016	04/30/2017	#1282848
SC DELANCEY LLC HOLIDAY INN 148 DELANCEY ST NEW YORK, NY 10002 (HOTEL LIQUOR)	06/01/2015	04/30/2017	#1268637

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-2am	12pm-2am	12pm-2am	12pm-2am	12pm-2am	12pm-2am	12pm-2am
	Kitchen	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Music							

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

BACKGROUND

LIVE MUSIC

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	26	26	3	19	1	0	0
OUTSIDE <i>(Other than sidewalk café)</i>	30	30	16	24	0	0	0
SIDEWALK CAFÉ	N/A	N/A	N/A	N/A	N/A		

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

18 Floor hotel - bar is only on lobby floor

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

Frequently at least 5 days a 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

Food Table Service. No Bottle Service.

Will you be hosting private; promotional or corporate events?

YES

NO

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

Hotel Security

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

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

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	
	# 2	Manhattan Plaza Tenants Association: Douglas Leland	
	# 3	West 44 Street Better Block Association: Linda Ashley	
	# 4	West 44th Street (b. 9th/10th) Block Association: Renee & Gordon Stanley	
	# 5	West 44th Street (b. 9th/10th) Block Association: Rudy Papiri	
Please provide dates when applicant met with the groups listed above.		TBD	
Who was your contact person at each group you met with?		TBD	
When did applicant post the notice that was provided?			
Where did applicant post the notice that was provided?		(see attached pictures)	
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 215-715-4611
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

see
attachme

MRT 58 Restaurant LLC

Continuation of Block Association List:

West 45th Street Block Association: Tim Tanner

West 45th Street Block Association: (between 9th/11th Aves: Chad Widawsky

West 46th Street Block Association: Allison Tupper

West 46th Street Block Association: Steven Panto

Subj: **MRT 58 Restaurant LLC (Block Association)**
Date: 6/5/2017 10:25:34 A.M. Eastern Daylight Time
From: NCantavelaw@aol.com
To: eduardozeiger@compuserve.com
CC: slweissattorney@aol.com, ncantavelaw@aol.com

Good morning,

I am reaching out on behalf of our client, MRT 58 Restaurant LLC, an existing hotel, which is located at 538 W. 58th Street. We are requesting an alteration of the existing license to add an outside patio area in front of the hotel, on the hotel's property. This area is recessed back from the sidewalk. Our client has been licensed since last year without any complaints or issues. Our client is very successful and has had several hotels that are licensed by the New York State Liquor Authority. Please call our office so that we can arrange for you to speak with our client and or see the space. I can discuss the hours and menu with you when you call us. Thank you!


PLEASE ACKNOWLEDGE RECEIPT OF THIS EMAIL

Sincerely,

Nadia Cantave
Paralegal
The Law Office of Stacy L. Weiss
110 East 59th Street, 23rd Floor
New York, New York 10022
212-521-0828
NCantavelaw@aol.com
www.stacyweisslaw.com

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BUILDING DESIGN			
State the name and type of business previously located in the space.	New Construction- Hotel		
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Currently Hotel Liquor License
Do you plan any changes to the existing façade? If yes, please describe.	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
Will applicant have a vestibule within the establishment?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
Will applicant use a storm enclosure?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> 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="checkbox"/> YES	<input type="checkbox"/> NO	
Will applicant comply with the NYC noise code?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
Will the establishment have any of the following: (circle all that apply) N/A	<input type="checkbox"/> FRENCH DOORS	<input type="checkbox"/> GARAGE DOORS	<input type="checkbox"/> 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="checkbox"/> YES	<input 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"/> YES	<input 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?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> 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 type="checkbox"/> YES	<input type="checkbox"/> NO	N/A
Will the kitchen exhaust system extend to the roof?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	N/A
Will the establishment have an illuminated sign?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	N/A
Will the establishment have a canopy extending over the sidewalk?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	N/A
Where will the air conditioner be located? What type is it?	Central A/C		
When was the air conditioner installed?	2016		

OUTDOOR ITEMS - OTHER THEN SIDEWALK CAFÉ			
Has the applicant/owner(s) read MCB 4 Rear Yard Rooftop Policy?	<input checked="" type="checkbox"/> YES	<input 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"/> YES	<input type="checkbox"/> NO	
Are the floorplans for the outdoor space(s) included?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	See Attached
Will applicant close and vacate the outdoor space(s) by 11PM on Friday & Saturday and 10 PM on all other days?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	12PM- 12AM
Will the service and consumption of alcohol in any outdoor space only be via seated food service?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
Will applicant not allow standing space for patrons to drink or smoke in any outdoor space(s)? <i>Yes</i>	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
Will there be no amplified music, as per the law?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
If amplified sound is played inside the establishment, will windows and doors be closed?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
Will applicant agree to post signs outside asking customers to respect the neighbors'?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
Will applicant agree to train staff to encourage a peaceful environment?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
Will applicant provide effective sound control (landscaping enclosure, soundproofing tenants apartments)	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
Will there be a lighting plan that allows safe usage of the outdoor space without disrupting neighbors?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	

OUTDOOR ITEMS – SIDEWALK CAFÉ

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

ADDITIONAL STIPULATIONS: (Office Use Only)

- No smoking will be premitted in 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.

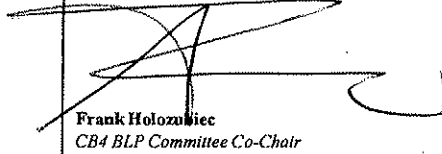
Manhattan Community Board 4 (MCB4) recommends:

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 Holozniac
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 →

5
Stacy L. Weiss, Esq.

PRINT NAME OF APPLICANT



SIGNATURE OF APPLICANT

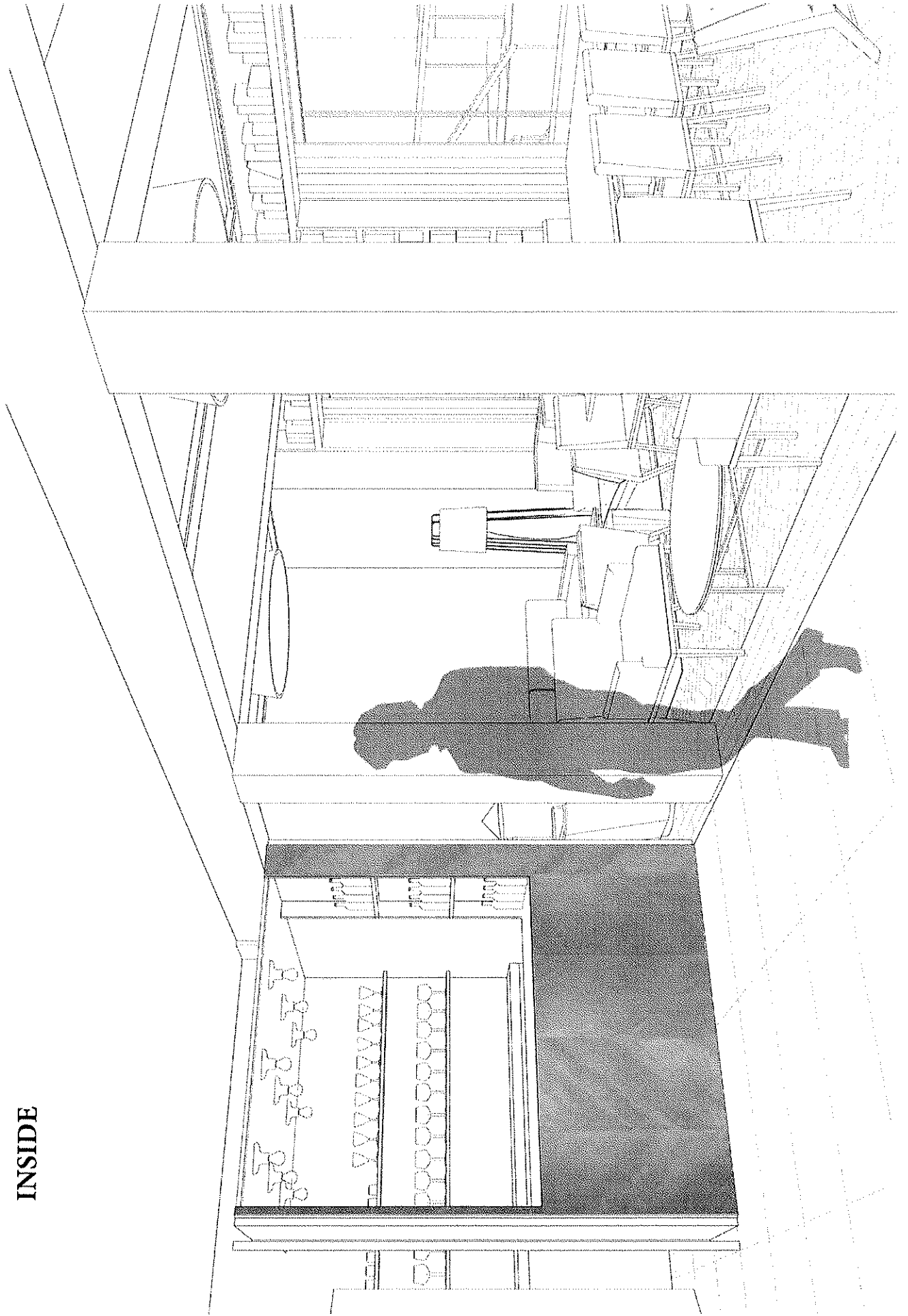
3/24/2016

DATE

SAMIR A. Gander

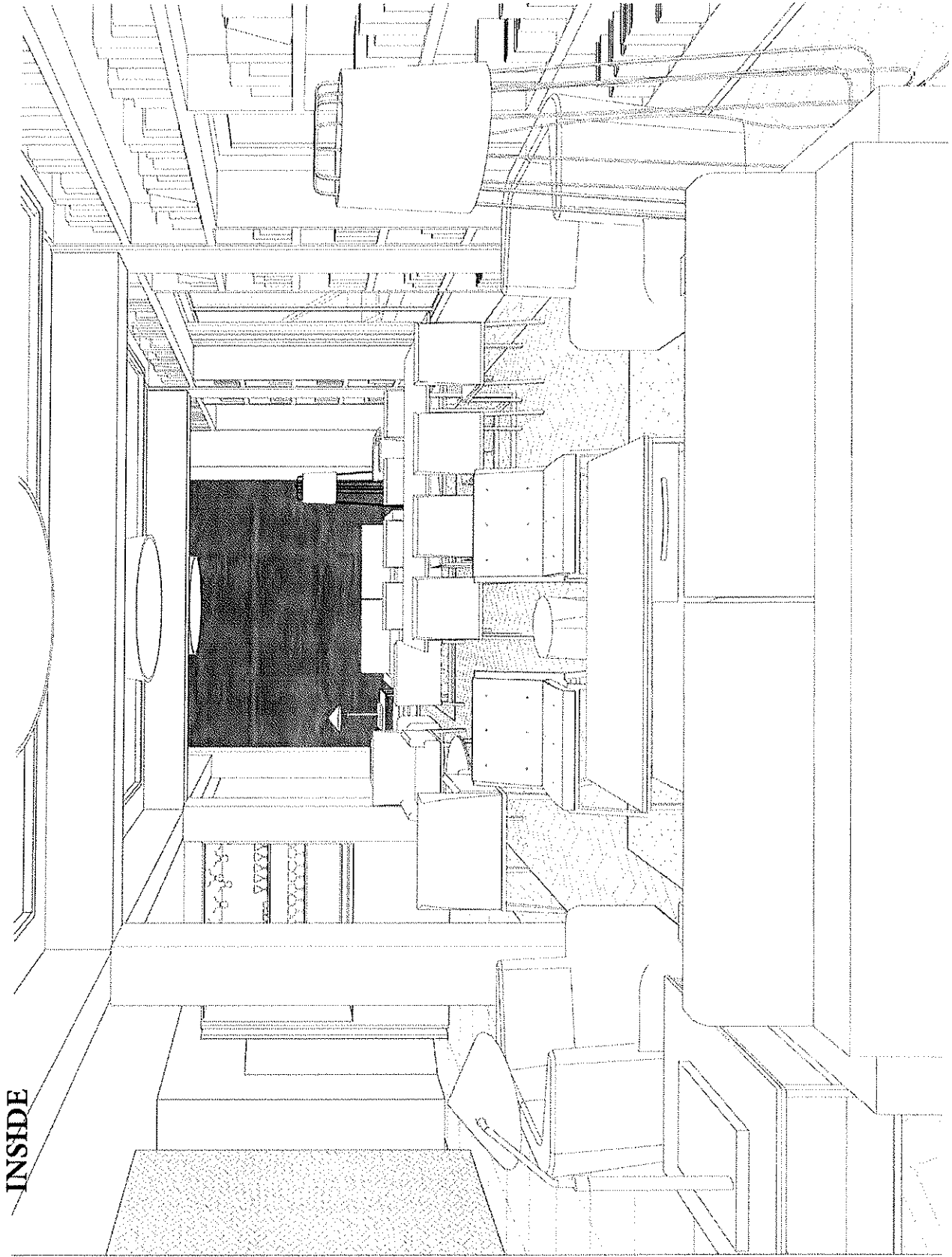
 6/13/17

INSIDE



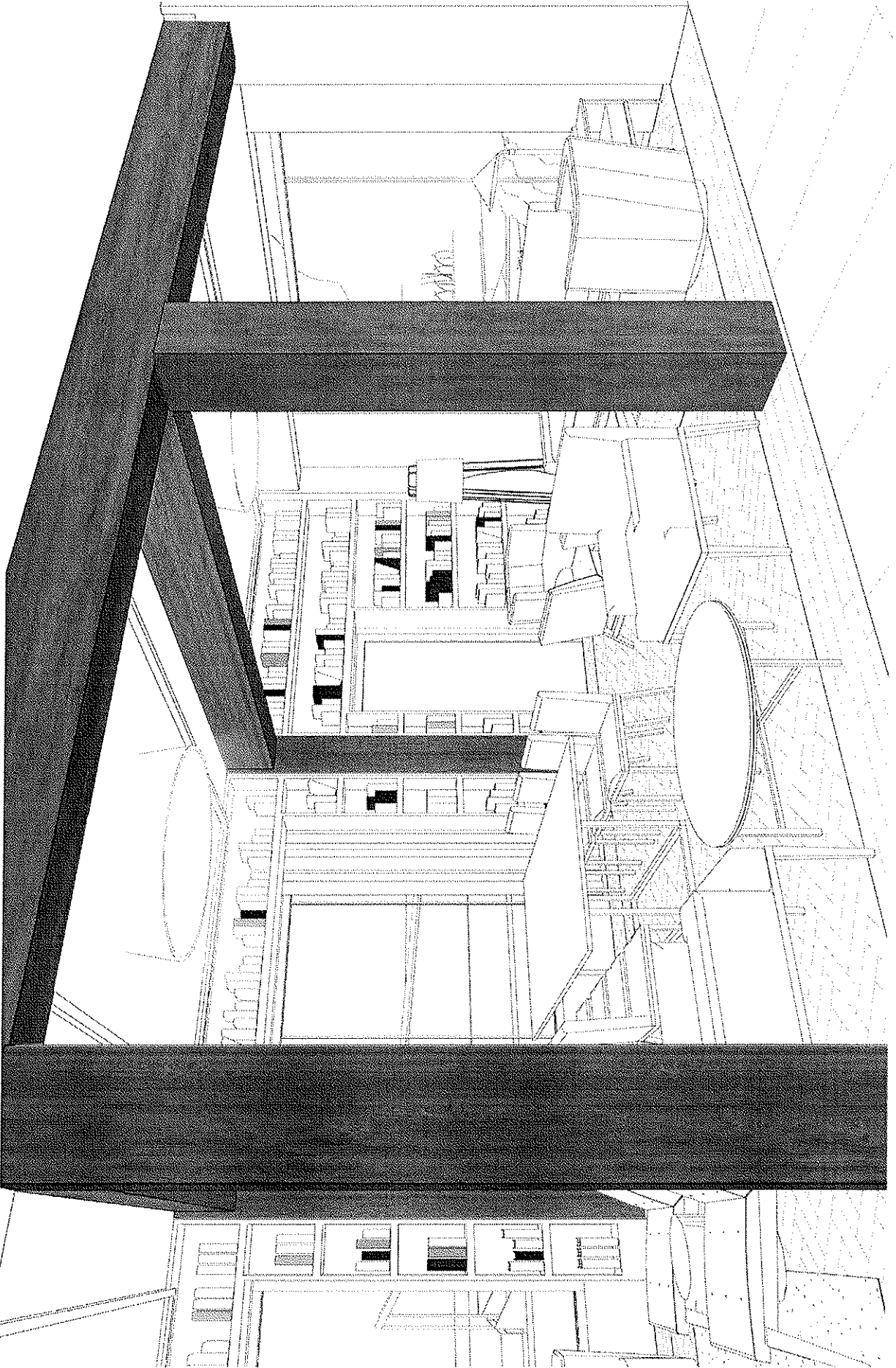
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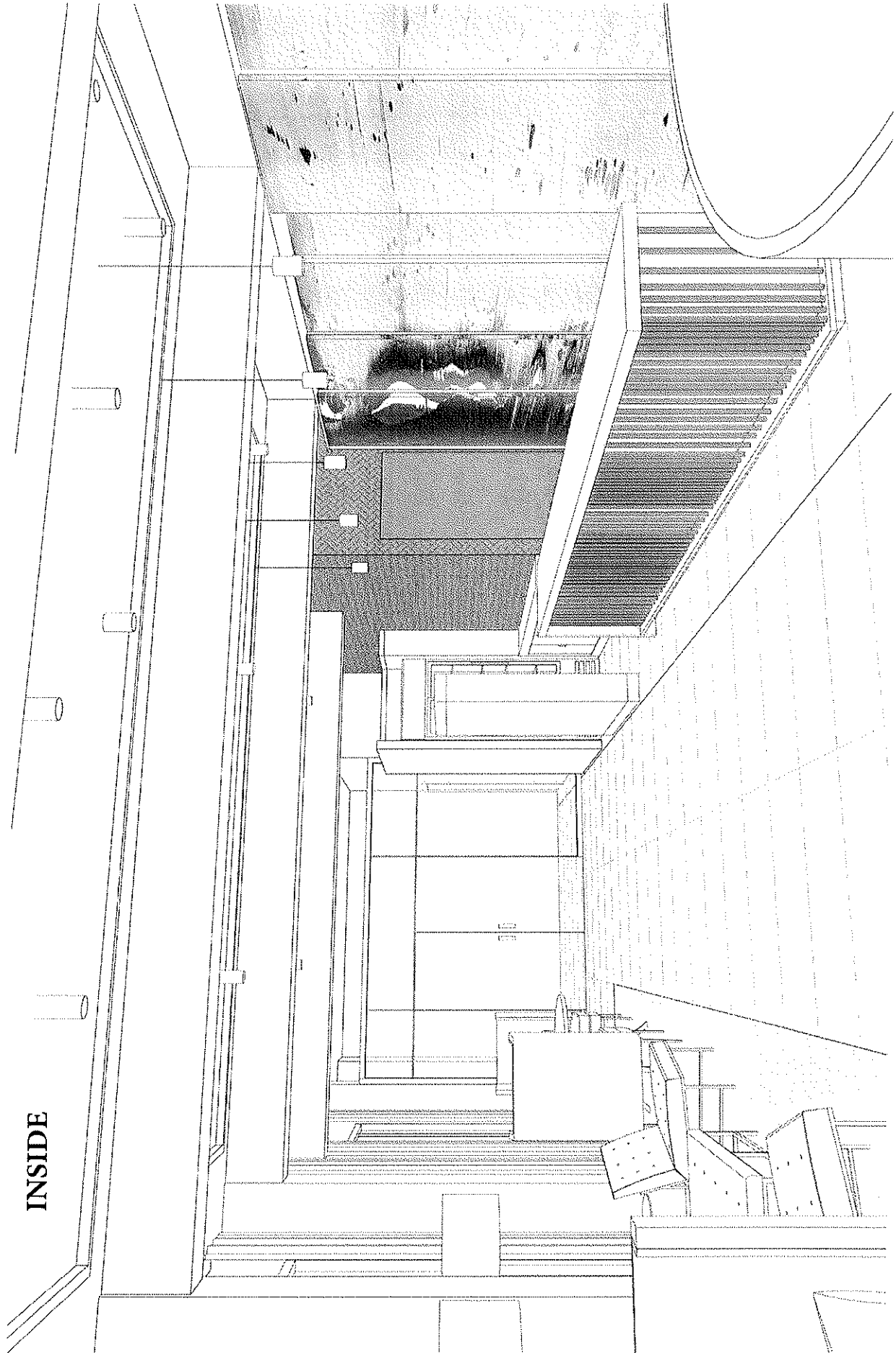




INSIDE

INSIDE





Lobby Bar Menu

Fairfield Inn and Suites by Marriott Central Park

Items:

Jalapeno Cheese Straws

Tri Colori Chips and Salsa

Colossal Shrimp Cocktail

Smoked Trout Crostini with Radish Dill Cream

Mini Crab Cakes with Lemon Mayonnaise

Margareta Flatbread Pizza

Crispy Jalapeno Flatbread Pizza

Blue Cheese bacon Dip

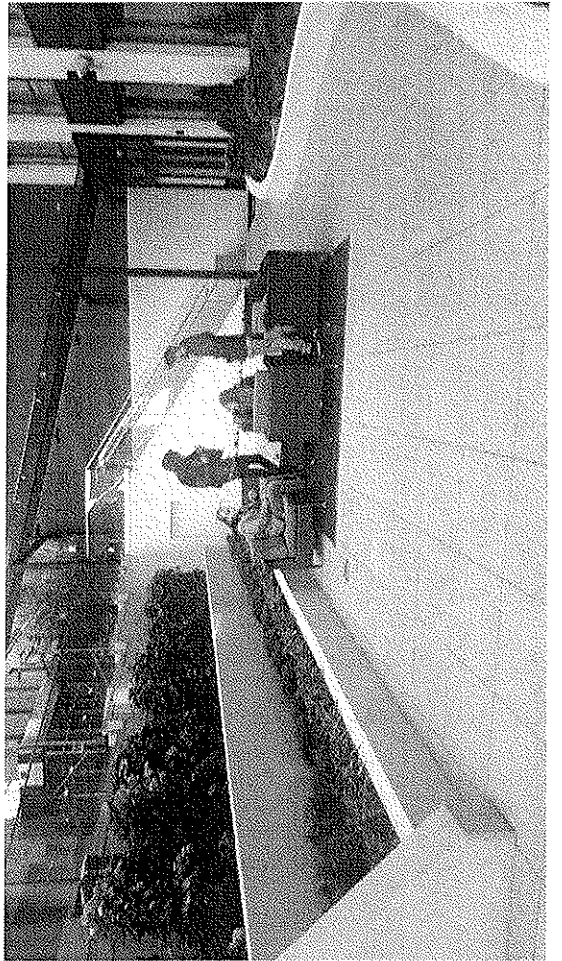
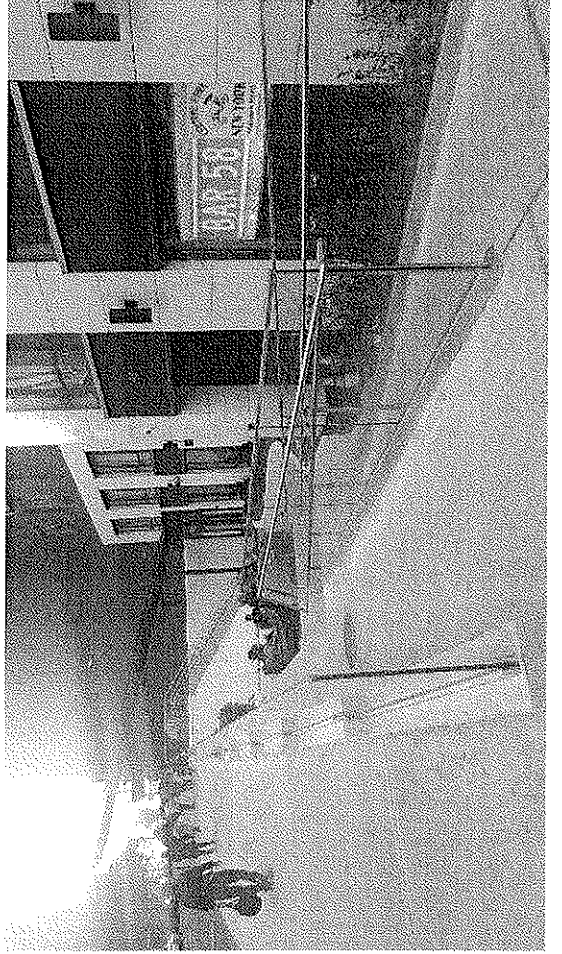
Warm Cranberry Walnut Bree and Chips

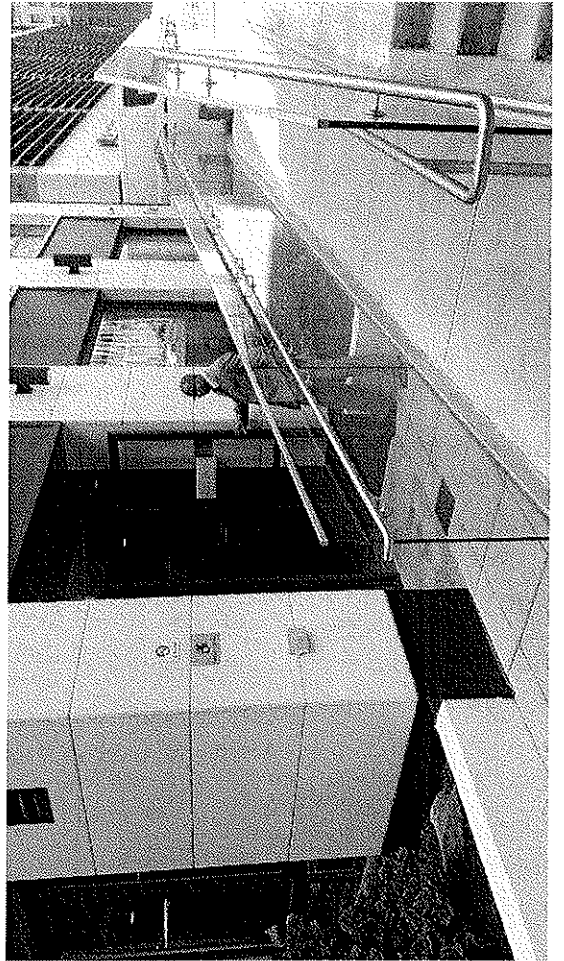
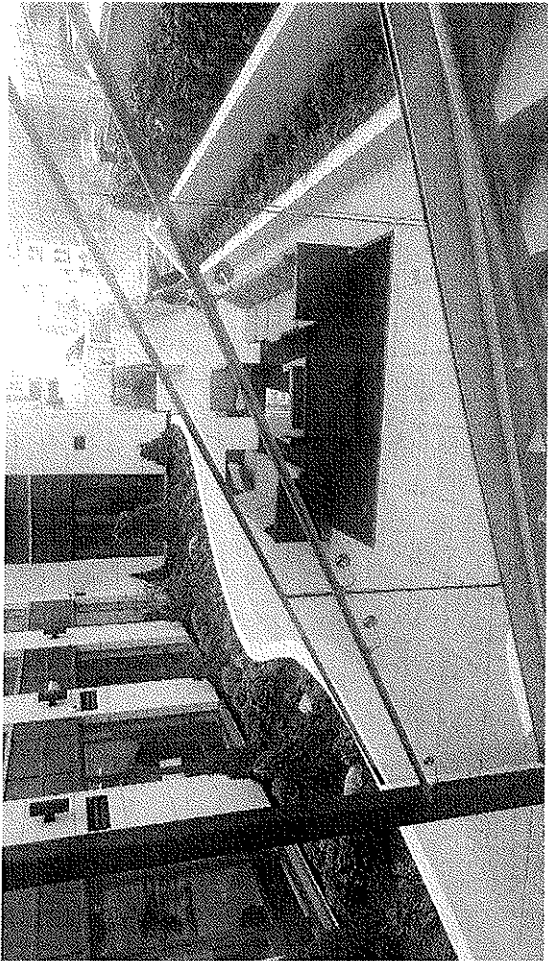
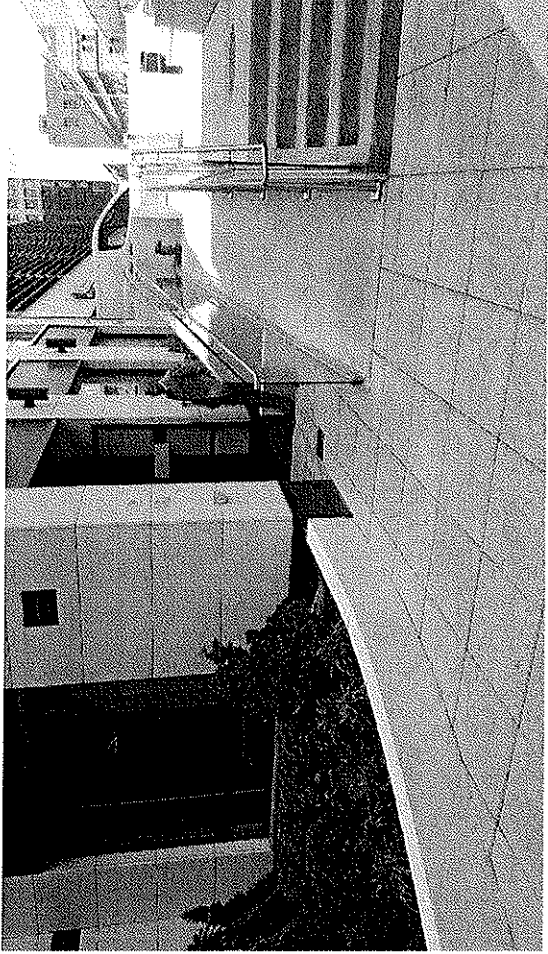
Lump Crab Morany Dip

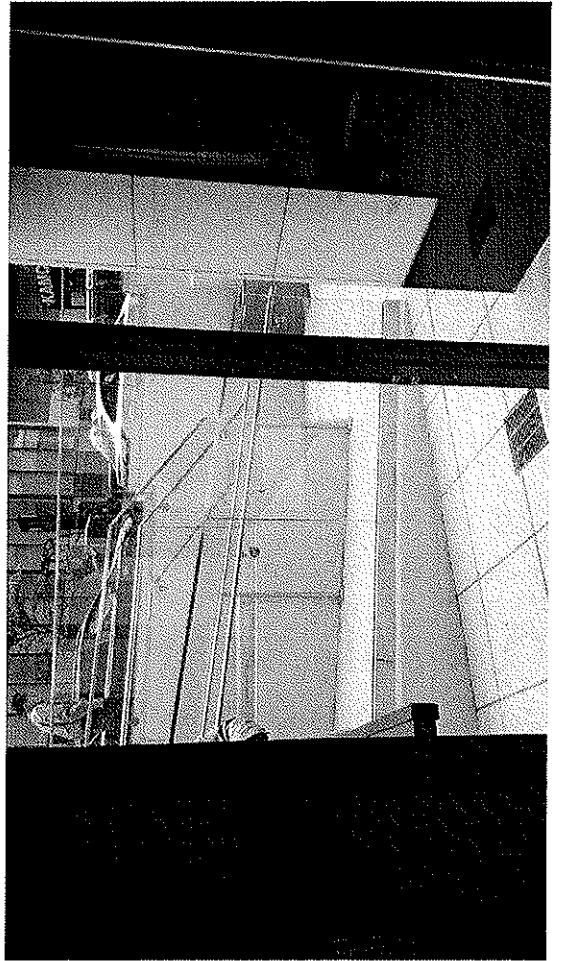
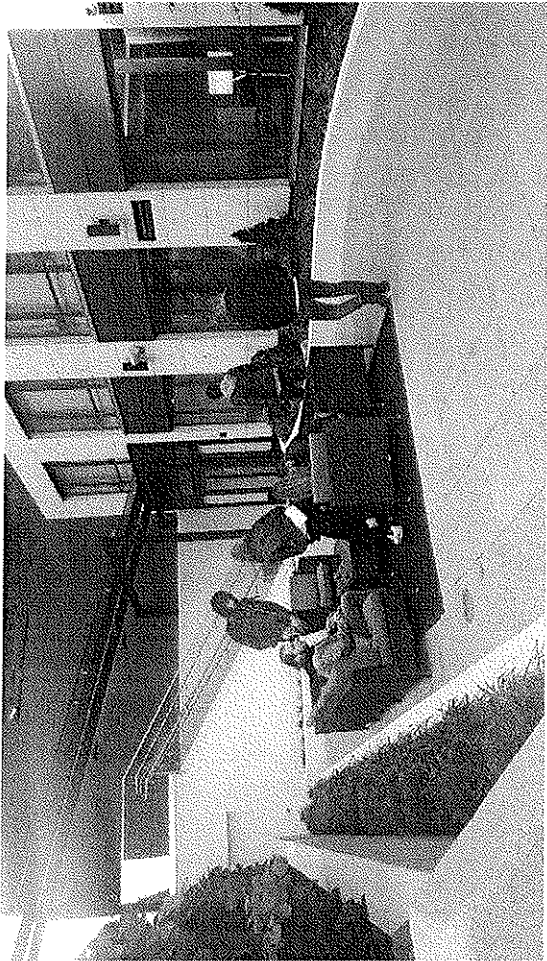
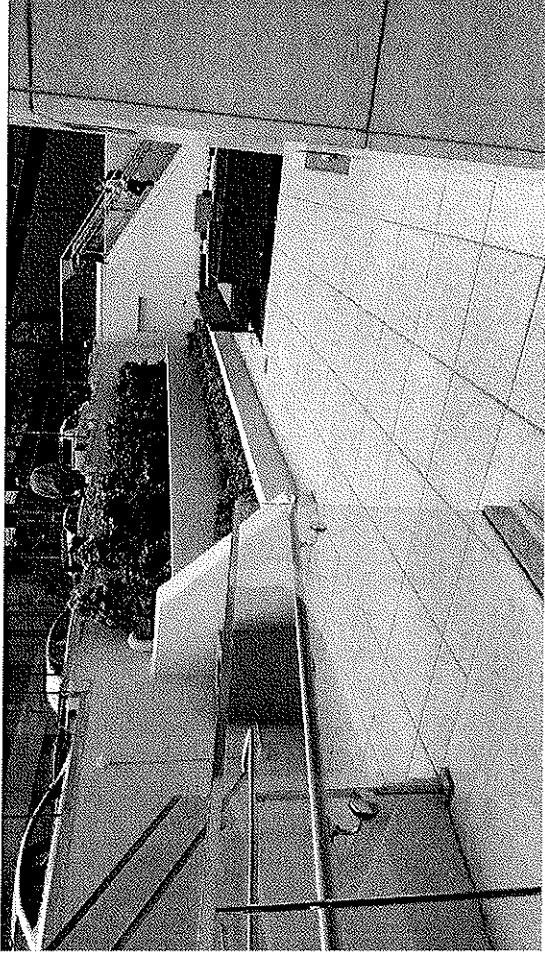
Deviled Potatoes Skins

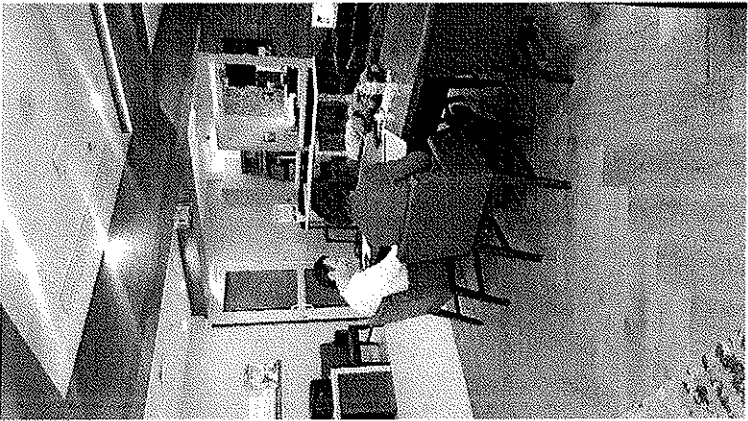
Guacamole Goat Cheese Toasts

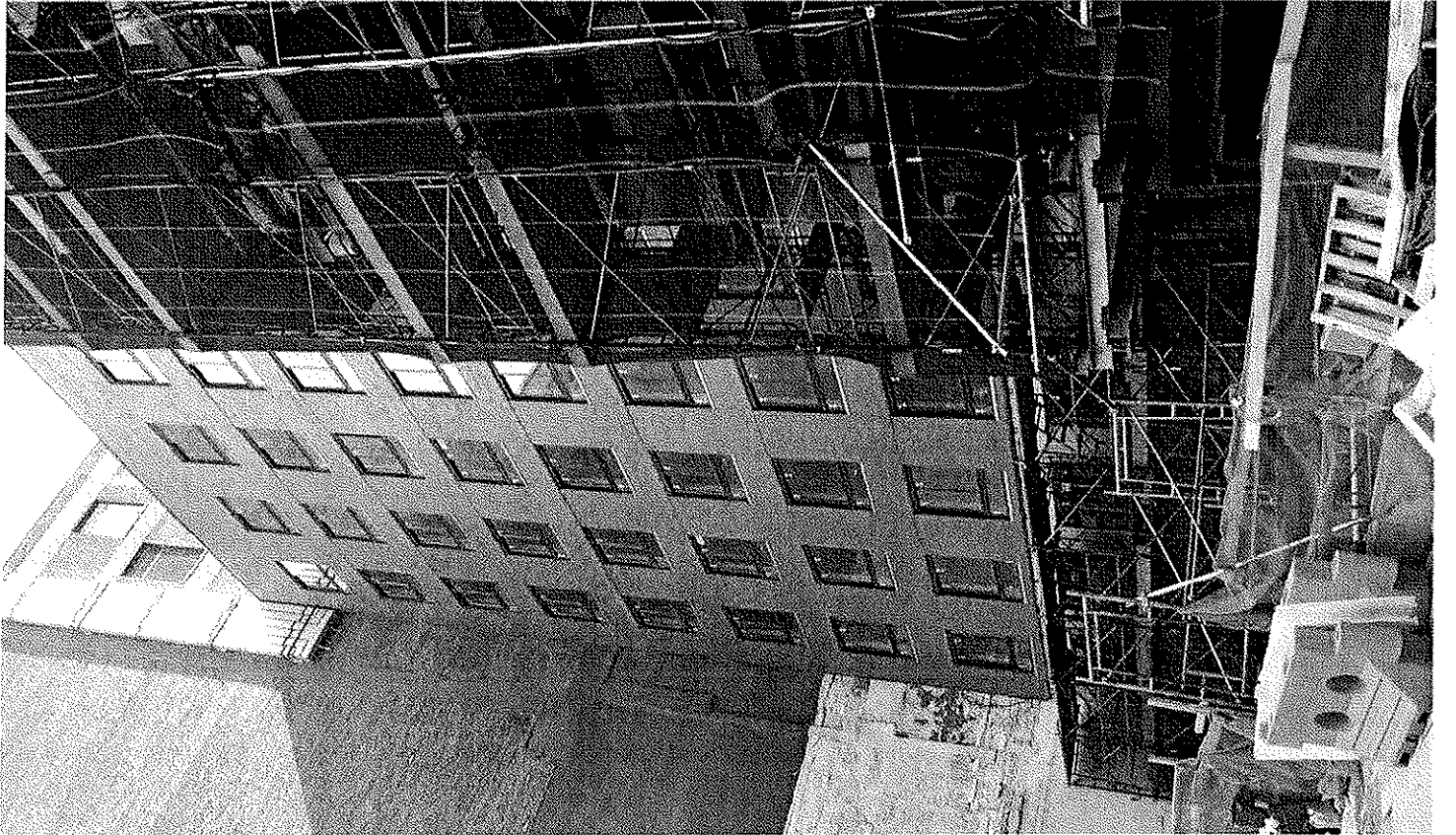
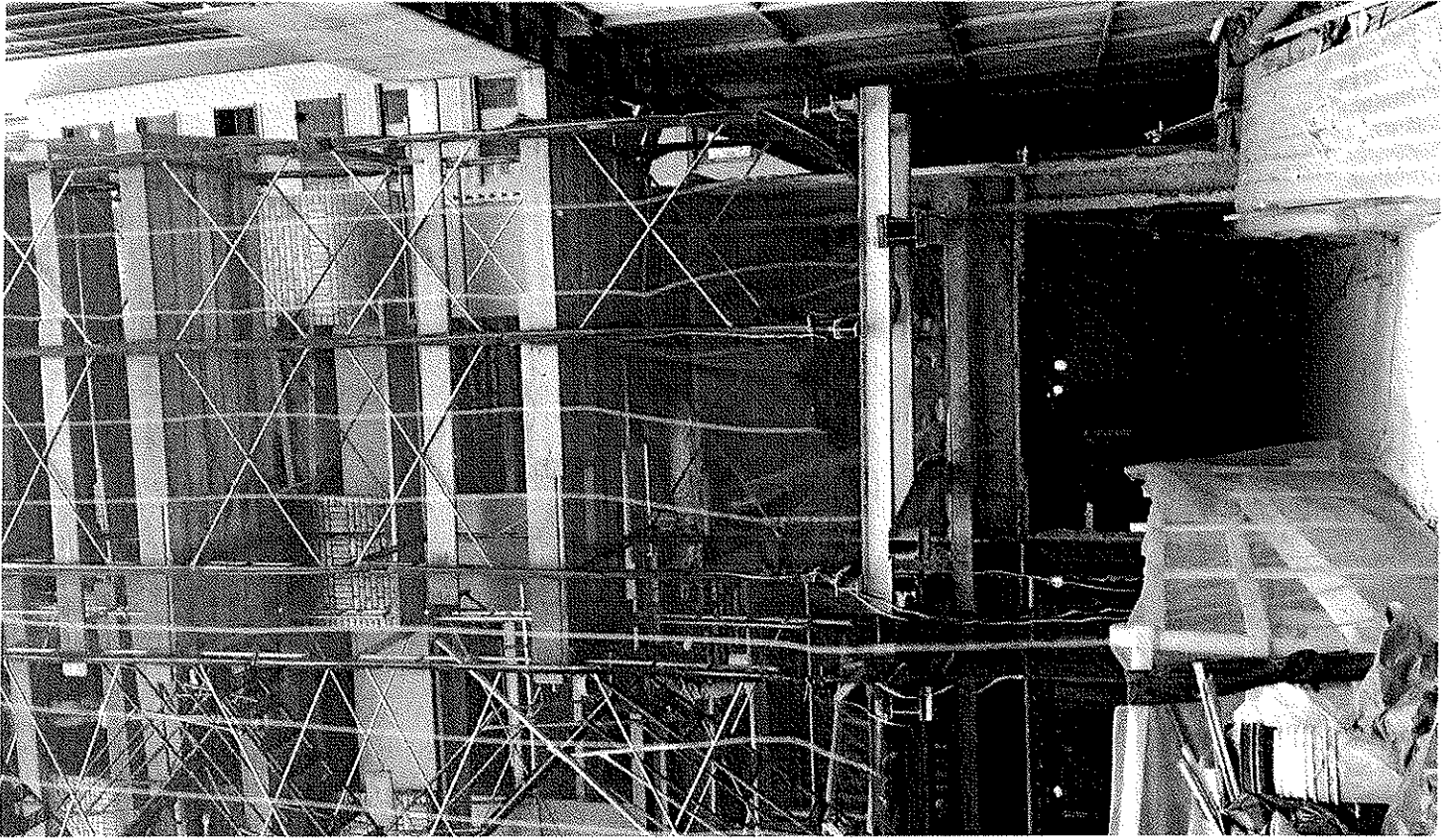
Asparagus Blue Cheese Canapes

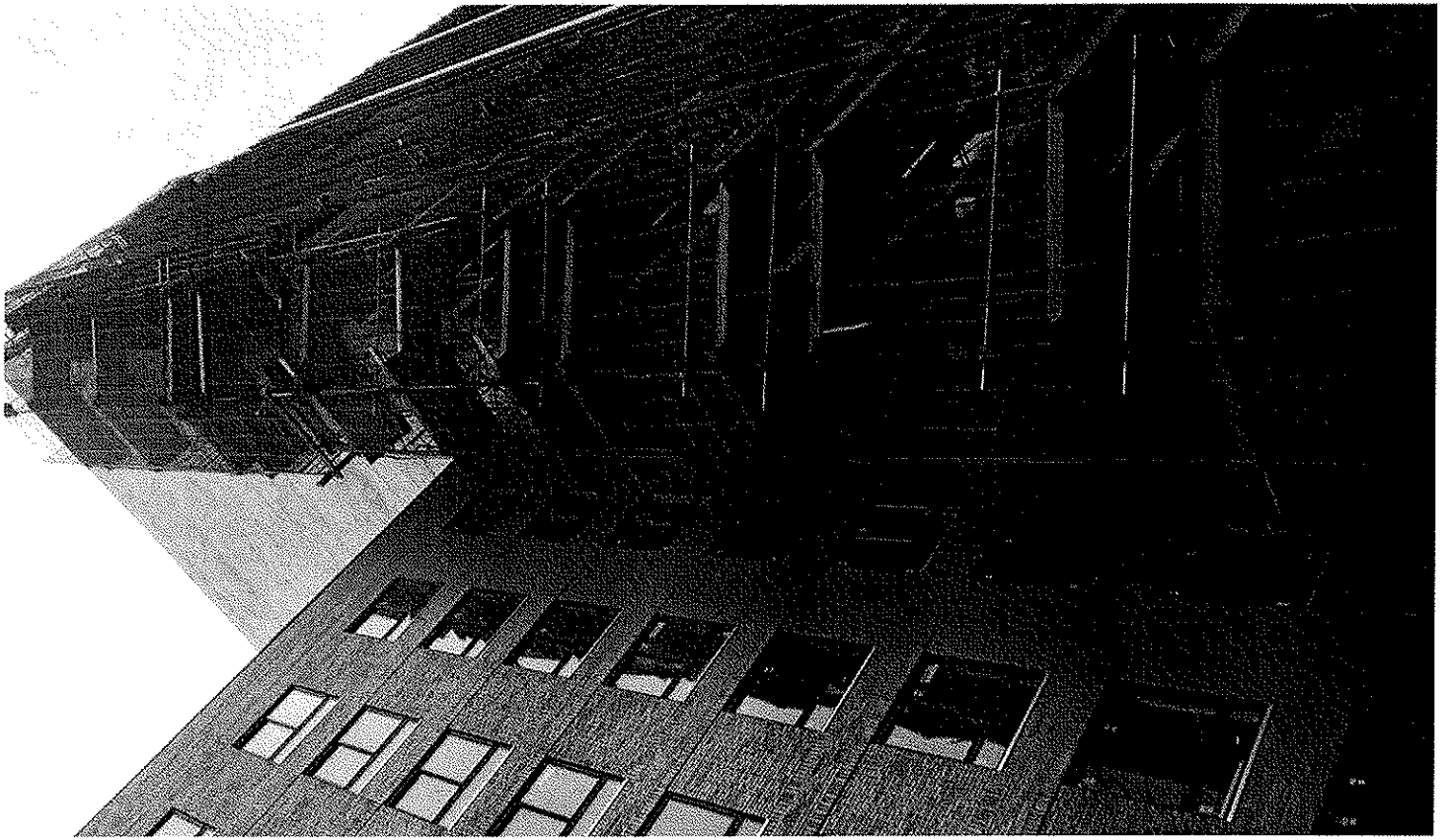












PUBLIC INTEREST STATEMENT

MRT 58 Restaurant LLC
538 W 58th Street
New York, NY

The Fairfield Inn & Suites by Marriott hotel at 538 West 58th Street in New York has helped alleviate the demand for hotel rooms in an area highly popular with both business and leisure travelers. The hotel's offering of a lobby bar serving cocktails and light fare is an essential amenity for the guests staying at the 226 room hotel. This will be one of the first branded franchised hotels in the area that will have to adhere to strict rules and guidelines dictated by the Fairfield Inn & Suites flag.

We are now requesting an alteration of the current license to add an outside patio area on the hotel property. This area will be on hotel property and recessed from the sidewalk.

We are not strangers to the hotel industry and have been very successful.

The applicant hotel will have a bar located in the lobby serving both hotel guests and transient clients with alcoholic beverages, including beer, wine, and cocktails, non-alcoholic beverages and small plates 7 days a week at reasonable hours. Located within walking distance from Columbus Circle, Central Park, and Lincoln Center for the Performing Arts, the hotel expects to have a constant flow of guests checking in and out throughout the day and well into the evenings, regardless of the time of year.

The Fairfield Inn & Suites hotel will be a huge asset to the community by contributing the area's growth and commercial stability. It will promote tour and travel in an area that is undersupplied by guest rooms. It will also provide employment to the local and nearby communities.