

Community Board 4

Liquor License Stipulations Application

(Completed)

310 Group, LLC Lessee / Resorts LLC, operator		DOING BUSINESS AS (DBA) Alize Hotel		
40th Street New York		CROSS STREETS between 8th & 9th Avenues	ZIP CODE 10018	
NAME: PHONE: EMAIL:	310 Group LLC	ATTORNEY/ REPRESENTATIVE	NAME: Frank W Palillo PHONE: (212)227-1640 EMAIL: fwpalillo@gmail.com	
	TBD		LANDLORD	NAME: 310 Group LLC PHONE: (212)832-1117 EMAIL:
	MANAGER			

of all  
 that will  
 be listed  
 on the  
 license

APPLICATION TYPE (Check One)

<input checked="" type="radio"/> New	Has applicant owned or managed a similar business?	<input checked="" type="radio"/> YES	<input type="radio"/> NO
	What is/was the name and address of establishment?	Please See Attached	
	What were the dates applicant was involved with this former premise?		
<input type="radio"/> Transfer	What is the prior license # and expiration date?		
	Is applicant making any alterations or operational changes?	<input type="radio"/> YES	<input type="radio"/> NO
	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:		

METHOD OF OPERATION

TYPE OF ALCOHOL	<input checked="" type="radio"/> Liquor/Wine/Beer	<input type="radio"/> Beer	<input type="radio"/> Wine & Beer
ESTABLISHMENT TYPE	<input checked="" type="radio"/> Restaurant	<input type="radio"/> Cabaret	<input type="radio"/> Night Club
	<input checked="" type="radio"/> Hotel	<input 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 checked="" type="radio"/> NO	July 2017
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="radio"/> YES	<input type="radio"/> 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="radio"/> NO	
Has applicant/owner(s) read MCB4 Policy Regarding Concentration and Location of Alcoholic-Serving Establishments?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	

List of Liquor Licenses

ST	City	Licensee	Property	Status	License Rbr
AL	Birmingham	Crescent Hotels & Resort LLC	Residence Inn Birmingham 621 20th South Birmingham, AL 35205	Active	10137
AL	Birmingham	Crescent Hotels & Resorts LLC	Residence Inn Birmingham 621 20th South Birmingham, AL 35205	Active	1771937
AL	Huntsville	Crescent Hotels & Resorts LLC	Marriott Huntsville 15 Tranquility Base Huntsville, AL 35805	Active	16461545
AL	Huntsville	Crescent Hotels & Resorts LLC	Westin Huntsville 6800 Governors Mnt Huntsville, AL 35806	Active	10625945
CA	Lake Arrowhead	Crescent Hotels & Resorts LLC	Lake Arrowhead Resort & Spa 27984 Hwy 189 Lake Arrowhead, CA 92352	Active	523725
CA	Los Angeles	Crescent Hotels & Resorts LLC	Four Points by Sheraton Los Angeles Int'l Airport 9750 Airport Blvd Los Angeles, CA 90045	Active	540653
FL	Orlando	Crescent Alafaya Trail LLC	Hilton Garden Inn Orlando East 1959 North Alafaya Trail Orlando, FL 32826	Active	BEV5808230
GA	Atlanta	Crescent Hotels & Resorts LLC	Hilton Garden Inn Atlanta Midtown 27 10th St, NW Ste. A Atlanta, GA 30309-3888	Active	169682 A21
GA	Atlanta	Crescent Hotels & Resorts LLC	Hilton Garden Inn Atlanta Midtown 97 10th St, NW Ste. A Atlanta, GA 30309-3888	Active	169682 A20
GA	Atlanta	Crescent Hotels & Resorts LLC	Homewood Suites By Hilton Atlanta 97 10th Street NE Suite B Atlanta, GA 30309	Active	169678 A1H
GA	Atlanta	Crescent Hotels & Resorts LLC	Homewood Suites By Hilton Atlanta 97 10th Street NE Suite B Atlanta, GA 30309	Active	169678 A34
GA	Atlanta	Crescent Hotels & Resorts LLC	Homewood Suites By Hilton Atlanta 97 10th Street NE Suite B Atlanta, GA 30309	Active	169678 A71

ST	City	Licensee	Property	Status	License Nbr
GA	Atlanta	Crescent Hotels & Resorts LLC	Homewood Suites By Hilton Atlanta 97 10th Street NE Suite B Atlanta, GA 30309	Active	169678 A20
GA	Atlanta	Crescent Hotels & Resorts LLC	Homewood Suites By Hilton Atlanta 97 10th Street NE Suite B Atlanta, GA 30309	Active	75464
GA	Atlanta	Crescent Hotels & Resorts LLC	Homewood Suites By Hilton Atlanta 97 10th Street NE Suite B Atlanta, GA 30309	Active	76457
GA	Atlanta	Crescent Hotels & Resorts LLC	Homewood Suites By Hilton Atlanta 97 10th Street NE Suite B Atlanta, GA 30309	Active	76240
GA	Atlanta	Crescent Hotels & Resorts LLC	Homewood Suites By Hilton Atlanta 97 10th Street NE Suite B Atlanta, GA 30309	Active	76259
GA	Atlanta	Crescent Hotels & Resorts LLC	Hilton Garden Inn Atlanta Midtown 97 10th St. NW Ste. A Atlanta, GA 30309-3888	Active	169682 A34
GA	Atlanta	Crescent Hotels & Resorts LLC	Hilton Garden Inn Atlanta Midtown 97 10th St. NW Ste. A Atlanta, GA 30309-3888	Active	76245
GA	Atlanta	Crescent Hotels & Resorts LLC	Hilton Garden Inn Atlanta Midtown 97 10th St. NW Ste. A Atlanta, GA 30309-3888	Active	76452
GA	Atlanta	Crescent Hotels & Resorts LLC	Hilton Garden Inn Atlanta Midtown 97 10th St. NW Ste. A Atlanta, GA 30309-3888	Active	75380
MD	Rockville	Crescent Hotels & Resorts LLC	Camaria Hotel & Suites Rockville 1 Helen Heneghan Way Rockville, MD 20850	Active	BBWLHM204420
MI	Detroit	Crescent Hotels & Resorts LLC	Hilton Garden Inn Detroit Downtown 351 Gratiot Ave Detroit, MI 48226	Active	224176-2016
MI	Livonia	Crescent Hotels & Resorts LLC	Marriott Livonia 17160 Laurel Park Livonia, MI 48152	Active	175617
MO	Bridgeton	Crescent Hotel & resorts LLC	Crowne Plaza St. Louis Airport 11226 Lone Eagle Drive Bridgeton, MO 63044-2739	Active	202052, 202053

ST	City	Licensee	Property	Status	License Nbr
VA	Chantilly	Crescent Hotels & Resorts LLC	Chantilly Wingate Inn 3940 Centerview Drive Chantilly, VA 20151-3216	Active	85180

**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							
	Kitchen	<b>SEE ATTACHED</b>						
	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
<b>INSIDE</b>							
<b>OUTSIDE</b> <i>(Other than sidewalk café )</i>	<b>SEE ATTACHED</b>						
<b>SIDEWALK CAFÉ</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>			

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

42; Varies per floor

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

once or twice 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

Possibly TBD

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

Not yet prepared

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

Where will delivery bicycles be stored during the day when not in use?

### Hours of Operation

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Lobby bar	6am-2am	6am-2am	6am-2am	6am-4am	6am-4am	6am-4am	6am-4am
40th floor	6 am-2am	6am-2am	6am-2am	6 am-4am	6 am-4 am	6 am-4am	6 am-4am
41st floor	6 am-2am	6am-2am	6am-2am	6 am-4 am	6 am-4 am	6 am-4 am	6 am-4 am
lobby restaurant	6am-2am	6am-2am	6am-2am	6 am-4 am	6 am-4 am	6 am-4 am	6 am-4 am

### Occupancy

Max Number of ppl- estimated with staff	number of <i>tables lobby</i>	Number of <i>seats tables</i>	service bar	stand up bar	# of seats at stand up bar	
Lobby bar	32	0	<del>55</del> 0	10*	6*	6
40th floor	148	39	<del>85</del> 0	10*	10*	10
41st floor	149	21	<del>54</del> 0	10*	14	4 + 7 at kitchen counter
Lobby Restaurant	117	30	<del>55</del> 0	0	0	

## LOCATION & ZONING

Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	Hudsons Yards
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input type="radio"/> YES	<input type="radio"/> NO	Pending
Is a Public Assembly permit required?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Are your plans filed with DOB?	<input checked="" type="radio"/> YES	<input 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	All Block Associations provided by CB4
	# 2	
	# 3	
	# 4	
	# 5	
Please provide dates when applicant met with the groups listed above.		<i>in process</i>
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 <input type="radio"/> 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 <input type="radio"/> NO

<b>BUILDING DESIGN</b>			
State the name and type of business previously located in the space.	construction site		
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.	YES	<input checked="" type="radio"/> NO	
Do you plan any changes to the existing façade? If yes, please describe.	YES	NO	N/A
Will applicant have a vestibule within the establishment?	<input checked="" type="radio"/> YES	NO	
Will applicant use a storm enclosure?	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?	YES	<input checked="" type="radio"/> NO	
Will applicant comply with the NYC noise code?	<input checked="" type="radio"/> YES	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="radio"/> YES	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	NO	
Has applicant obtained an acoustical report from a certified sound engineer to assess potential noise disturbance to the neighboring residents and buildings?	<input checked="" type="radio"/> YES	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	NO	
Will the kitchen exhaust system extend to the roof?	<input checked="" type="radio"/> YES	NO	
Will the establishment have an illuminated sign?	YES	<input checked="" type="radio"/> NO	
Will the establishment have a canopy extending over the sidewalk?	<input checked="" type="radio"/> YES	NO	
Where will the air conditioner be located? What type is it?	second & third floor mechanical rooms		
When was the air conditioner installed?	not installed yet		



**OUTDOOR ITEMS - OTHER THEN SIDEWALK CAFÉ**

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

## 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 checked="" type="radio"/> YES	<input type="radio"/> NO	not at the present time
Is applicant in this application seeking to include a sidewalk café in its liquor license?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	
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 cafe?	<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)**

- Lobby Restaurant:

Hours of Operation: 6a.m. – 2a.m. Monday-Wednesday, 6a.m.-4a.m. Thursday-Sunday;  
Tables: 30/Seats: 117; Service Bar: 0; Stand-Up Bar: 0.

Lobby Bar:

Hours of Operation: 6a.m. – 2a.m. Monday-Wednesday, 6a.m.-4a.m. Thursday-Sunday  
Tables: 0/Seats: 32; Service Bar: 0; Stand-Up Bar: 1 with 6 seats.

40th Floor:

Hours of Operation: 6a.m. – 2a.m. Monday-Wednesday, 6a.m.-4a.m. Thursday-Sunday;  
Tables: 39/Seats: 148; Service Bar: 0; Stand-Up Bar: 1 with 10 seats.

41st Floor:

Hours of Operation: 6a.m. – 2a.m. Monday-Wednesday, 6a.m.-4a.m. Thursday-Sunday  
Tables: 21/Seats: 149; Service Bar: 0; Stand-Up Bar: 1 with 4 seats plus 7 at kitchen counter.

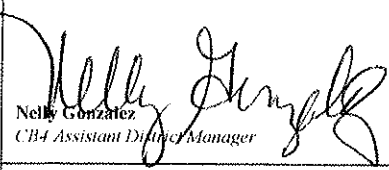
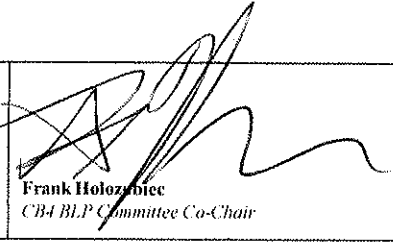
- Doors to both outdoor terraces on the 40th Floor and both outdoor terraces on the 41st floor will be closed and terrace vacated no later than 2a.m. Sunday-Wednesday and 4a.m. Thursday-Saturday
- All recommendations of acoustilog report dated 6/28/17 will be implemented
- Whenever doors to outdoor terraces on 40th & 41st floors are open, all sound will be limited to 85 decibels or less

***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
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CB4 REPRESENTATIVES		
 Nelly Gonzalez <i>CB4 Assistant Director/Manager</i>	 Frank Holozobic <i>CB4 BLP Committee Co-Chair</i>	Burt Lazarin <i>CB4 BLP Committee Co-Chair</i>

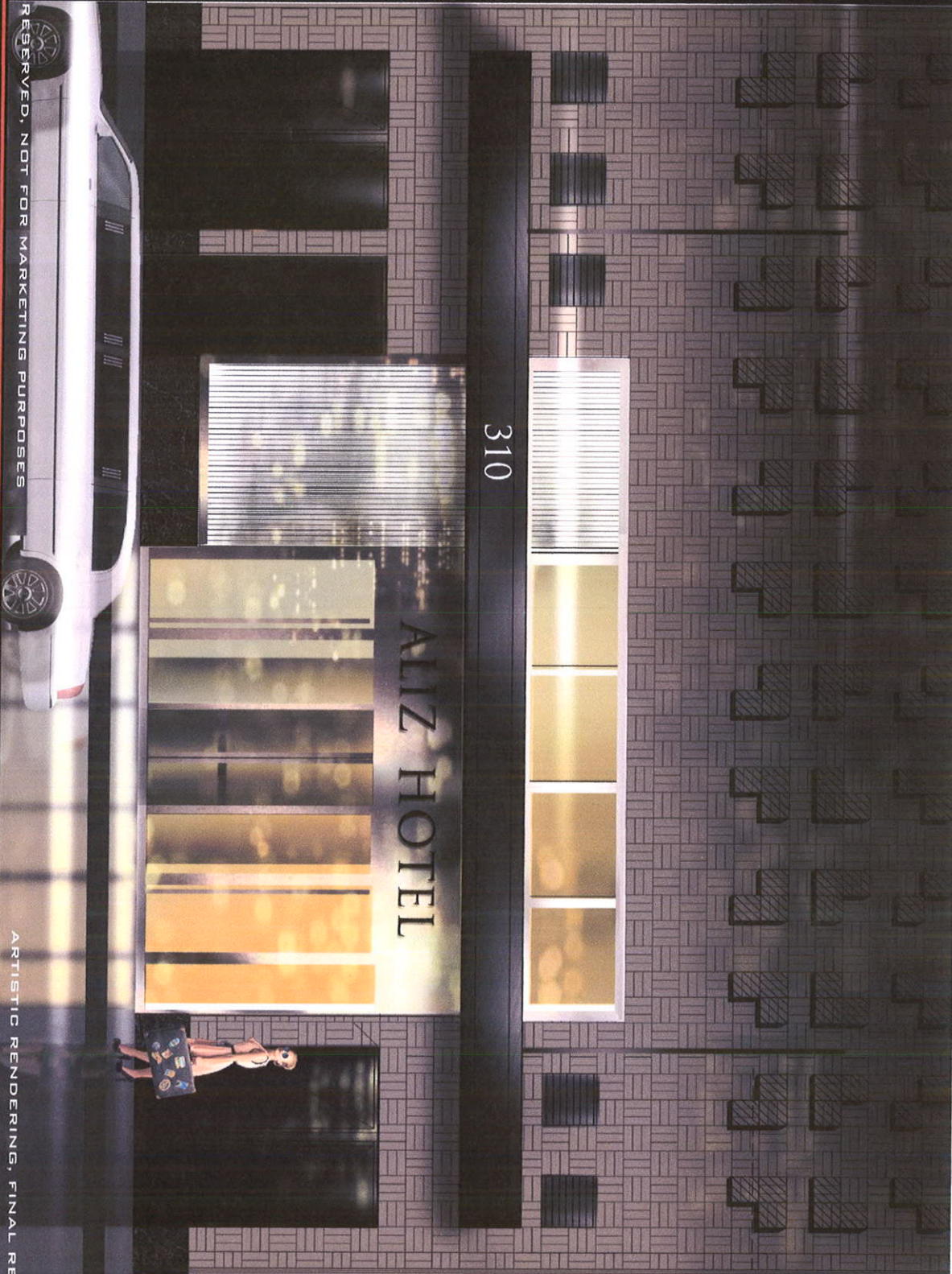
**APPLICANT AGREEMENT WITH THE COMMUNITY**

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.

SIGN HERE →	Frank Pelillo, Attorney for applicant PRINT NAME OF APPLICANT	 SIGNATURE OF APPLICANT	6-29-17 DATE
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ERAN NOY  7/11/17

# ALIZ HOTEL - 310 W 40th STREET



ALL RIGHTS RESERVED, NOT FOR MARKETING PURPOSES

ARTISTIC RENDERING, FINAL RESULT MAY VARY



ALIZ HOTEL - 310 W 40TH STREET  
MAIN ENTRANCE  
APRIL 7TH, 2017





# ALIZ HOTEL - 310 W 40th STREET

ALL RIGHTS RESERVED. NOT FOR MARKETING PURPOSES



ARTISTIC RENDERING, FINAL RESULT MAY VARY

ALIZ HOTEL - 310 W 40TH STREET

LOBBY

APRIL 7TH, 2017



ESCOBAR  
CONSTRUCTION

by Lemay

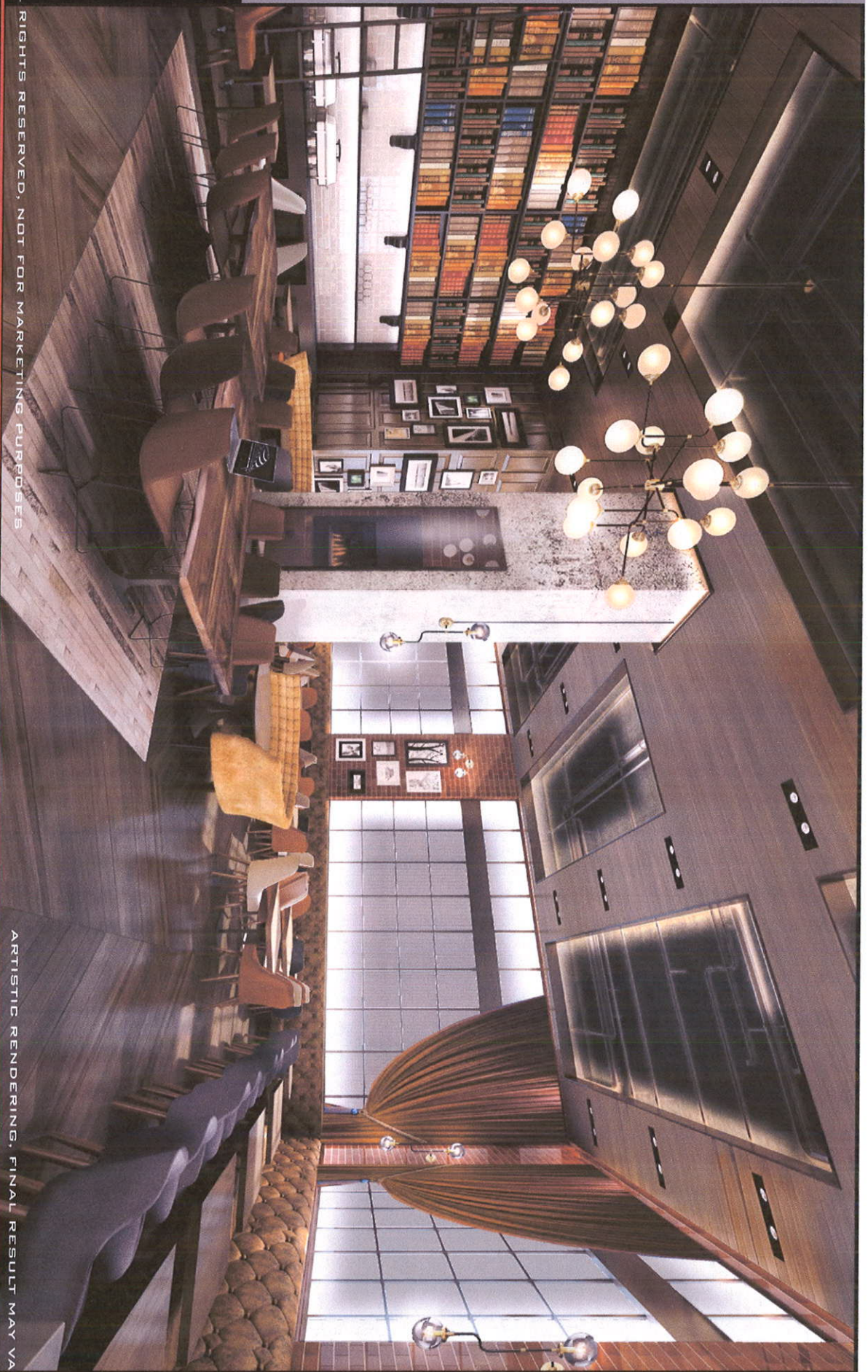


Hotel Management Inc.





# ALIZ HOTEL - 310 W 40th STREET

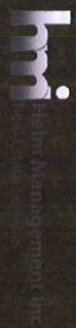


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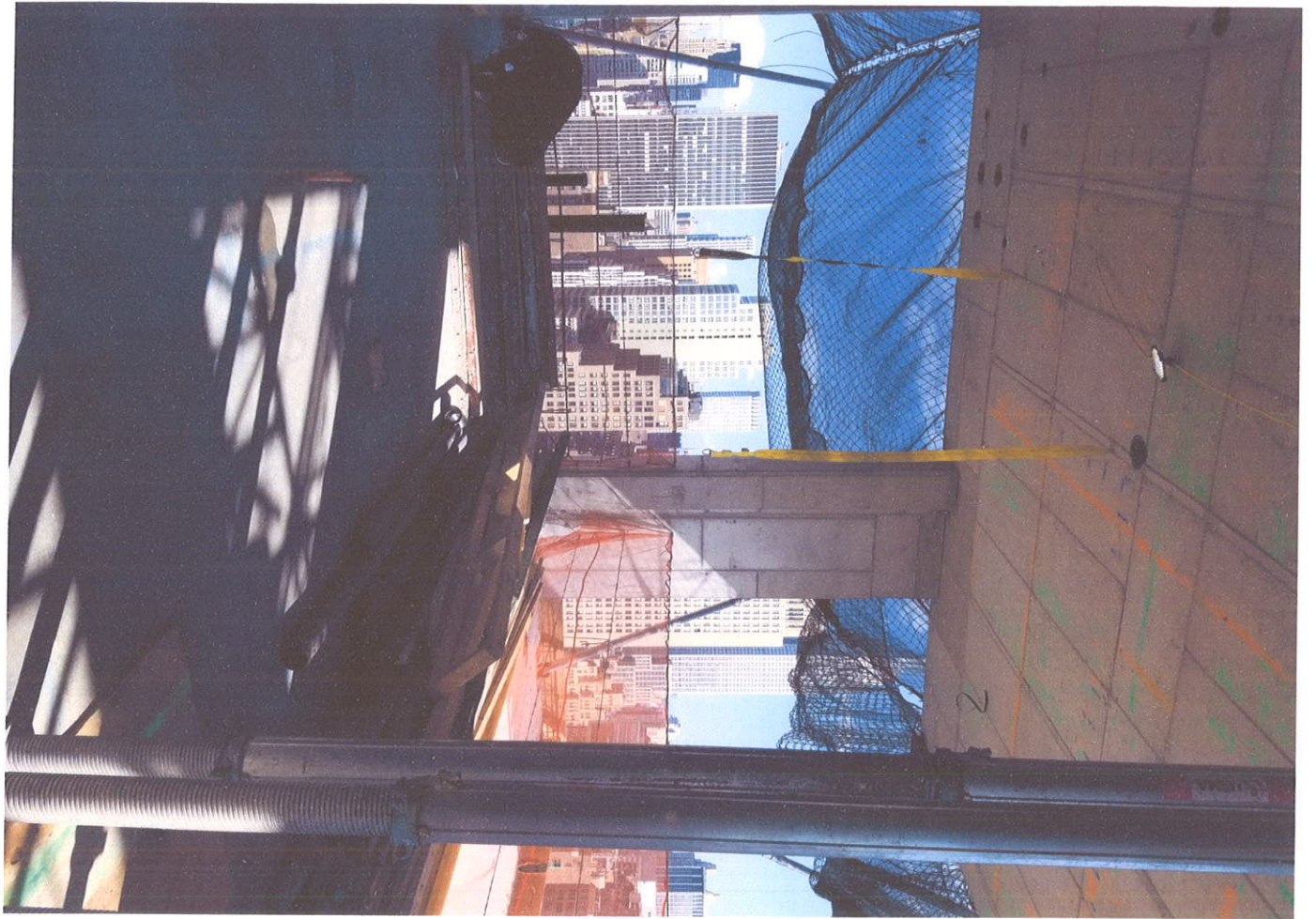


ALIZ HOTEL - 310 W 40TH STREET  
GROUND FLOOR LOUNGE  
APRIL 7TH, 2017





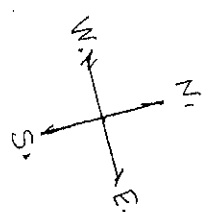








AREA SURVEY: DIAGRAM #1  
 310 W. 40th STREET  
 NEW YORK, N.Y.  
 JULY 29, 2015:  
 -NOT TO SCALE-



PORT AUTHORITY BUS TERMINAL  
 BUILDING

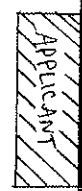
WEST 41st STREET - (UNDER BUILDING)

- LIVOR LICENSES IN PORT AUTHORITY BUILDING:
- McANN'S: Full Lic. # 1128493
  - VILLAGE PIZZA RESTAURANT WINE LICENSE
  - \* 42nd GREEN TREE FOOD: EAT PLACE BEER LICENSE
  - LEISURE TIME BOWL: Full Lic. # 1147503
  - MUNCHY GOV'MENT MARKET: RESTAURANT WINE LICENSE
  - DELI PLUS RESTAURANT WINE LICENSE

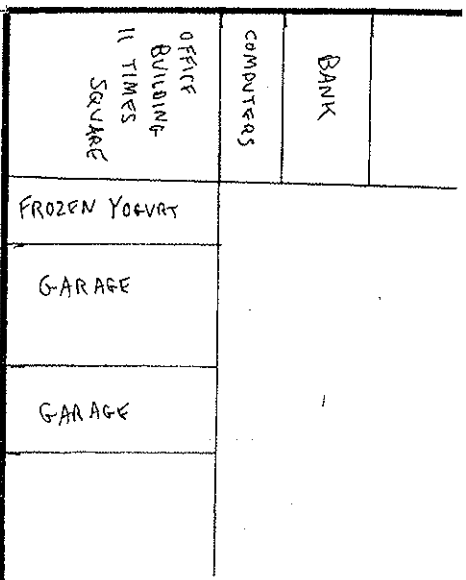
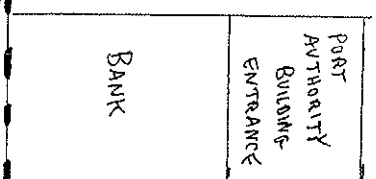
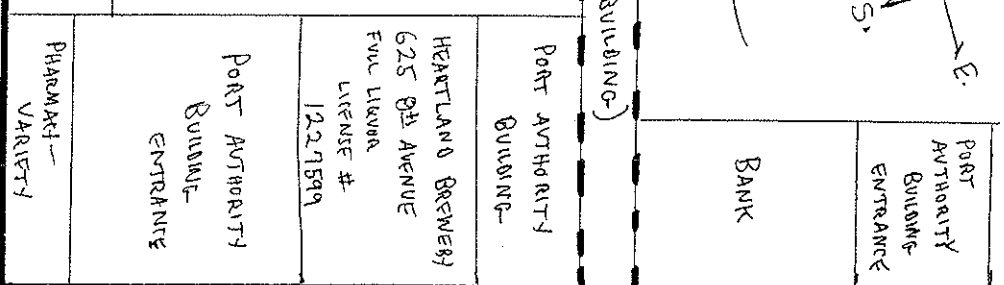
PORT AUTHORITY BUILDING - PARKING - GARAGE

577'

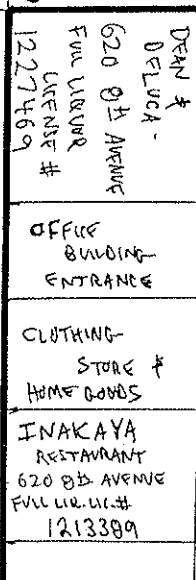
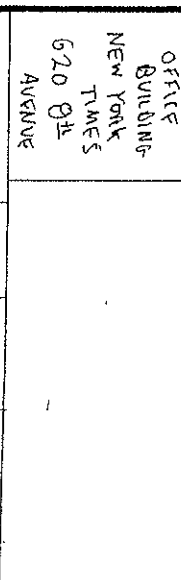
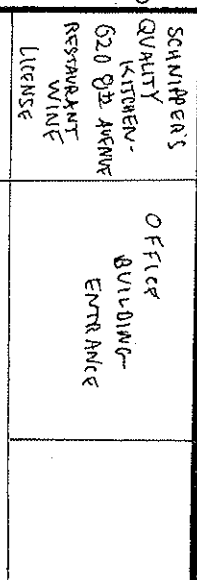
WEST 40th STREET



SEE DIAGRAM # 2



WEST 41st STREET



633'

WEST 40th STREET

9th AVENUE

- 9th AVENUE -

331 W. 38th Street  
Full liquor license # 119771

CARBONE RESTAURANTE

AREA SURVEY: DIAGRAM # 2  
310 W. 40th STREET  
NEW YORK, N.Y. JULY 29, 2015  
NOT TO SCALE.

WEST 38th Street

YARD

R/OA-OFFICE-SERVICE-COMMERCIAL SPACE

BUILDING SERVICE ENTRANCE

COMMERCIAL BUILDING

RESIDENTIAL BUILDING

BUILDING ENTRANCE PUBLIC PARKING GARAGE BUILDING SERVICE ENTRANCE

GROCERY

BUILDING ENTRANCE

CAFE MOFONKO (NO ALCOHOL)

SNAPS-GROOMISTS

ATA SUSHI-CAFE RESTAURANT WINE LICENSE SHARAN DR. EAST PLACE BEER LICENSE

BUILDING ENTRANCE

REPAIR GARAGE ENVIRONMENTAL TESTING SCAFFLE UNDER CONSTRUCTION

HAIR SALON

CLOTHING STORE

SEWING MACHINES UNDER CONSTRUCTION

PENDING LIQUOR LICENSE # 1285744

HAIR-SHOES-CLOTHING

OFFICE BUILDING ENTRANCE

VALUET 38th ST RESTAURANT WINE LIC.

WEST 39th Street

RESIDENTIAL BUILDING

ELECTRICAL SUPPLY CO.

HOLIDAY INN EXPRESS-HOTEL

CANDLEWOOD SUITES-HOTEL

HAMPTON INN HOTEL

COMERCIAL BUILDING

STUDIO COMMERCIAL SPACE

OFFICE BUILDING-ENTRANCE

COFFEE & TEA

COMMERCIAL SPACE

FIGHT-SERVICE ENTRANCE

COMMERCIAL OFFICES

BUILDING ENTRANCE

FIGHT ENTRANCE

CHOCOLATES

OFFICE BUILDING ENTRANCE

TIR NA NOG-GAIL & JAGH PUB-315 W 39th ST  
Full liq. lic. # 1260730

BUILDING ENTRANCE

GARAGE

ELEMENT-HOTEL  
311 W. 39th STREET  
HOTEL WINE LICENSE

RIN CONCITO MEXICANO CAFE

COMFORT INN HOTEL

ESCUELITA-NIGHT CLUB  
301 W. 39th STREET  
Full liq. lic. # 1026142

CLOSED BANK

DELI

BURGERS-FOOD SHOP

GIFTS-UNIFORMS

BAKERY-FOOD

SHOES & FOOTWEAR

GIFTS-VARIETY

PIZZA

SIBERIA SOUTH  
356 W. 40th STREET  
Full liquor license # 1105042

RESIDENTIAL ENTRANCE

UNDER CONSTRUCTION

DISTRIKT HOTEL  
342 W. 40th STREET  
HOTEL LIQUOR LICENSE # 1224867

BUILDING ENTRANCE

STAYBRIDGE SUITES  
334-340 W. 40th STREET  
Full liq. lic. # 1235333 & BAR 40-  
Full liq. lic. # 1251533

GARAGE

FAIRFIELD INN & SUITES  
330 W 40th STREET  
HOTEL LIQ. LIC. # 1223090 & SKY BAR  
Full liq. lic. # 1229500

FOUR POINTS-BY SHERATON-HOTEL  
326 W 40th STREET  
Full liq. lic. # 1253729

GARAGE

N.Y.S. DEPT OF CORRECTIONS & COMMUNITY SUPERVISION 314 W 40

APPLICANT

INFO UNAVAILABLE

WENG'S PALACE-CAFE (NO ALCOHOL)

ATHENS WINES & LIQUORS- LIQUOR STORE

SERVICE ENTRANCE

BANK EMPLOYEE ENTRANCE

BEER AUTHORITY BAR 613 85th AVE  
Full liq. lic. # 1261533

BANK

571'

SEE DIAGRAM # 1

WEST 40th STREET

316'

- 9th AVENUE -

FOOD SHOP

LIQUOR STORE

SALE 8th AVENUE

VIDEO

CHECK CASHING-BILL EXCHANGE

CELL PHONES & REPAIR

BUILDING ENTRANCE

GIFTS-WEAVERS

NEWS STAND

GRACE CAFE  
572 9th AVENUE  
RESTAURANT WINE LICENSE  
WORK TO WALK-CAFE (NO ALCOHOL)

SHOE SHINE & REPAIR

BARBER SHOP

BUILDING ENTRANCE

FABRICS & CLOTHING

CLOTHING STORE

PERFUMES

HUMMUS-PIZZA-FOOD SHOP

GIFTS-WEAVERS

UNDER CONSTRUCTION

STORE FOR RENT

CELL PHONES & COMPUTERS

PAWN SHOP

FOOD COURT

NUTRITION STORE

COFFEE BAR

BUILDING ENTRANCE

FIGHT ENTRANCE

FABRICS

FABRICS

GROCERY STORE

PIZZA

TRAVELERS HOTEL

PICCOLO CAFE (NO ALCOHOL)

THREADING-DAY & SPA

SERVICE ENTRANCE

OFFICE BUILDING ENTRANCE

GELATO-COFFEE-TEA

TELECOM CAFE (NO ALCOHOL)

BUILDING UNDER CONSTRUCTION

BOOK SHOP

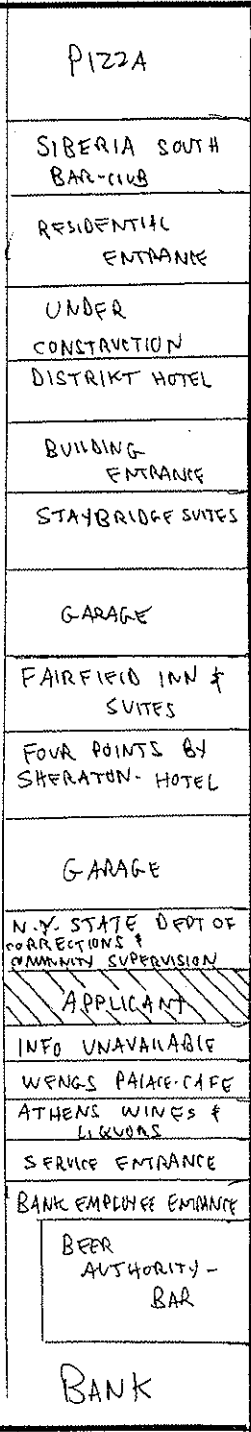
BUILDING-ENTRANCE

BUILDING ENTRANCE

SERVICE ENTRANCE

633'

— 9<sup>th</sup> AVENUE —

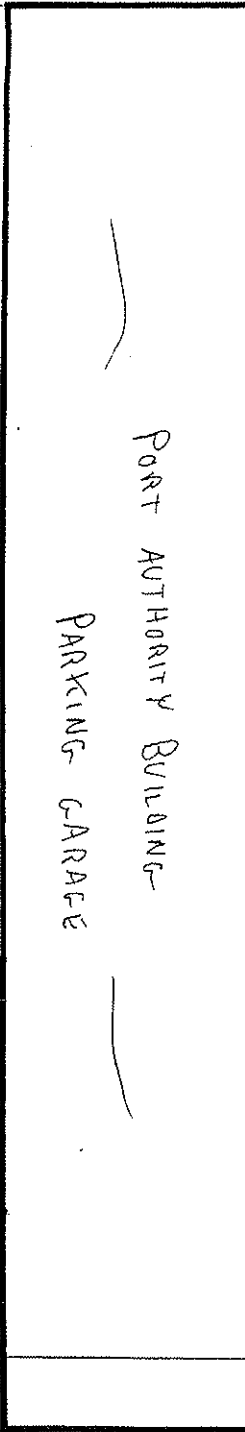
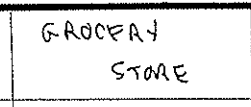


517'

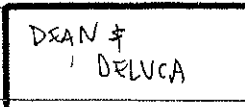
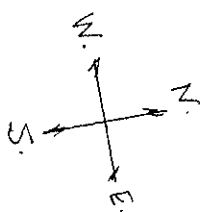
— WEST 40<sup>th</sup> STREET —

316'

— 8<sup>th</sup> AVENUE —



Block Plot Diagram  
310 West 40<sup>th</sup> Street  
New York, N.Y.  
July 29, 2015  
- NOT TO SCALE -



(1)

LOCATIONS WITH FULL ON PREMISES  
LIQUOR LICENSES LOCATED WITHIN  
500 FEET OF 310 WEST 40<sup>th</sup> STREET  
NEW YORK, N.Y.

---

(1)

BEER AUTHORITY: # 1261533  
613 8<sup>th</sup> AVENUE  
155 FEET FROM APPLICANT

---

(2)

FOUR POINTS BY SHERATON HOTEL: # 1253929  
326 W. 40<sup>th</sup> STREET  
195 FEET FROM APPLICANT

---

(3)

FAIRFIELD INN & SUITES

HOTEL LIQUOR LICENSE # 1223090

\*

(4)

\* FULL LIQUOR LICENSE # 1229588

330 WEST 40<sup>th</sup> STREET

250 FEET FROM APPLICANT

---

(5)

STAYBRIDGE SUITES: # 1235333

\* BAR 40: # 1251533

334-340 W. 40<sup>th</sup> STREET

320 FEET FROM APPLICANT

---

(6)

(7)

DISTRIKT HOTEL: HOTEL LIQUOR LICENSE # 1224867

342 W. 40<sup>th</sup> STREET

390 FEET FROM APPLICANT

---

(2)

(8) SIBERIA SOUTH: # 1105842  
356 W. 40<sup>th</sup> STREET  
500 FEET FROM APPLICANT

---

(9) TIR NA NOG - GRILL & IRISH PUB: # 1260730  
315 W. 39<sup>th</sup> STREET  
212 FEET FROM APPLICANT

---

(10) ESCUELITA - NIGHTCLUB: # 1026142  
301 W. 39<sup>th</sup> STREET  
236 FEET FROM APPLICANT

---

(11) CARBONE RISTORANTE: # 1197771  
331 WEST 38<sup>th</sup> STREET  
496 FEET FROM APPLICANT

---

(12) HEARTLAND BREWERY: # 1227599  
625 8<sup>th</sup> AVENUE  
439 FEET FROM APPLICANT

---

(13) DEAN & DELUCA: # 1227469  
620 8<sup>th</sup> AVENUE  
318 FEET FROM APPLICANT

---



(3)

LOCATIONS WITH  
FULL ON PREMISES LIQUOR LICENSES  
LOCATED IN PORT AUTHORITY BUILDING:

---

(14)

McANNS : # 1128493

---

(15)

LEISURE TIME BOWL : # 1147503

---

Interior Designer:



Jacob Goldman Design  
89 Techno Place  
Brooklyn, NY 11235

718.233.1142  
info@jacobgoldmandesign.com  
www.jacobgoldmandesign.com

Client:

Helm Management Group  
336 E. 59th Street  
New York, NY 10022

Project:

310 W. 40th Street  
New York, NY

CD SET

Notes:

All dimensions to be verified on site.

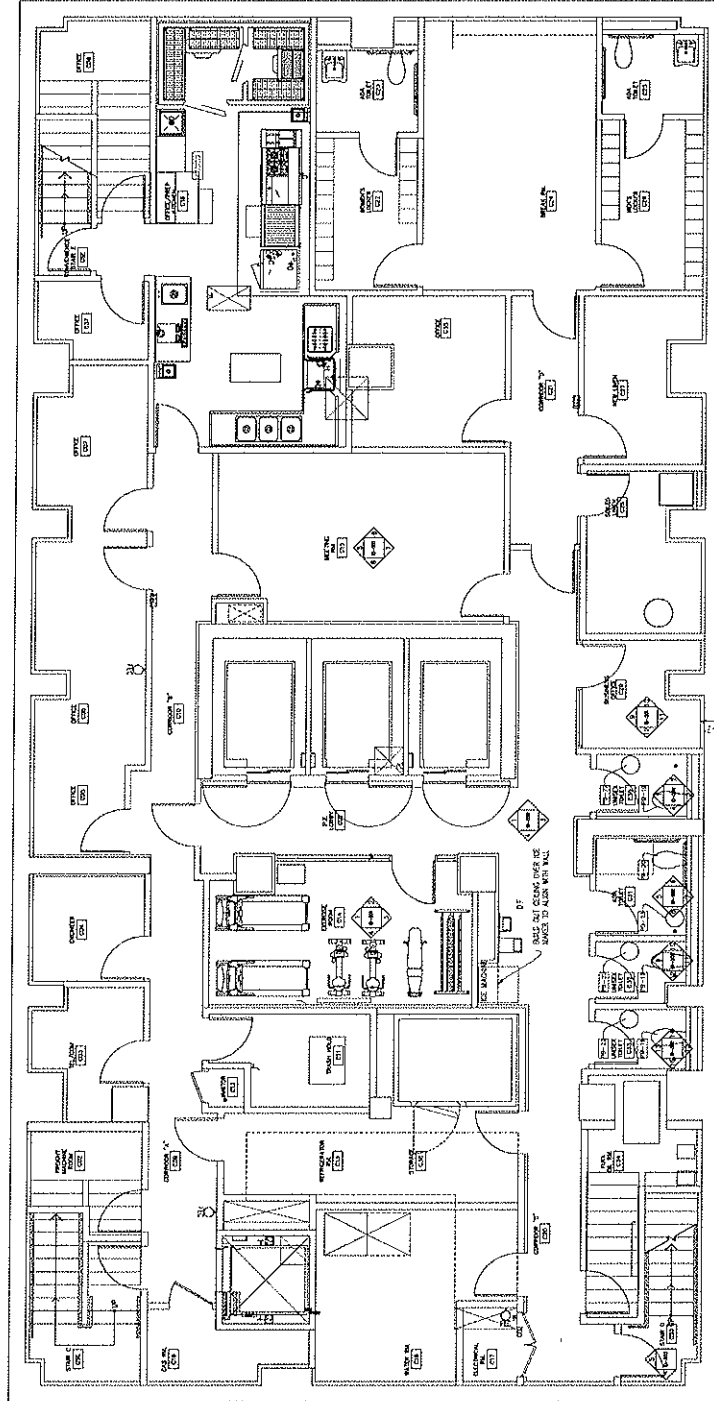
Rev. | Date | Description  
01 | 11.28.2015 | 3rd Set  
02 | 1.21.2016 | Work Up Set  
03 | 7.6.2016 | CD Set

Sheet Title:

CELLAR FLOOR PLAN

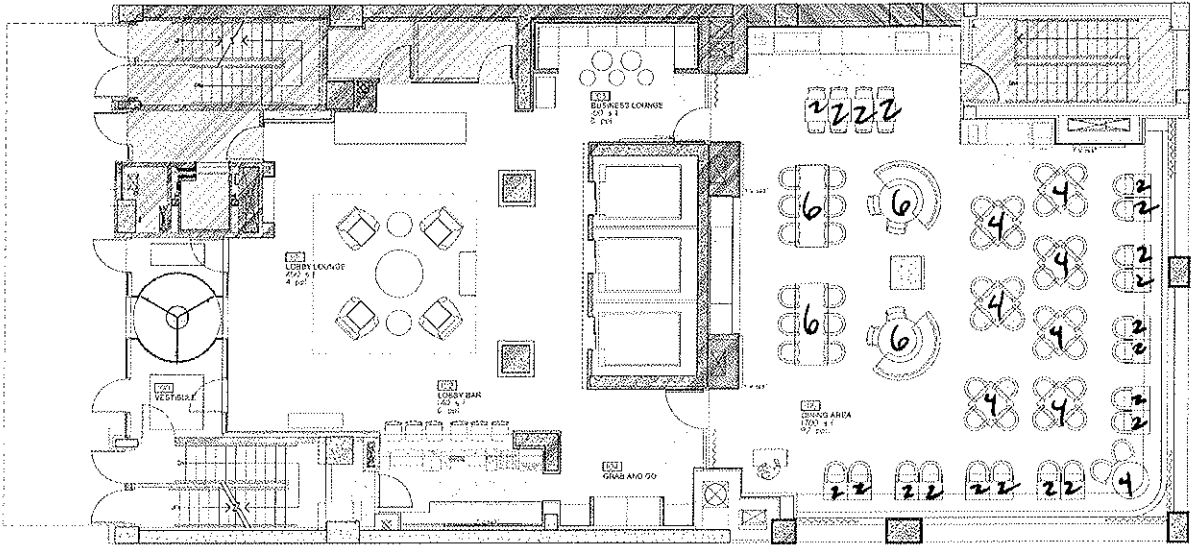
Senior Designer: Alex Nishi  
Designer: Arief Sulaiman, Daphne Wang  
Contractor: J.S.  
Issue Date: 5/6/2016

Drawing No.: ID-100.00



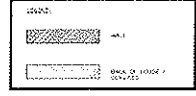
1 CELLAR FLOOR PLAN  
SCALE: 1/4" = 1'-0"

- NOTES:**
1. DRAWINGS SHALL BE REVIEWED AND APPROVED FOR ALL LOCAL CODES AND ALL COMPLIANCE CODES APPLICABLE TO THE PROJECT.
  2. REFER TO PROJECT DRAWINGS FOR ALL MECHANICAL, ELECTRICAL, AND PLUMBING WORK.
  3. CONTRACTOR TO VERIFY EXISTING AND APPROVED PRIOR TO CONSTRUCTION.
  4. CONTRACTOR TO VERIFY ALL DIMENSIONS AND LOCATIONS OF ALL EXISTING AND APPROVED WORK.
  5. CONTRACTOR TO VERIFY ALL DIMENSIONS AND LOCATIONS OF ALL EXISTING AND APPROVED WORK.
  6. CONTRACTOR TO VERIFY ALL DIMENSIONS AND LOCATIONS OF ALL EXISTING AND APPROVED WORK.
  7. CONTRACTOR TO VERIFY ALL DIMENSIONS AND LOCATIONS OF ALL EXISTING AND APPROVED WORK.
  8. CONTRACTOR TO VERIFY ALL DIMENSIONS AND LOCATIONS OF ALL EXISTING AND APPROVED WORK.
  9. CONTRACTOR TO VERIFY ALL DIMENSIONS AND LOCATIONS OF ALL EXISTING AND APPROVED WORK.
  10. CONTRACTOR TO VERIFY ALL DIMENSIONS AND LOCATIONS OF ALL EXISTING AND APPROVED WORK.



▲ FIRST FLOOR LOBBY - FURNITURE PLAY

GRAB AND GO  
 COUNTER - 4' x 20'  
 SEATING - 12' x 12'  
 DINING AREA - 10' x 12'



NO. 1	CONCRETE	4.00
NO. 2	WOOD	4.00
NO. 3	GLASS	4.00
NO. 4	STEEL	4.00
NO. 5	BRICK	4.00
NO. 6	CEILING	4.00
NO. 7	FLOORING	4.00
NO. 8	MECHANICAL	4.00
NO. 9	ELECTRICAL	4.00
NO. 10	PLUMBING	4.00
NO. 11	PAINT	4.00
NO. 12	FINISHES	4.00
NO. 13	LANDSCAPE	4.00
NO. 14	EXTERIOR	4.00
NO. 15	INTERIOR	4.00
NO. 16	MECHANICAL	4.00
NO. 17	ELECTRICAL	4.00
NO. 18	PLUMBING	4.00
NO. 19	PAINT	4.00
NO. 20	FINISHES	4.00
NO. 21	LANDSCAPE	4.00
NO. 22	EXTERIOR	4.00
NO. 23	INTERIOR	4.00
NO. 24	MECHANICAL	4.00
NO. 25	ELECTRICAL	4.00
NO. 26	PLUMBING	4.00
NO. 27	PAINT	4.00
NO. 28	FINISHES	4.00
NO. 29	LANDSCAPE	4.00
NO. 30	EXTERIOR	4.00
NO. 31	INTERIOR	4.00
NO. 32	MECHANICAL	4.00
NO. 33	ELECTRICAL	4.00
NO. 34	PLUMBING	4.00
NO. 35	PAINT	4.00
NO. 36	FINISHES	4.00
NO. 37	LANDSCAPE	4.00
NO. 38	EXTERIOR	4.00
NO. 39	INTERIOR	4.00
NO. 40	MECHANICAL	4.00
NO. 41	ELECTRICAL	4.00
NO. 42	PLUMBING	4.00
NO. 43	PAINT	4.00
NO. 44	FINISHES	4.00
NO. 45	LANDSCAPE	4.00
NO. 46	EXTERIOR	4.00
NO. 47	INTERIOR	4.00
NO. 48	MECHANICAL	4.00
NO. 49	ELECTRICAL	4.00
NO. 50	PLUMBING	4.00

310 W 40th Street

FIRST FLOOR LOBBY - FURNITURE PLAN

AS SHOWN 12/28/2014

DATE 12/28/2014

BY J.P.P.

ID-110

Interior Designer:



Jacob Goldmen Design  
68 Yaffe Plaza  
Brooklyn, NY 11205

718.233.1142  
jacobgoldmendesign.com  
jacobgoldmen@jacobgoldmendesign.com

Client:

Helm Management Group  
334 E. 59th Street  
New York, NY 10022

Project:

310 W. 40th  
Street  
New York, NY

CD SET

Notes:  
All dimensions to be verified on site

Rev	Date	Description
01	11.28.2015	Set Set
02	1.27.2016	Mark Up Set
03	7.6.2016	CD Set

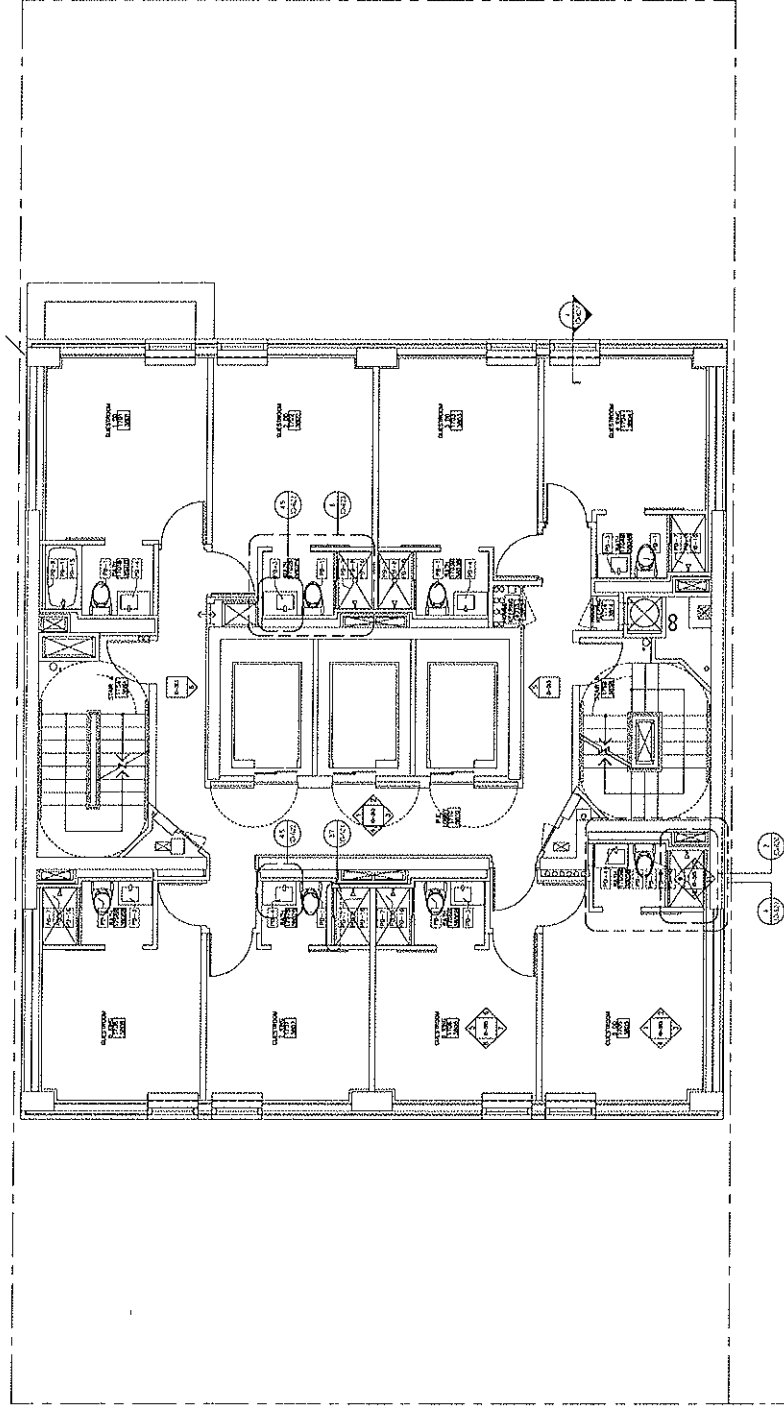
Sheet Title:

17TH-38TH FLOOR PLAN

Sheet Designer:	Architect:
Jacob Goldmen	AKS 1007
Project:	Client:
310 W. 40th Street	Helm Management Group
Date:	Date:
5/9/2016	5/9/2016

Drawing No.:

ID-106.00



① 17TH-38TH FLOOR PLAN  
SCALE: 1/4" = 1'-0"



Jacob Goldron, Design  
69 West Street  
Brooklyn, NY 11205

718.233.1142  
info@jacobgoldron.com  
www.jacobgoldron.com

Client:

Hein Management Group  
335 E. 59th Street  
New York, NY 10022

Project:

310 W. 40th  
Street  
New York, NY

CD SET

Notes:

All dimensions to be verified on site  
Rev. Date Description  
01 11.20.2015 Bid Set  
02 1.2.2016 Mock Up Set  
03 7.8.2016 CD Set

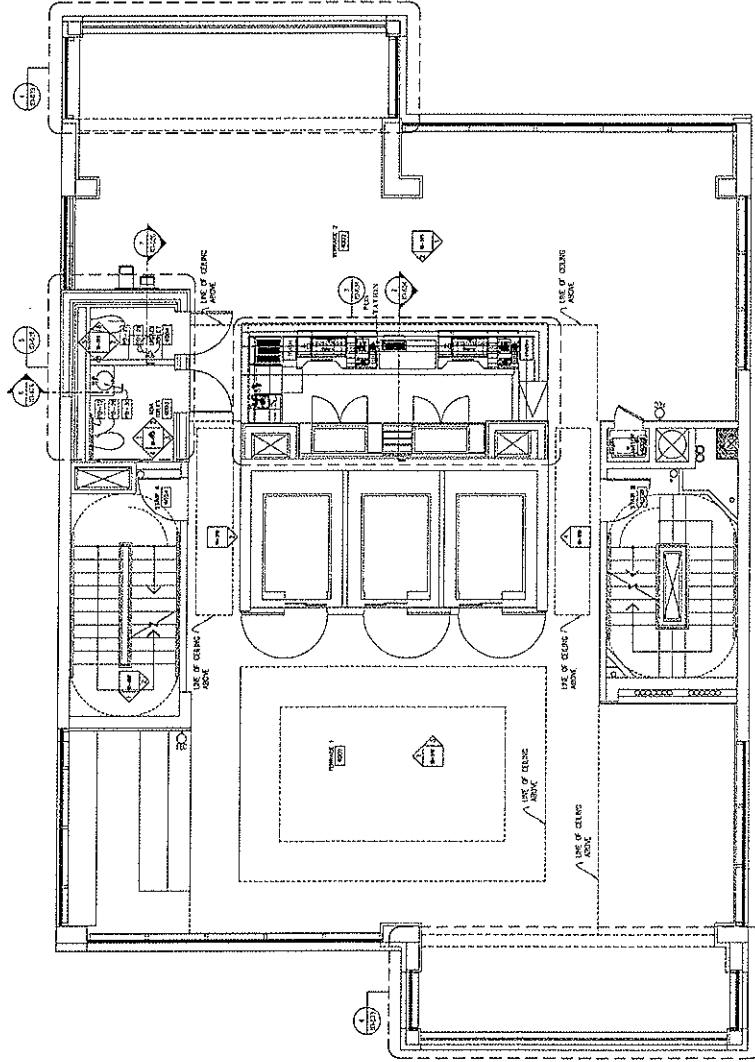
Sheet Title:

40TH FLOOR PLAN

Scale: As Shown  
Designer: Adria Schuchman, Jacob Goldron  
Drawing By: Adria Schuchman, Jacob Goldron  
Issue Date: 6/9/2016

Drawing No.:

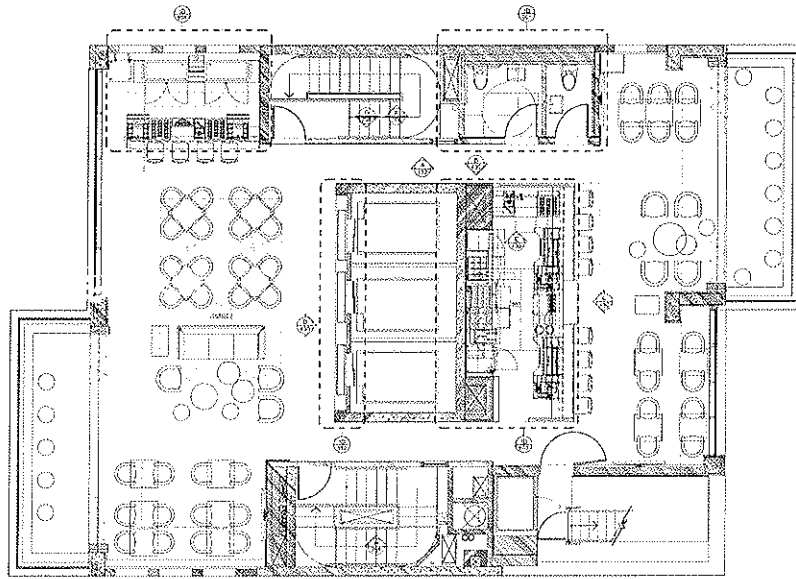
ID-108.00



① 40TH FLOOR PLAN  
SCALE: 1/4" = 1'-0"



LEGEND  
 [Hatched Box] FLOOR TO FIN.  
 [Dotted Box] NOT TO SCALE



41ST FLOOR BAR - FURNITURE PLAN

**NOTES:**

- 1. CONSULT WITH THE ARCHITECT AND ENGINEER FOR ALL APPLICABLE CODES AND REGULATIONS.
- 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 4. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 5. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 6. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 7. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 8. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 9. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 10. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

NO.	DESCRIPTION	DATE
1	ISSUED FOR DISCUSSION	12/15/2014
2	REVISED	12/15/2014
3	REVISED	12/15/2014
4	REVISED	12/15/2014
5	REVISED	12/15/2014
6	REVISED	12/15/2014
7	REVISED	12/15/2014
8	REVISED	12/15/2014
9	REVISED	12/15/2014
10	REVISED	12/15/2014

NO.	DESCRIPTION	DATE
1	ISSUED FOR DISCUSSION	12/15/2014
2	REVISED	12/15/2014
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4	REVISED	12/15/2014
5	REVISED	12/15/2014
6	REVISED	12/15/2014
7	REVISED	12/15/2014
8	REVISED	12/15/2014
9	REVISED	12/15/2014
10	REVISED	12/15/2014

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6	REVISED	12/15/2014
7	REVISED	12/15/2014
8	REVISED	12/15/2014
9	REVISED	12/15/2014
10	REVISED	12/15/2014



310 W 40th Street

NO.	DESCRIPTION	DATE
1	ISSUED FOR DISCUSSION	12/15/2014
2	REVISED	12/15/2014
3	REVISED	12/15/2014
4	REVISED	12/15/2014
5	REVISED	12/15/2014
6	REVISED	12/15/2014
7	REVISED	12/15/2014
8	REVISED	12/15/2014
9	REVISED	12/15/2014
10	REVISED	12/15/2014

DRAWING IN PROGRESS  
 PRELIMINARY DESIGN FOR DESIGN INTENT ONLY.  
 ISSUED FOR DISCUSSION NOT FOR CONSTRUCTION

# HOTEL ALIZ

## SHARE

*GREEN MARKET PLATE*  
grilled vegetables  
muhammara hummus  
grilled toast  
17

*VINTERS PLATE*  
cheese | cured meats  
pickles  
grilled toast  
18

## FLATBREADS

*SAUSAGE*  
grapes | arugula | saba  
15

*SUMMER SQUASH*  
goat cheese | salsa verde  
16

## SALADS

*MARKET LETTUCE*  
cucumber | beets | avocado | walnuts  
14

*HEIRLOOM TOMATO*  
avocado | crème fraiche | green harissa  
17

## SMALL PLATES

*CLAMS*  
sherry | garlic | toast  
15

*SQUID*  
black rice | saffron aioli  
17

*CAULIFLOWER*  
curry | vinegar  
10

*FINGERLINGS*  
crème fraîche | chives  
10

*SQUASH BLOSSOMS*  
mozzarella | anchovies | sea salt  
16

*PAPPARDELLE*  
lobster | coco beans | smoked tomato  
22

*FRIED CHICKEN*  
red harissa aioli | honey lime butter  
15

*LAMB MERGUEZ*  
hummus | piquillo tapenade | yogurt  
19

*FLAT IRON STEAK*  
red wine butter | shallot rings  
20



# HOTEL ALIZ

## WINE LIST

*Domino Chardonnay*  
*Domino Cab Sauvignon*  
*Ruffino Prosecco*  
*Kung Fu Girl Riesling*  
*Matua Sauvignon Blanc*  
*Esperto Pinot Grigio*  
*Rodney Strong Select Chardonnay*  
*A" by Acacia*  
*Z Alexander Brown*  
*Alexander Valley Vineyard Estate Merlot*  
*Cherry Pie 3 Vineyards*  
*If You See Kay Blend*

## COCKTAILS

*SRIRACHA & PINEAPPLE*  
tequila | pineapple | lime juice | sriracha

*CUCUMBER LEMONADE*  
gin | sake | lemon

*GIN SPRITZ*  
gin | prosecco | mint

*IRISH MULE*  
whisky | ginger beer | bitters

*POMEGRANATE COSMO*  
vodka | triple sec | pomegranate juice

*BLUEBERRY MOJITO RUM*  
blueberries | lime juice | mint

## BEER -BOTTLED

*Ballast Point Grapefruit*  
*Budweiser*    *Coors Light*    *Miller Lite*  
*Angry Orchard*  
*O'Doul's*  
*Flying Fish, Red Fish ~ Somerdale, NJ*  
*Heineken*    *Corona*  
*Goose Island IPA*  
*Tröegs HopBack ~ Hershey , PA*

# HOTEL ALIZ

## ALA CARTE

### *ALL AMERICAN*

eggs your way | choice of meat | toast  
country potatoes

### *HAM AND ASPARAGUS FRITTATA*

fresh asparagus | ham | goat cheese

### *FRESH HERB EGG WHITE FRITTATA*

parmesan cheese | onion | parsley | basil  
dill | tarragon

### *STEEL-CUT OATMEAL*

hot smoked salmon bagel & crème fraiche

## BUFFET OFFERINGS

*Charcuterie Station*

*Breakfast Tarts*

*Freshly Baked Breads and Croissants*

*Fresh Fruit and Yogurt Station*

*Granola & Cereal*

# HOTEL ALIZ

## SNACKS

*Spicy Roasted Nuts      Cilantro Lime Pistachios*

*Chili & Citrus Marinated Olives*

*Parmesan & Sea Salt Chips*

## SMALL PLATES

*Manchego & Quince Paste, Crisps*

*Country Ham & Cornichon, Crisps*

*Tomato Braised Eggplant & Ricotta Toast*

*Prosciutto, White Bean & Thyme Toast*

*Tomato & Olive Oil Grilled Toast*

*Crispy Sea Salt Potatoes, Smoked Paprika, Aioli*

*Simple Greens, Grilled Artichoke, Parmesan*

*Arugula, Grilled Salmon, Olive, Green Beans*

*Antipasto Salad, Prosciutto, Salami, Mozzarella  
Roasted Vegetables*

*Roasted Salmon, Spiced Lentil Stew*

*Herb-Rubbed Roast Chicken, Tomato & Olives*

## SWEETS

5

*Macarons*

*Goat Cheese & Honey Cheesecake*

*Chocolate Dessert Bar*

# ACOUSTILOG<sup>INC.</sup>

19 Mercer Street, NY, NY 10013 (212) 925-1365 Fax: (212) 966-4216 www.acoustilog.com

June 20, 2017

Mr. Paul Lyons  
310 Group LLC  
C/o Helm Management Inc.  
336 East 59th Street  
New York, NY 10022

Re: Hotel Rooftop Acoustic Analysis, 310 West 40th Street, New York, NY 10018,

Dear Mr. Lyons,

I have studied the noise issues at the above premises. I am providing recommendations to prevent noise disturbances to the neighbors from voices and music at the new hotel.

## SUMMARY

The outdoor roof terraces on the 40<sup>th</sup> and 41<sup>st</sup> floors will not create unreasonable noise for the neighbors. The distance to the nearest residences combined with the geometry and the high ambient noise are factors that will result in Noise Code compliance.

Sound system recommendations are provided in this report.

## TEST AND INSPECTION

To measure the neighborhood "ambient" noise level, a long-term monitor was set up to record the sound levels on a typical Thursday night (noisy), Friday night (noisy), Saturday night (noisy) and Sunday night (quiet). Sunday night is typically the quietest time of the week.

## DBA VS OCTAVE BAND MUSIC LEVELS

One way that the sound levels were measured was using the A-weighting decibel scale. The dB (A) decibel scale (see Noise Code Section §24-231 a1) is the most common type of sound measurement, which represents an overall measurement of all frequencies, but with a strong tendency to ignore the low-frequency "bass" sounds. The A-weighted decibels require only a simple sound level meter to measure them. dBA is what the City DEP inspectors use, and they normally consider anything above 42 dBA to be unreasonable.

The C-weighted decibels or dBC (see Noise Code Section §24-231 a3) are also an overall measurement of all frequencies, but this measurement includes the important low-frequency "bass" sounds. However, dBC readings pick up so many frequencies at the same time that they usually do not distinguish between normal background noise and music beats.

One-third octave band sound level readings (see Noise Code Section §24-231 a2) were also taken, which are measured in decibels, or dB. Sounds with frequencies below 200 Hertz are called bass or low frequencies, which sound like thumping or vibration. This range of low frequencies is addressed in the Noise Code regulations and is the sound most likely to cause neighbor complaints. Bass and drums usually cause sounds in these frequency ranges. These sounds require a complex spectrum analyzer to measure them.

## THE NOISE CODE - MUSIC

### §24-231 Commercial music.

(a) No person shall make or cause or permit to be made or caused any music originating from or in connection with the operation of any commercial establishment or enterprise when the level of sound attributable to such music, as measured inside any receiving property dwelling unit:

(1) is in excess of 42 dB(A) as measured with a sound level meter; or

(2) is in excess of 45 dB in any one-third octave band having a center frequency between 63 hertz and 500 hertz (ANSI bands numbers 18 through 27, Inclusive), in accordance with American National Standards Institute standard S1.6-1984; or

(3) causes a 6 dBC or more increase in the total sound level above the ambient sound level as measured in decibels in the "C" weighting network provided that the ambient sound level is in excess of 62 dBC.

## THE NOISE CODE - UNREASONABLE NOISE

§24-203 General definitions. When used in the New York city noise control code the following terms shall have the following meanings:

(62) Unreasonable noise means any excessive or unusually loud sound that disturbs the peace, comfort or repose of a reasonable person of normal sensitivities, injures or endangers the health or safety of a reasonable person of normal sensitivities or which causes injury to plant or animal life, or damage to property or business.

§24-218 General prohibitions.

(a) No person shall make, continue or cause or permit to be made or continued any unreasonable noise.

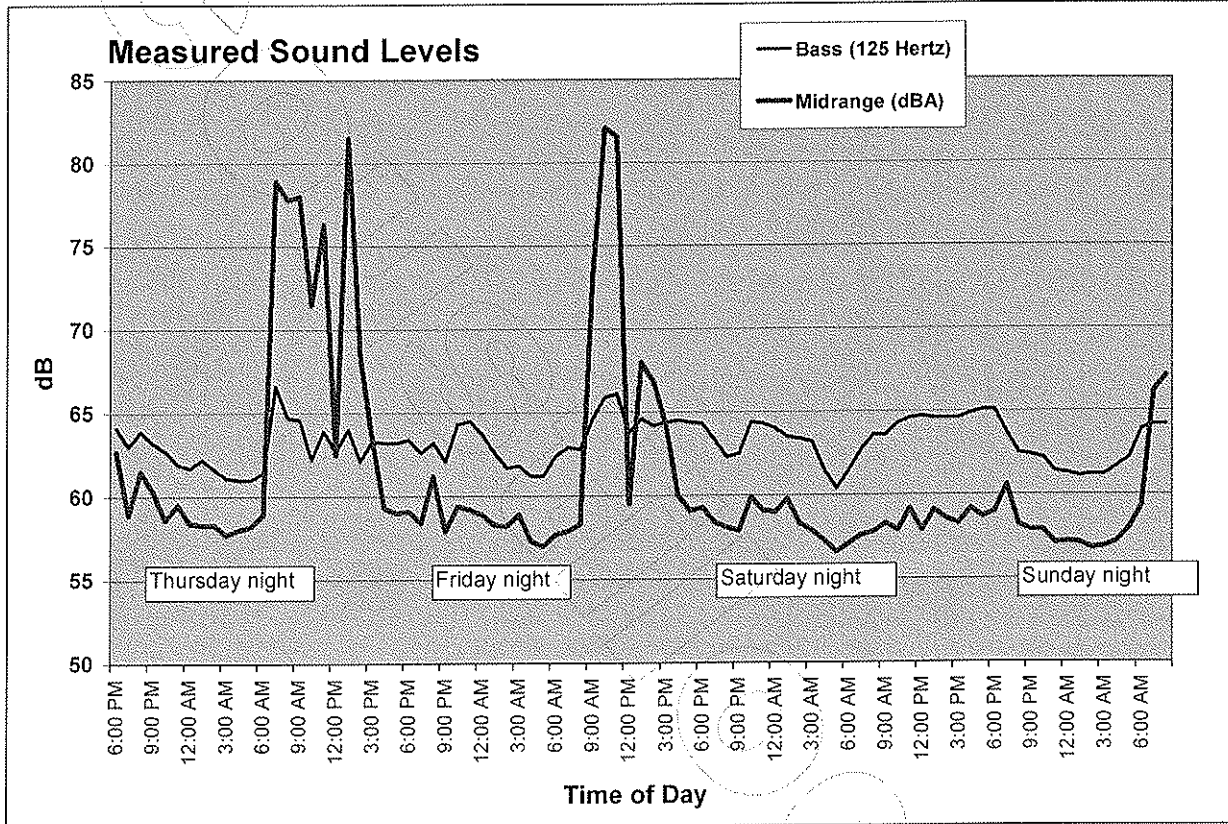
(b) Unreasonable noise shall include but shall not be limited to sound, attributable to any device, that exceeds the following prohibited noise levels:

(1) Sound, other than impulsive sound, attributable to the source, measured at a level of 7 dB(A) or more above the ambient sound level at or after 10:00 p.m. and before 7:00 a.m., as measured at any point within a receiving property or as measured at a distance of 15 feet or more from the source on a public right-of-way.

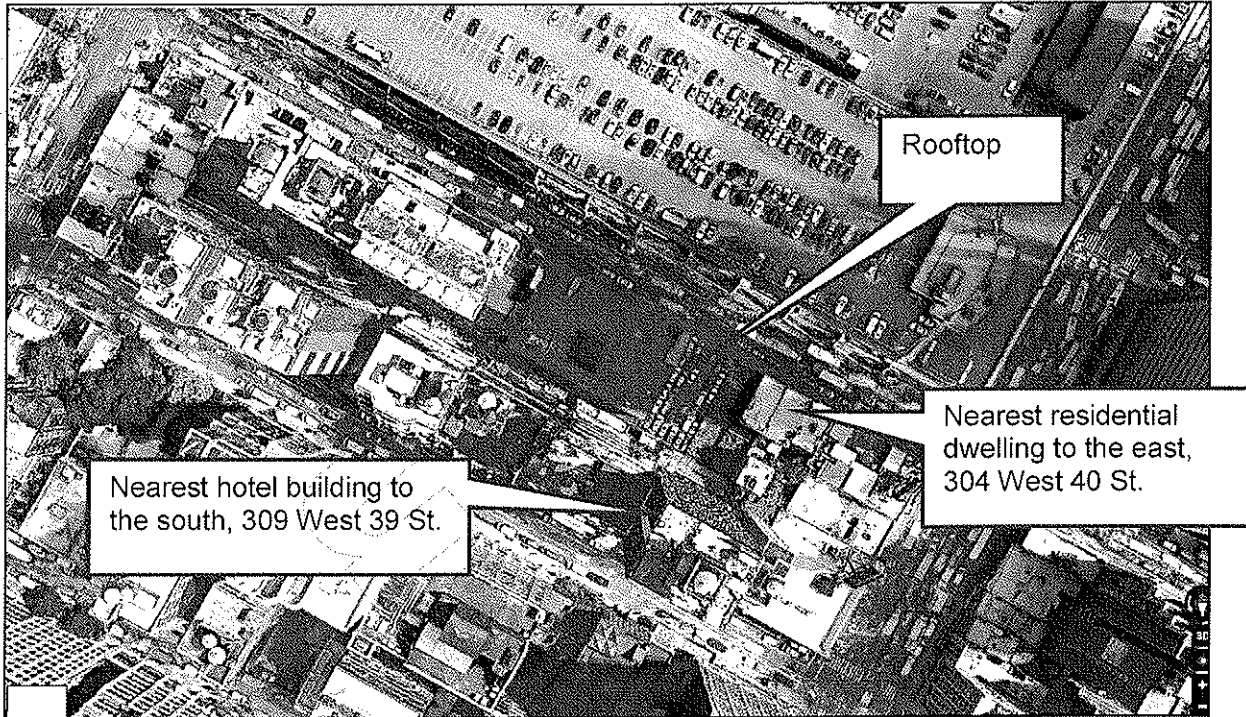
(2) Sound, other than impulsive sound, attributable to the source, measured at a level of 10 dB(A) or more above the ambient sound level at or after 7:00 a.m. and before 10:00 p.m., as measured at any point within a receiving property or as measured at a distance of 15 feet or more from the source on a public right-of-way.

## AMBIENT NOISE ANALYSIS

The chart below shows the sound levels throughout a Thursday through Sunday night period, June 9 -12, 2017. The evening and nighttime (7 pm – 4 am) ambient noise (Leq equivalent) level is as low as 57 dBA, and the 125 Hertz "bass" minimum noise level is 60 decibels. This is due to the noise level of the traffic in the neighborhood. Primary noise sources are the Port Authority Bus Terminal directly across the street and traffic on 8<sup>th</sup> Avenue. The sound levels were taken outdoors.



I inspected the building plans, and then performed calculations to determine the sound level of your indoor music and customers' voices at the nearest residential dwellings as compared with the ambient noise level. The nearest residential dwelling is a much lower-height building at 304 West 40th Street to the east. This building is approximately 380 feet lower than the new terrace.



#### VOICES AND MUSIC FROM ROOFTOP TERRACE TO NEAREST RESIDENTIAL BUILDINGS

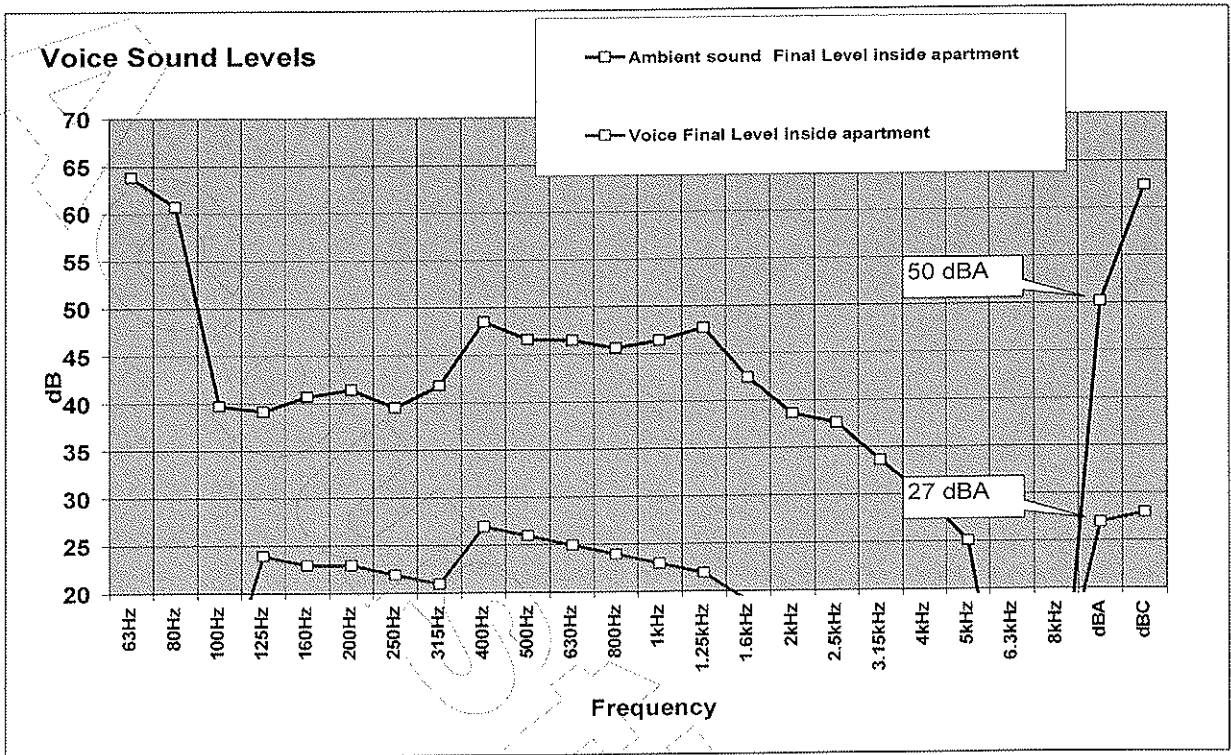
The residential neighbors are too far from the terraces to be affected by noise. I have calculated the rooftop's contribution to the noise level at the neighbors. The sound levels will be below all of the Code requirements.

The noise level was analyzed calculating the noise from the expected number of people on the outdoor portion of the roof terrace and deducting the normal drop-off of sound with distance. In addition, the much lower height of the nearby residential buildings means that sound would have to bend over the edge of the parapet and down to reach the windows. When this effect has been factored in, the transmitted sound level will be even lower.

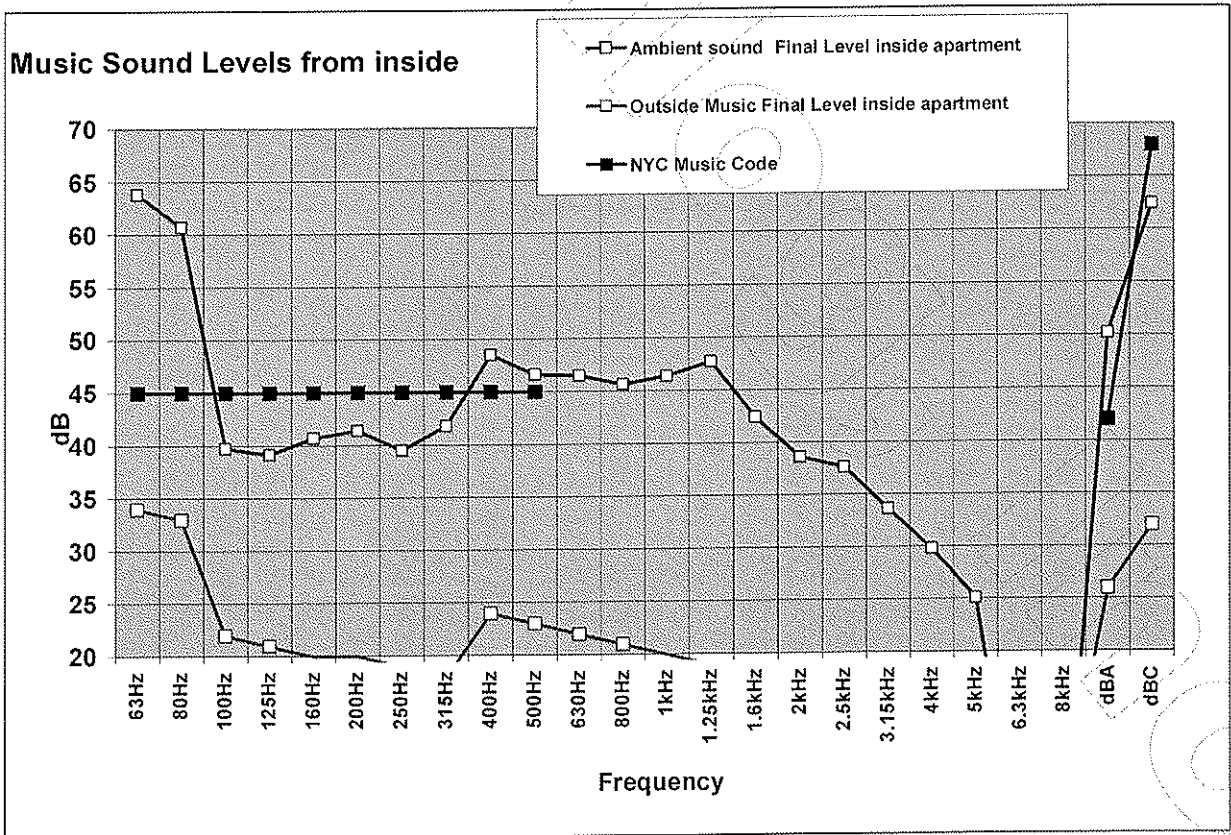
This is illustrated on the graphs below.

The voice sounds will be attenuated after traveling 380 feet down, and will drop further after entering an open window. The voice sound is calculated to be 27 dBA, far below the lowest ambient noise (50 dBA) inside the nearby open windows.

In order to be Code-compliant, the voice sound must not exceed the ambient by 7 or 10 decibels (night/day). Since the sound will be below the level of ambient noise, it will meet Code requirements.



The indoor music levels will meet the Noise Code and will be inaudible in the nearby residences.





## RECOMMENDATIONS

1. There will be no outside music.
2. The inside sound system will incorporate an equalizer. The equalizer will then feed into a limiter. Both functions can be accomplished with a DBX Driverack PA2. Installed in the system right before the amplifier and locked with a password, it will prevent the sound system from exceeding a pre-determined sound level, set by the sound installer. If the sound system is turned up too high, the limiter will activate and guarantee that the actual sound never exceeds the desired maximum.
  - a. Using the graphic equalizer section, attenuate (lower) all frequencies 63 Hertz and below. Do this by setting a high-pass filter on both stereo channels to a cutoff frequency of 63 Hertz and a slope of 12 dB/octave.
  - b. Using the unit's output level control, set the maximum sound level from the to 105 dBC measured 3 feet from any speaker. The sound installer can do this with a simple Radio Shack sound level meter. Set the meter to read "C", and "Slow". This will be a good starting point from which to operate the sound system.
  - c. To ensure the accuracy of the meter, you can bring it my office to be calibrated.
  - d. This unit would be set in conjunction with tests made of noise levels in the neighboring buildings.
  - e. Set the Stereo Output Limiters to COUPLE both channels together, which makes the Channel 1 controls affect both channels. The rest of the instructions are thus for the left channel only.
  - f. Set the limiter's Ratio control to infinity, the Peak Stop to off, the Attack and Release time to midway and Auto, Over-Easy to off, and the Threshold control so as to normally limit only 3 decibels during typical music playing. If the music tries to get louder for any reason, the sound will stay at the same volume.
  - g. The amplifiers must be set to maximum level during this process so they cannot be turned up further at a later time.

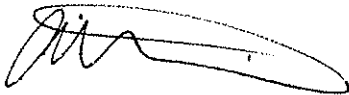
If I can be of further assistance, please call.

It is strongly recommended that all complicated construction projects get regular inspection visits at critical times, to make sure the system performs properly. This is an optional service which I can provide. All Acoustilog, Inc.-designed information supplied is for the original client and may not be copied in any way for different projects by any architect, consultant, engineer or other party.

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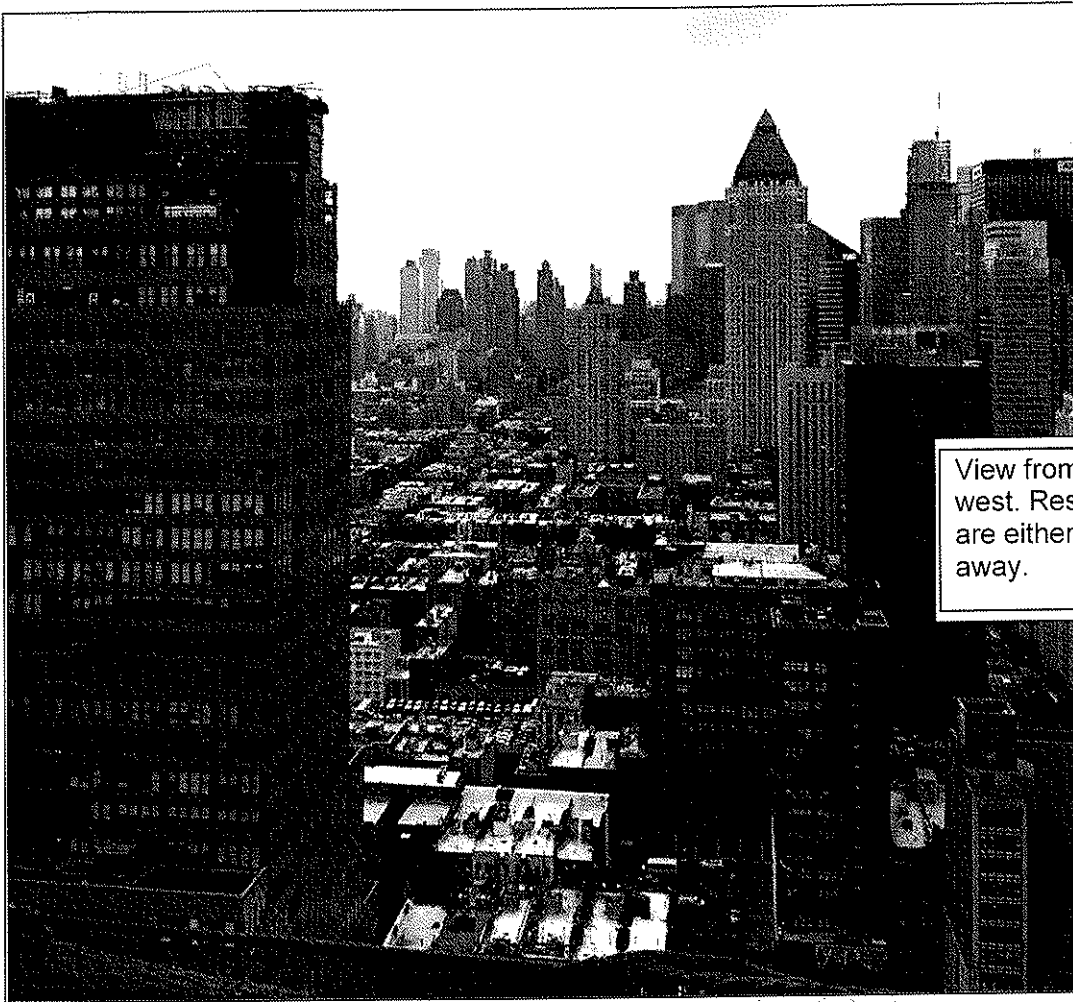
Yours Truly,

Alan Fierstein



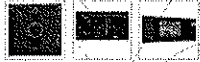
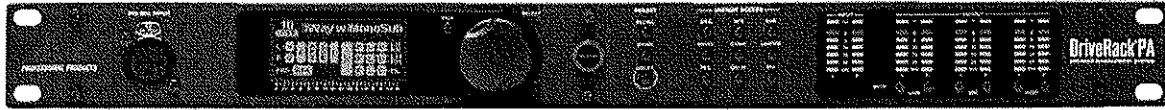
President  
acoustilog1@verizon.net

*All readings re: .0002 microbar. Readings taken with Bruel & Kjaer 2260/2270 Analyzer, Bruel & Kjaer 4135, 4145, 4165, 4189 or 4190 Microphone, Acoustilog 232A Reverberation Timer. Calibrated to Bruel & Kjaer 4220 Sound Source or Quest CA-15A.*



View from terrace looking west. Residential buildings are either much lower or far away.

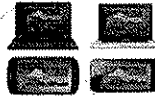
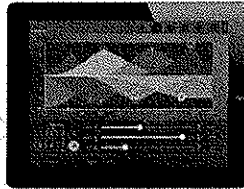
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Large Images

**ALL YOU NEED TO GET THE MOST FROM YOUR PA. NOW WITH COMPLETE CONTROL FROM YOUR MOBILE DEVICE.**

The DriveRack® PA2 provides all the processing you need between your mixer and amplifiers to optimize and protect your loudspeakers. With the latest advancements in dbx's proprietary AutoEQ™ and AFS™ algorithms, a new input delay module for delaying the FOH system to the backline, Ethernet control via an Android®, iOS®, Mac®, or Windows® device; and updated Wizards, the DriveRack PA2 continues the DriveRack legacy of great-sounding, powerful, and affordable loudspeaker management processors, for a whole new generation.



Control your PA2 from a mobile device

**AUTOEQ™**

New, improved AutoEQ algorithm ensures an extremely accurate, fast, and non-intrusive automatic EQ experience.

With the RTA Mic "listening" to your room, the new, updated DriveRack PA2 AutoEQ algorithm sets speaker levels and room EQ automatically in a matter of seconds. This means room adjustments can now be made very quickly, without subjecting the audience to, annoying, lengthy broadcasts of pink noise.

**ENHANCED AFS™ FEEDBACK ELIMINATION**

Enhanced AFS™ algorithm for faster, more precise feedback elimination, without adversely affecting your system's tone.

Nothing turns audiences away like annoying and potentially painful audio feedback. Fortunately, dbx engineers have revisited their already-stellar Advanced Feedback Suppression algorithm and made it work even better. The DriveRack PA2 listens for and anticipates feedback and adjusts speaker output automatically before it even has a chance, while never altering your sound.

**UPDATED WIZARD SETUP FUNCTIONS**

Updated Wizards make initial set up easy, while ensuring speaker tunings and other settings are up-to-date.

Wizard functions on the DriveRack PA2 guide you through easy, step-by-step processes to help you get the most from your loudspeaker system. Helps you easily configure level balancing, AutoEQ, Advanced Feedback Suppression, and provides access to built-in and constantly updating speaker tunings from most major speaker manufacturers.

**AVAILABLE INPUT PROCESSING**

- > dbx Compression
- > AFS™ (Advanced Feedback Suppression)
- > Graphic EQ
- > 8-Band Parametric EQ (adjusted when using the AutoEQ)
- > Subharmonic Synthesis

**AVAILABLE OUTPUT PROCESSING**

- > Crossover (supports full range, 2-way, and 3-way systems)
- > 8-Band Parametric EQs (used for speaker tunings)
- > dbx Limiting
- > Driver Alignment Delays

# DriveRack PA2

Complete Loudspeaker Management System

MSRP \$824.99

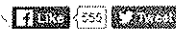
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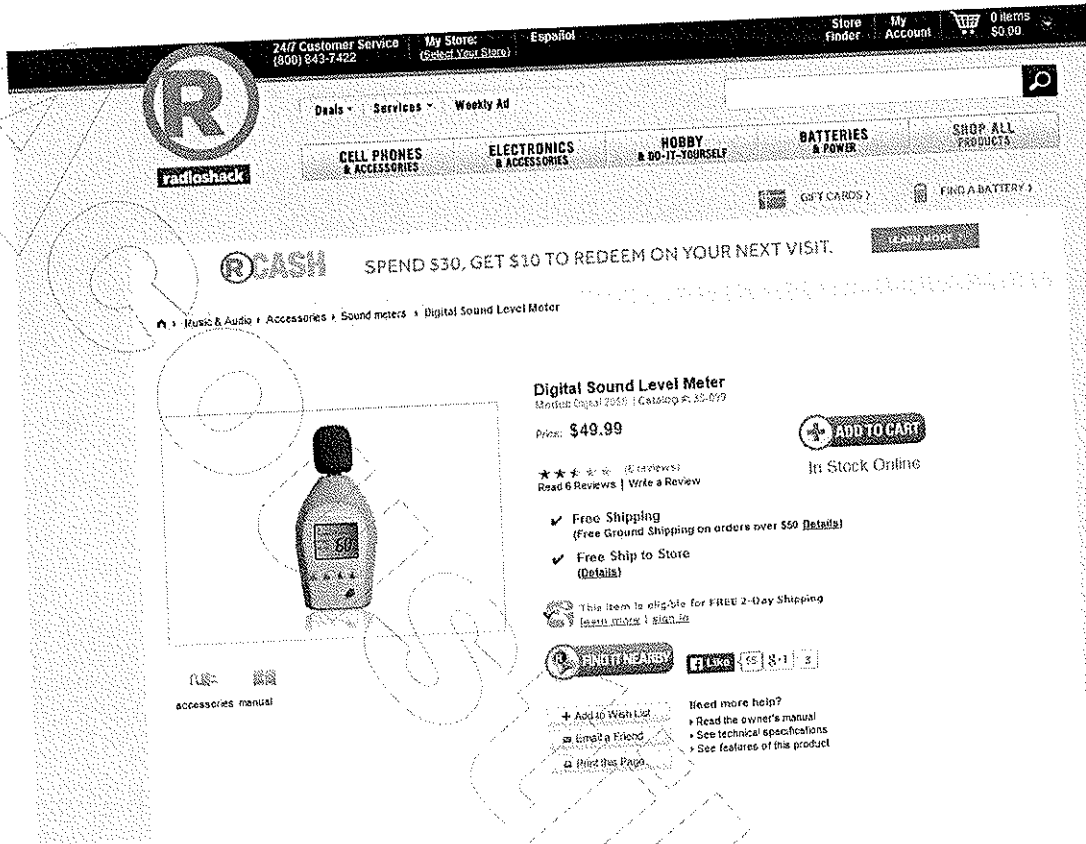
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## Features

- > All New Setup Wizard
- > Streamlined AutoEQ™
- > All New AFS™ (Advanced Feedback Suppression)
- > Mobile Control (Android®, iOS®, Mac®, Windows®)
- > dbx Compression
- > Graphic EQ
- > 8-Band Parametric EQ (adjusted when using the AutoEQ) Input
- > Subharmonic Synthesis
- > Crossover (supports full range, 2-way, and 3-way systems)
- > 8-Band Parametric EQs (used for speaker tunings) Output
- > dbx Limiting
- > Driver Alignment Delays



Product Summary

**Fine-tune your audio.**

Fine-tune your PA or stereo systems audio response to match the acoustic environment with this Digital Sound Level Meter. It comes with a carrying case for travel and features an easy-to-read display.

- Carrying case protects the meter when traveling
- Easy-to-read display, sound range 30-130db, digit LCD display
- You can fine-tune your PA or stereo systems audio response to match the acoustic environment

**Pricing and availability:** Please note that all prices are subject to change without prior notice. Prices advertised on this site are for online orders only. Prices on some items may differ from those advertised in RadioShack stores. All merchandise may not be available at all stores, and all stores may not participate in all sales promotions. We recommend you contact the store to confirm product availability and price.

**Shipping**

Usually ships in 1 - 2 business days

In store: Check availability  
By phone: 1-800-843-7422

**Manufacturer Warranty**

- Parts: 12 month
- Labor: 12 month



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### PUBLIC NOTICE

Business Licenses and Permits Committee  
will discuss an application submitted by

**310 Hotel Group,  
Owner/Corp to be  
formed, Operator  
310 W. 40<sup>th</sup> Street**

An application for an On-Premise Liquor License  
(sidewalk cafe & rooftop)

**DATE:** Tuesday, July 11, 2017  
**TIME:** 6:30 PM  
**PLACE:** Yotel New York -  
570 10<sup>th</sup> Avenue, 4<sup>th</sup> Floor  
The Green Room

We invite you to attend this meeting and give your comments on this application.  
Alternatively, you may mail, fax or email us at the address above.  
For more information, please call 212-756-4558.



# NEW YORK POST

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Page Six \$1.00

Nightmare  
on the



train  
PAGES 8-9

# THE MOST BUSTED



UNDER  
FIRE



CNN's George  
Brennan says about  
John F. Ziegler's  
corporate merger  
The Post...  
PAGES 4-5

SENATE LEAVES

IN A COMA PAGE 7



**From:** Katelyn Cicero

**Sent:** Monday, June 19, 2017 3:51 PM

**To:** 'kathleentreat123@gmail.com' <kathleentreat123@gmail.com>; 'mcgee79@aol.com' <mcgee79@aol.com>; 'eduardozeiger@compuserve.com' <eduardozeiger@compuserve.com>; 'mpta@mptenants.com' <mpta@mptenants.com>; 'ashleyll@aol.com' <ashleyll@aol.com>; 'twocatsltd@worldnet.att.net' <twocatsltd@worldnet.att.net>; 'Rudi\_Papiri@timemagazine.com' <Rudi\_Papiri@timemagazine.com>; 'tangotanner@gmail.com' <tangotanner@gmail.com>; 'chanawid@gmail.com' <chanawid@gmail.com>; 'AllisonTupper@verizon.net' <AllisonTupper@verizon.net>; 'stephenfanto@gmail.com' <stephenfanto@gmail.com>; 'aefearshk@earthlink.net' <aefearshk@earthlink.net>; 'larrymichaelroberts@gmail.com' <larrymichaelroberts@gmail.com>; 'jamesbogues@gmail.com' <jamesbogues@gmail.com>; 'chasmv@hotmail.com' <chasmv@hotmail.com>; 'chluderernyc@yahoo.com' <chluderernyc@yahoo.com>; 'nancyroylance@ymail.com' <nancyroylance@ymail.com>; 'mariagnys@aol.com' <mariagnys@aol.com>; 'ecelnik@actorsfund.org' <ecelnik@actorsfund.org>; 'rpimentel@commonground.org' <rpimentel@commonground.org>; 'dsage@commonground.org' <dsage@commonground.org>; 'buzany@rcn.com' <buzany@rcn.com>; 'nkyriacou@yahoo.com' <nkyriacou@yahoo.com>; 'gdclay@att.net' <gdclay@att.net>; 'jeandaniel@aol.com' <jeandaniel@aol.com>; 'john.mudd@usa.net' <john.mudd@usa.net>; 'bill@midtownsouthcc.org' <bill@midtownsouthcc.org>; 'sdesmond@hcc-nyc.org' <sdesmond@hcc-nyc.org>; 'ploeb315@aol.com' <ploeb315@aol.com>; 'west55ba@gmail.com' <west55ba@gmail.com>; 'hk5051@gmail.com' <hk5051@gmail.com>; 'hk5051@gmail.com' <hk5051@gmail.com>; 'rrlarios@hotmail.com' <rrlarios@hotmail.com>; 'acernitz@gmail.com' <acernitz@gmail.com>; 'awm3333@me.com' <awm3333@me.com>; 'jessbondy@aol.com' <jessbondy@aol.com>

**Subject:** Aliz Hotel

*On behalf of Sami Zeitoun, Senior Vice President of Operations*

Hello, my name is Sami Zeitoun, and I am the Senior Vice President of Crescent Hotels & Resorts. Crescent will be the Food and Beverage Manager for the new Aliz Hotel, located at 310 West 40<sup>th</sup> Street. New York, NY 10018.

We are very excited to be a part of the neighborhood and look forward to the CB4 meeting of July 11<sup>th</sup>. We welcome your comments, concerns and questions. Please direct them to [kcicero@chrco.com](mailto:kcicero@chrco.com)



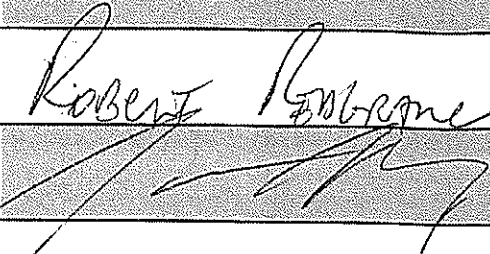

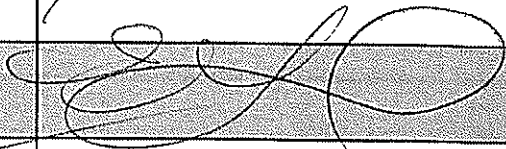
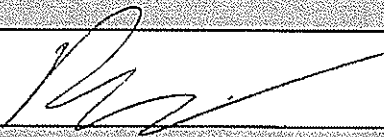

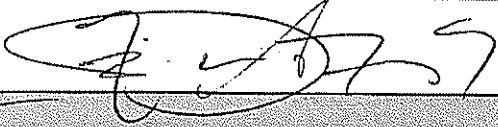
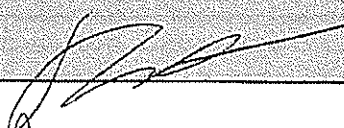


Thank you,





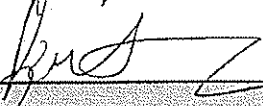



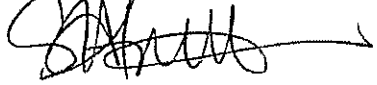

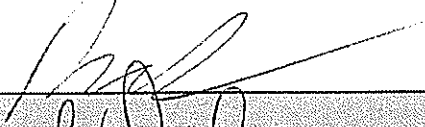



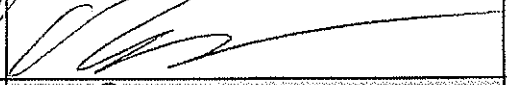
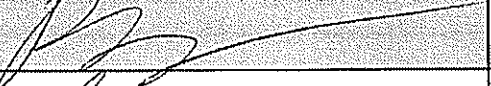

**SAMI ZEITOUN**  
SENIOR VICE PRESIDENT OF OPERATIONS

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1 347 W 39 St Part

Building Address	Dropped off	Name of person dropped off with, if any.
359 W 39 St 524 9th Avenue		
355 West 39th Street		
353 West 39 Street		Robert Robinson
343 west 39 street		
341 west 39 Street		
337 West 39 Street		
335 West 39 Street		
333 West 39 Street		B. V.
323 West 39 Street		W.F.
315 West 39 Street		
311 west 39 Street		
307 West 39 Street		
305 West 39 Street	A	Andrae Bennett
603 8th Avenue		
611 8th Avenue		
613 8th Avenue		

2

Building Address	Dropped off	Name of person dropped off with, if any.
302 West 40 Street		
304 West 40 Street		
306 West 40 Street		
314 West 40 Street		Charles Woods
326 West 40 Street		Ruth Rogers
330 West 40 street		
334 West 40 street		
342 West 40 street		
346 West 40 Street		
356 West 40 street		
538 9th Avenue		
536 9th avenue		
534 9th Avenue		
532 9th avenue		
530 9th avenut		
528 9th avenue		
526 9th avenue	