

Manhattan Community Board 4
(All Fields Must Be Completed)

Liquor License Stipulations Application

CORPORATION NAME		DOING BUSINESS AS (DBA)	
Catered By Pergola LLC		Pending	
STREET ADDRESS		CROSS STREETS	ZIP CODE
826 10th Avenue		54th & 55th	10019
OWNER <small>(Attach a list of all the people that will be associated listed with the license)</small>	NAME:	Magdy Aziz	ATTORNEY/ REPRESENTATIVE
	PHONE:	646-506-5957	
	EMAIL:	Magdy.aziz@live.com	
MANAGER	NAME:	Owner	LANDLORD
	PHONE:		
	EMAIL:		
		NAME:	Martin P. Mehler of Mehler & Buscemi
		PHONE:	212-962-4688
		EMAIL:	mehlerbuscemi@aol.com
		NAME:	826 Tenth Ave Co., LLC c/o Eustace 205 Third Avenue, New York, NY 10003
		PHONE:	917-952-1825
		EMAIL:	
APPLICATION TYPE <i>(Check One)</i>			
<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?		
	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
	<i>If alterations or operational changes are being made, please describe/list all changes.</i>		
<input type="radio"/> Alteration	What is the current license # and expiration date?		
	<i>Please list/describe the nature of all the changes and attach the plans:</i>		
METHOD OF OPERATION			
TYPE OF ALCOHOL	<input type="radio"/> Liquor/Wine/Beer <input type="radio"/> Beer <input checked="" type="radio"/> Wine & Beer		
ESTABLISHMENT TYPE	<input checked="" type="radio"/> Restaurant <input type="radio"/> Cabaret <input type="radio"/> Night Club <input 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
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="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

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	11am-2am	11am-2am	11am-2am	11am-2am	11am-2am	11am-2am	11am-2am	11am-2am
	Kitchen	11am-4am	11am-4am	11am-4am	11am-4am	11am-4am	11am-4am	11am-4am	11am-4am
	Music	11am-2am	11am-2am	11am-2am	11am-2am	11am-2am	11am-2am	11am-2am	11am-2am
If you plan to have music, what type(s)? (Circle all that apply)		<input checked="" type="checkbox"/> BACKGROUND		<input type="checkbox"/> LIVE MUSIC	<input type="checkbox"/> DJ	<input type="checkbox"/> JUKE BOX	<input type="checkbox"/> KARAOKE		
OCCUPANCY									
	Capacity (Certificate of Occupancy)	Maximum # of Persons You Anticipate Occupying Premises (Including Employees)	Number of Tables	Number of Seats	Number of Service Only Bars	Number of Stand-Up Bars	Number of Seats at Stand-Up Bar		
INSIDE	50	50	8	26	0	1	8		
OUTSIDE <i>(Other than sidewalk cafe)</i>	N/A								
SIDEWALK CAFÉ	N/A								
How many floors are there? What is the capacity for each floor?					1				
How frequently will the owner(s) be at the establishment?					7 DAYS A WEEK				
Will you be applying or intending to apply for a cabaret license with DCA? If yes, will there be dancing?					YES	<input checked="" type="radio"/> NO			
Will applicant have bottle or table service for beverage alcohol?					YES	<input checked="" type="radio"/> NO			
Will you be hosting private, promotional or corporate events?					YES	<input checked="" type="radio"/> NO			
Will outside promoters be used on a regular basis? If yes please describe.					YES	<input checked="" type="radio"/> NO			
Will you have a security plan? If, yes please attach.					YES	NO	N/A		
Will security plan be implemented?					YES	NO	N/A		
Will State certified security personnel be used?					YES	NO	N/A		
Will New York Nightlife Association and NYPD Best Practices be followed?					<input checked="" type="radio"/> YES	NO			
Will applicant be using delivery bicycles? If yes, how many?					<input checked="" type="radio"/> YES	NO	1		
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?					<input checked="" type="radio"/> YES	NO			
Where will delivery bicycles be stored during the day when not in use?					INSIDE				

LOCATION & ZONING		
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	<input checked="" type="radio"/> NO
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?	YES	<input checked="" type="radio"/> NO
Are your plans filed with DOB?	YES	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	TO BE DETERMINED
	# 2	
	# 3	
	# 4	
	# 5	
Please provide dates when applicant met with the groups listed above.	PENDING	
Who was your contact person at each group you met with?	PENDING	
When did applicant post the notice that was provided?	THURS OCTOBER 6, 2016	
Where did applicant post the notice that was provided?	FRONT DOOR OF PREMISES	
Will applicant provide owner cell phone number to neighbors and respond to complaints that arise? Please provide number in space provided.	<input checked="" type="radio"/> YES	NO 646-506-5957
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

BUILDING DESIGN			
State the name and type of business previously located in the space.	UNKNOWN		
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.	YES	NO	UNKNOWN
Do you plan any changes to the existing façade? If yes, please describe.	YES	<input checked="" type="radio"/> NO	
Will applicant have a vestibule within the establishment?	YES	<input checked="" type="radio"/> 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?	<input checked="" type="radio"/> YES	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)	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	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?	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?	YES	NO	N/A
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?	YES	<input checked="" type="radio"/> NO	
Where will the air conditioner be located? What type is it?	ROOF		
When was the air conditioner installed?	2 MONTHS AGO		

W
W

OUTDOOR ITEMS - OTHER THEN SIDEWALK CAFE			
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	N/A
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	N/A
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	N/A
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	N/A
Will there be no amplified music, as per the law?	<input type="radio"/> YES	<input type="radio"/> NO	N/A
If amplified sound is played inside the establishment, will windows and doors be closed?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant agree to post signs outside asking customers to respect the neighbors?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant agree to train staff to encourage a peaceful environment?	<input checked="" 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	N/A
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	N/A

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

ADDITIONAL STIPULATIONS: (Office Use Only)

- Applicant will install a kitchen vent precipitator and keep it clean

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

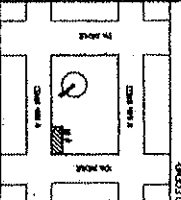
APPLICANT AGREEMENT WITH THE COMMUNITY

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

<p>SIGN HERE →</p>	<p>MAGDY</p> <p>PRINT NAME OF APPLICANT</p>	 <p>SIGNATURE OF APPLICANT</p>	<p>10-18-2016</p> <p>DATE</p>
---------------------------	----------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------	--------------------------------------

MARVELL & CO. INC.
 246 Streeton Ave.
 Basking Ridge, N.J. 07868
 TEL: 973-881-2200
 FAX: 973-881-2201

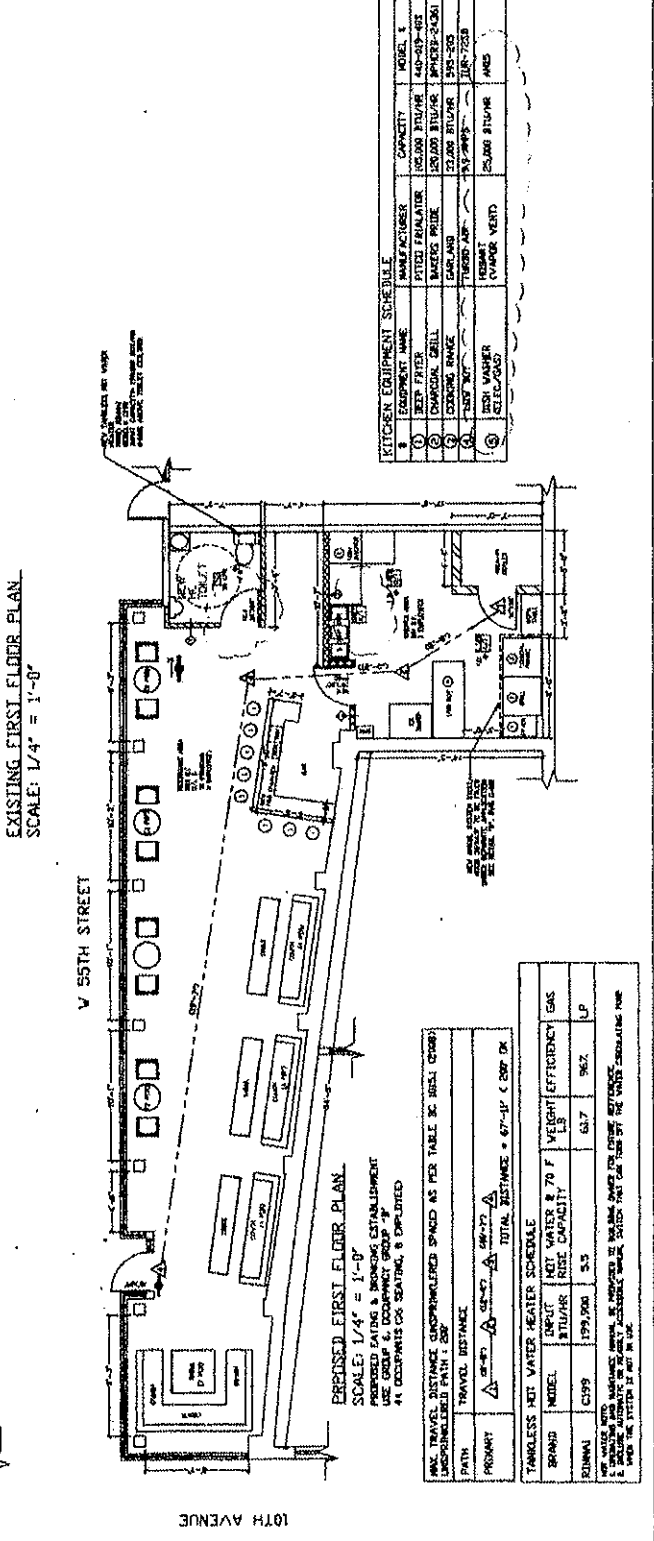
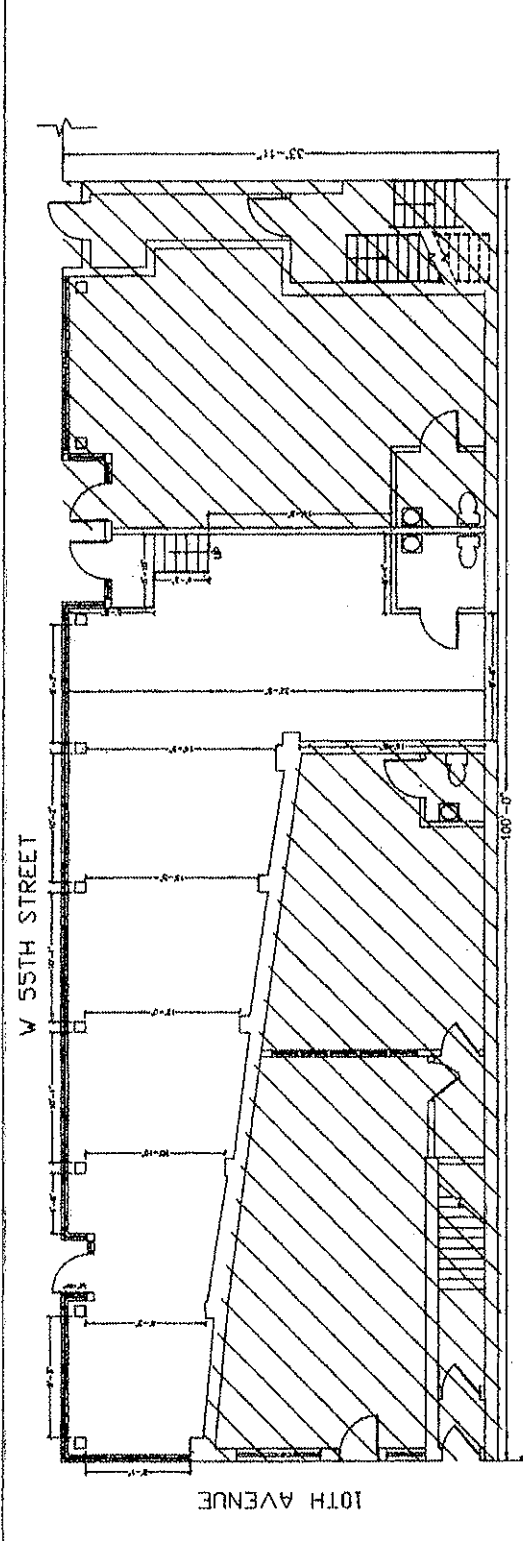
820 181st AVENUE
 NEW YORK, NY, 10019



SCOPE OF WORK:
 ALTERNATE 1
 CONVERT FIRST FLOOR STORE INTO
 DINING AND DRINKING ESTABLISHMENT

DRAWING TITLE:
 EXISTING FIRST FLOOR PLAN
 AND PROPOSED PARTIAL
 FIRST FLOOR PLAN

DATE	10/11/01
SCALE	1/4" = 1'-0"
NO.	4 OF 7
PROJECT	A-003.01



KITCHEN EQUIPMENT SCHEDULE

#	EQUIPMENT NAME	MANUFACTURER	CAPACITY	MODEL #
1	BEER FATER	PITCO	20,000 BTU/HR	40-452-857
2	CHARCOAL GRILL	BAKERS PRIDE	20,000 BTU/HR	SPHERE-200A
3	COOKING RANGE	CARLAND	22,000 BTU/HR	295-205
4	DISH WASH	TURBO-ASH	22,000 BTU/HR	1UR-725B
5	DISH WASHER (SELF-COOL)	FURNETT	25,000 BTU/HR	AMS

TABLELESS NET WATER HEATER SCHEDULE

BRAND	MODEL	INPUT BTU/HR	NET WATER RISE CAPACITY	70 F WEIGHT EFFICIENCY LBS	GAS
JOHNSON	5199	199,000	8.5	63.7	L.P.

MAX. TRAVEL DISTANCE (UNCOMPENSATED SPINDS AS PER TABLE SC. 581A) 0708
 UNCOMPENSATED PATH 1 208'
 PATH 1 07-07
 PATH 2 07-07
 PATH 3 07-07
 TOTAL DISTANCE = 67'-11" < 200' OK

ALL DIMENSIONS ARE IN FEET
 DIMENSIONS IN PARENTHESES ARE
 DIMENSIONS OF EXISTING STRUCTURE

APPETIZER

Mezze Platter

Hummus, Kalamata tapenade, babaganoush

Warm Stuffed Grape Leaves

Tomato rice, tzatziki

House Made Hummus

Olive oil, grilled pita, sumac

Phyllo Cigars

Ground lamb, chicken golden raisin, sautéed vegetables

Roast Pumpkin Salad

Romaine, endives, toasted pumpkin seeds, blue cheese, apples

Quinoa Kale Salad

Baby kale, grilled corn, feta, walnuts

Water Melon Feta Salad

Mint, sunflower seeds

ENTRÉE

Lemon Chicken

Herb stuffed chicken, citrus zest, seasonal vegetable

Lamb Burger

Heirloom tomato, feta, arugula, spicy aioli, handcut lemon garlic fries

Macaroni Bechamel

House made ragu, creamy béchamel, mozzarella

Lamb Chop

Garlic mashed potato, sautéed string beans

Wild Salmon

Honey glaze, grilled asparagus, root vegetable puree

Mixed Grill

Colorado lambchop, kofta, chicken kabob, merguez

DESSERT

Poppies

Homemade donuts, powdered sugar, crushed pistachio, raspberry puree

