

Manhattan Community Board 4

(All Fields Must Be Completed)

Liquor License Stipulations Application

CORPORATION NAME		DOING BUSINESS AS (DBA)	
Hudson Leaseco LLC		Hudson; Good Units	
STREET ADDRESS		CROSS STREETS	ZIP CODE
353 West 57th Street		8th & 9th Avenues	10036
OWNER <i>(Attach a list of all the people that will be associated/listed with the license)</i>	NAME: Richard Szymanski, CFO	ATTORNEY/ REPRESENTATIVE	NAME: Donald M. Bernstein Victor & Bernstein, PC
	PHONE: 212-277-4178		PHONE: 212-486-6000
	EMAIL:		EMAIL: dbernstein@victorbernstein.com
MANAGER	NAME: John Beier	LANDLORD	NAME: Henry Hudson Holdings LLC
	PHONE: 212-554-6400		PHONE: 212-277-4200
	EMAIL: john.beier@mhgc.com		EMAIL:
APPLICATION TYPE (Check One) CORPORATE CHANGE APPLICATION			
<input type="radio"/> New	Has applicant owned or managed a similar business?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
	What is/was the name and address of establishment?		
	What were the dates applicant was involved with this former premise?		
<input type="radio"/> Transfer	What is the prior license # and expiration date?		
	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 type="radio"/> Alteration	What is the current license # and expiration date?		
	<i>Please list/describe the nature of all the changes and attach the plans:</i>		
METHOD OF OPERATION			
TYPE OF ALCOHOL	<input checked="" type="checkbox"/> Liquor/Wine/Beer	<input type="checkbox"/> Beer	<input type="checkbox"/> Wine & Beer
ESTABLISHMENT TYPE	<input type="checkbox"/> Restaurant	<input checked="" 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"/> NO	No - on or about 9/14/2016
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"/> NO	No
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"/> NO	No
Has applicant/owner(s) read MCB4 Policy Regarding Concentration and Location of Alcoholic-Serving Establishments?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Yes

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

Hotel is 24 hrs daily		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
Good Units HOURS* (Indoor Only)	Operation	5PM-2AM	5PM-2AM	5PM-2AM	5PM-4AM	5PM-4AM	5PM-4AM	5PM-4AM
	Kitchen	same	same	same	same	same	same	same
	Music	same	same	same	same	same	same	same
If you plan to have music, what type(s)? (Circle all that apply)			<input checked="" type="checkbox"/> BACKGROUND	<input checked="" type="checkbox"/> LIVE MUSIC	<input checked="" type="checkbox"/> DJ	<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	675 (excluding guest rooms)	675 (excluding guest rooms)	59**	356**	0	3	0
OUTSIDE <i>(Other than sidewalk café)</i>	15th Fl: 75	15th Fl: 75	15th Fl: 20	15th Fl: 65	0	0	0
	24th Fl: 125	24th Fl: 125	24th Fl: 12**	24th Fl: 125**			
SIDEWALK CAFÉ	N/A	N/A	N/A	N/A	**Number of tables and seats varies by event		

How many floors are there? What is the capacity for each floor?	Entire hotel except for hotel lobby/2nd floor restaurant spaces	
How frequently will the owner(s) be at the establishment?	As needed	
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?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
Will you be hosting private; promotional or corporate events?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
Will outside promoters be used on a regular basis? If yes please describe.	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
Will you have a security plan? If, yes please attach.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
Will security plan be implemented?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
Will State certified security personnel be used?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
Will New York Nightlife Association and NYPD Best Practices be followed?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
Will applicant be using delivery bicycles? If yes, how many?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> 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?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
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 checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Yes - Clinton
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	Yes
Is a Public Assembly permit required?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Yes
Are your plans filed with DOB?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Yes

Community Notification/Relations			
NOTIFICATION: List all block associations; tenant associations, co-op boards or condo boards of residential buildings; and community groups that applicant has notified regarding its application. For each please list both the organization and individual you contacted	# 1	See attached	
	# 2		
	# 3		
	# 4		
	# 5		
Please provide dates when applicant met with the groups listed above.			
Who was your contact person at each group you met with?			
When did applicant post the notice that was provided?		08/29/2016	
Where did applicant post the notice that was provided?		58th Street and 57th Street entrances to hotel	
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	817-658-6458
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	

COMMUNITY NOTIFICATION/RELATIONS

West 55th Street Block Association

Contact: Christine Gorman

West55ba@gmail.com

cgormanhealth@gmail.com

Date email sent: 8/29/2016

300 West 55th Street Block Association

Contact: Paul Loeb

Plueb315@aol.com

Date email sent: 8/29/2016

Hudson Hotel Residents

Contact: Raul Larios

rrlarios@hotmail.com

Date email sent: 8/29/2016

Westmore Organization 333 W. 57th Street

Contact: Amanda Cernitz

acernitz@gmail.com

Date email sent: 8/29/2016

Parc Vendome Organization 430 W. 57th Street

Contact: Anita McDonagh

awm3333@me.com

Date email sent: 8/29/2016

Colonnade Organization 347 W. 57th Street

Contact: Jesse Bondy

jessbondy@aol.com

Date email sent: 8/29/2016

BUILDING DESIGN			
State the name and type of business previously located in the space.	No change - application is for corporate change only		
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="checkbox"/>	NO <input type="checkbox"/>	No change - application is for corporate change only
Do you plan any changes to the existing façade? If yes, please describe.	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	No
Will applicant have a vestibule within the establishment?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Yes
Will applicant use a storm enclosure?	YES <input type="checkbox"/>	NO <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?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Yes
Will applicant comply with the NYC noise code?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Yes
Will the establishment have any of the following: (circle all that apply)	FRENCH DOORS		GARAGE DOORS
	WINDOWS THAT CAN BE OPENED		
Will applicant close all windows, French doors, garage doors when any music or amplified sound (including televisions) is played inside the establishment?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A
Will applicant close all windows, French doors, garage doors by 11 PM Friday and Saturday and 10 PM on all other days even if no music or amplified sound is played inside the establishment?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	N/A
Has applicant obtained an acoustical report from a certified sound engineer to assess potential noise disturbance to the neighboring residents and buildings?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Yes
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 <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Yes
Will the kitchen exhaust system extend to the roof?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Yes
Will the establishment have an illuminated sign?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	No
Will the establishment have a canopy extending over the sidewalk?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	No
Where will the air conditioner be located? What type is it?	N/A - existing establishment		
When was the air conditioner installed?	N/A - existing establishment		

OUTDOOR ITEMS - OTHER THEN SIDEWALK CAFE			
Has the applicant/owner(s) read MCB 4 Rear Yard Rooftop Policy?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Yes
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	Yes - 15th floor and 24th floor terraces
Are the floorplans for the outdoor space(s) included?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	No change - application is for corporate change only
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	No
Will the service and consumption of alcohol in any outdoor space only be via seated food service?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	No
Will applicant not allow standing space for patrons to drink or smoke in any outdoor space(s)?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	No
Will there be no amplified music, as per the law?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	No
If amplified sound is played inside the establishment, will windows and doors be closed?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	N/A
Will applicant agree to post signs outside asking customers to respect the neighbors'?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	N/A
Will applicant agree to train staff to encourage a peaceful environment?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Yes
Will applicant provide effective sound control (landscaping enclosure, soundproofing tenants apartments)	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Yes
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	Yes

OUTDOOR ITEMS – SIDEWALK CAFÉ			
Has the applicant/owner(s) read MCB4 Sidewalk Café Policy?	YES	NO	N/A
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)

- Terms of Attachment A are agreed to stipulations and of this application
- All prior stipulations remain in effect


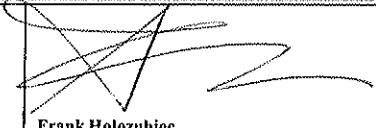
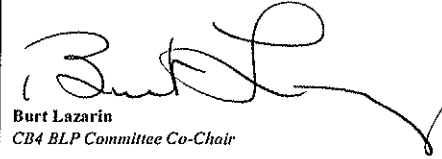
To the extent any additional stipulation on pages 7 and 8 of this application conflicts with any response on pages 1 – 6 of this application, the stipulations on pages 7 and 8 control.

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.

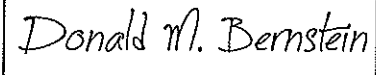
Manhattan Community Board 4 (MCB4) recommends:	<input checked="" type="radio"/> Denial unless all stipulations agreed to by applicant/owner are part of the method of operation <input type="radio"/> Denial <input type="radio"/> Approval
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CB4 REPRESENTATIVES

 Nelly Gonzalez <i>CB4 Assistant District Manager</i>	 Frank Holozubiec <i>CB4 BLP Committee Co-Chair</i>	 Burt Lazarin <i>CB4 BLP Committee Co-Chair</i>
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APPLICANT AGREEMENT WITH THE COMMUNITY

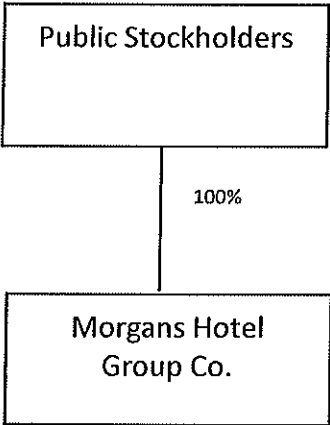
Applicant agrees to these stipulations as the basis for the community support of this application and acknowledges that all of these stipulations are essential prerequisites to the MCB4 recommendation regarding this application. Applicant agrees to have these stipulations incorporated in the method of 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 →	Donald M. Bernstein <small>PRINT NAME OF APPLICANT</small>	 <small>SIGNATURE OF APPLICANT</small>	08/31/2016 <small>DATE</small>
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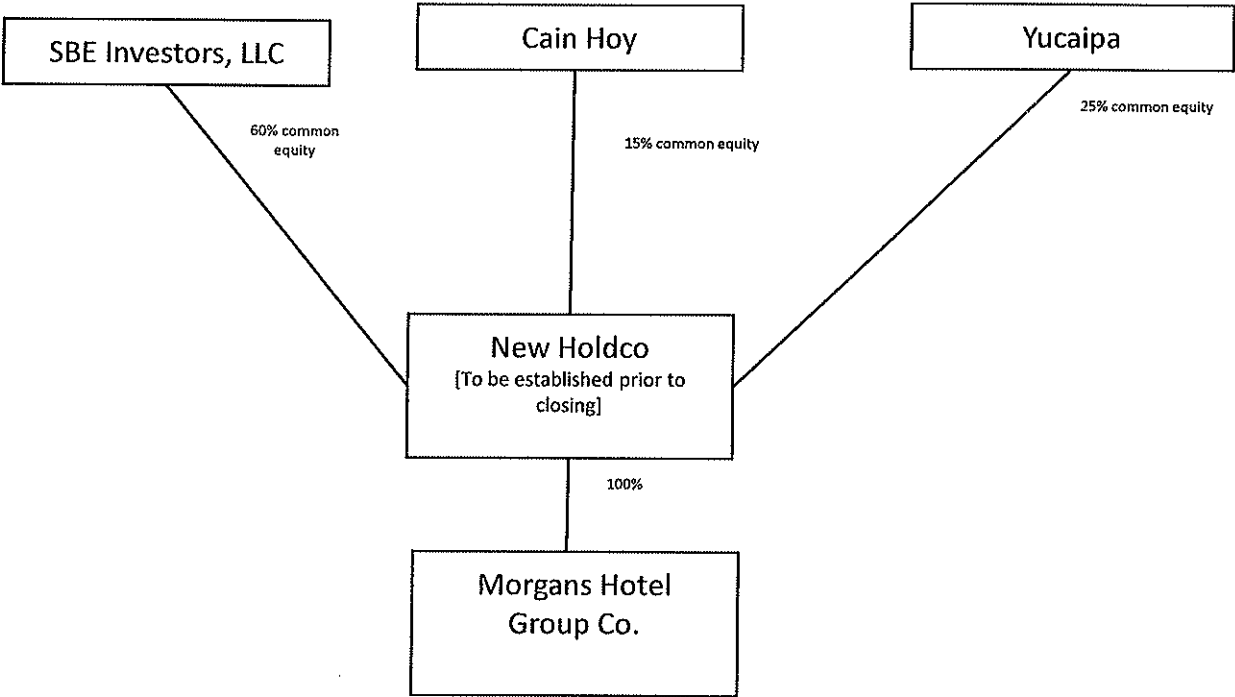
John Bernstein
 JOHN BERNSTEIN 9/13/16

Organizational Chart

Pre-Closing



Post-Closing



METHOD OF OPERATIONS

License #	Date exp.	Area covered	indoor or outdoor	occupancy	bars	music	hours	Stipulations
1110264 (Hudson Hotel including two basement levels)	1/31/2017	Hotel, cellar , 15th sub cellar , 15th & 24th Floor and all hotel rooms for room service and mini bars	both	625 (excluding hotel rooms)	2 stand up bars, one per basement level - NO rolling bar	various	various	all previous stipulations remain in place
		hotel Cellar and Sub cellar	Inside (no use of other outdoor space for alcohol consumption)	425	2 stand up bars, one per level - NO rolling bar	Live, background and DJ	TH-SU 5:00pm-4:00am MO-WE 5:00pm- 2:00am could open earlier if special event	
		24th floor	outdoor tent	125	no bar	Background music only no DJ SU -WE music until 10 PM TH-SA music until 11pm - music at 45 DB	MO-SU 6:30 to11PM	
		15th Floor sky terrace	indoor and outdoor	75	no bar	Background music only no DJ SU -WE music until 10 PM TH-SA music until 11pm - music at 45 DB	MO-SU 6:30 to11PM	



CITY OF NEW YORK
MANHATTAN COMMUNITY BOARD FOUR
330 West 42nd Street, 26th floor New York, NY 10036
tel: 212-736-4536 fax: 212-947-9512
www.nyc.gov/mcb4

JOHN WEIS
Chair

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

February 19, 2010

Dennis Rosen
Chairman
New York State Liquor Authority
80 S. Swan Street, 9th Floor
Albany, New York 12210

Re: 58th Street Bar Company LLC d/b/a Hudson Hall
353 West 57th Street (8th/9th) (actual listing 356 West 58th Street)

Dear Chairman Rosen:

Manhattan Community Board 4 (MCB4) recommends denial of an alteration of a full operating liquor license for 58th Street Bar Company LLC d/b/a Hudson Hall, unless the following stipulations, agreed to by the applicant, are part of the method of operation for this establishment:

- This application covers the restaurant portion within the Hudson Hotel only. The operator of the hotel (applicant) is taking over operation of the restaurant (Hudson Cafeteria) that was previously operated by a separate company and will operate it under the management of the hotel.
- Hours of operation will be 6:30 am to 4:00 am, 7 days per week. The outdoor space will be closed at midnight every night.
- There will be use of outdoor spaces on the mezzanine rooftop for food service to the 32 tables/128 seated patrons of the 'private park.'
- The operator is not applying for a cabaret license.

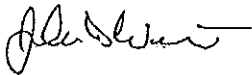
The following are agreements the applicant entered into with the community:

- The operator will not use outside promoters but the establishment will be available for private parties.
- The applicant stated they will have background music playing inside the restaurant. No amplified sound/music will be played outside. Applicant agreed to remove all outdoor speakers that currently exist.
- There will be no French doors or windows that open to the 'private park.'

- Kitchen exhaust will not change. Applicant stated the exhaust exits through ventilation above the highest floor of surrounding buildings and is constructed in a manner to not disturb neighboring residents or offices. Applicant stated it is compliant with NY DOB code.
- Applicant agreed to work with CB4 to resolve noise complaints that may arise from neighbors. Applicant has provided 24 hour telephone numbers for the general manager to CB4 office.

A signed copy of the stipulations agreed to by the applicant is enclosed. This application is for a restaurant with one bar that will seat 18 patrons and 25 dining tables that seat 100 patrons inside. The 'private park' outdoor mezzanine will seat 128 patrons at 32 tables. Total capacity of all hotel restaurant space and bars is 515.

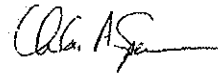
Sincerely,



John Weis
Chair
Manhattan Community
Board 4



John Owens
Co-Chair
Business License & Permits
Committee - North



Chuck Spence
Co-Chair
Business License & Permits
Committee - North

Community Board 4: Business Licenses & Permits

(350 W. 58th Street Actual Listing)

APPLICANT 58th Street ^{Bar} Company LLC		ADDRESS 353-361 W 57th Street				TYPE OF LICENSE Alteration - OP		
DOING BUSINESS AS (DBA) Hudson Hall		CROSS STREETS 8/9						
DESCRIPTION OF APPLICATION To incorporate into 58th Street Bar Co					OWNER REPRESENTATIVE Simon Mais - General Manager		LAWYER Donald Bernstein	
HOURS	Operation	MONDAY 6:30-4	TUESDAY 6:30-4	WEDNESDAY 6:30-4	THURSDAY 6:30-4	FRIDAY 6:30-4	SATURDAY 6:30-4	SUNDAY 6:30-4
	Music	"	"	"	"	"	"	"
	Kitchen	6:30-12	6:30-12	6:30-12	6:30-12	6:30-12	6:30-12	6:30-12
SEATING & TABLES		INDOOR			BAR		OUTSIDE	
		CAPACITY 515	SEATS 515	TABLES 82	SEATS	TABLES	SEATS	TABLES
OPERATIONAL ISSUES								
Will you be applying or intending to apply for a cabaret license?					YES	NO	N/A	
Will you be hosting private parties and promotional events?					YES	NO	N/A	
Will outside promoters be used?					YES	NO	N/A	
Will the security plan submitted be implemented?					YES	NO	N/A	
Will State certified security personnel(s) be used?					YES	NO	N/A	
Will New York Nightlife Association recommendations be followed?					YES	NO	N/A	
Will the applicant be using delivery bicycles?					YES	NO	N/A	
Will applicant have music?					YES	NO	N/A	
If you plan to have music, what type(s)?			BACKGROUND	LIVE MUSIC	DJ			
BUILDING DESIGN								
French doors and sliding windows will be closed when any amplified music is played (per law) and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.					YES	NO	N/A	
Will the kitchen exhaust system be designed to be compliant with NYC building codes and be constructed to not disturb neighboring tenants?					YES	NO	N/A	Already existing
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	
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.)					YES	NO	N/A	
If applicant decides to apply for alterations, as defined by SLA or DCA (as applicable), he/she will reappear before CB4 to describe these alterations.					YES	NO	N/A	

OUTDOOR ITEMS			
Will applicant use the rooftop or rear yard?	YES	NO	N/A
The rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	YES	NO	N/A
The service and consumption of alcohol in the rear ^{yard} yard , on the rooftop, or in any other outdoor space will be only via seated food service.	YES	NO	N/A
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	YES	NO	N/A
Will applicant do everything in their power to provide an effective sound baffling or sound controlled environment through landscaping or some type of enclosure, where possible; provided they do not violate any fire or building code regulations? This includes possibly working with landlords for soundproofing tenants apartments (such as installing soundproofing windows, acoustical tiles, etc.).	YES	NO	N/A
Will applicant enforce a quiet environment in the outdoor space, so as not to disturb nearby residents (e.g. there will be no amplified music, as per the law, and windows and doors to areas that play amplified music shall be closed). The applicant will make every effort possible to limit the noise emanating from diners by posting signs outside and also on menus asking for respect of the neighbor's privacy and peace. The staff will also encourage a peaceful environment amongst the outdoor diners.	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

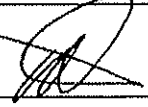
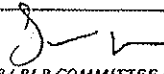

N/A - existing establishment
 ↓
 runs to 12:00 @ night for outdoor space....

OTHER / NOTES:	Tables	Chairs	Bar Stools
Hudson Hall	25	100	18
Library Lounge	7	114	0 → main
Hudson Bar	18	143	12 → main
Private Park	32	128	0

each have own license

* Not hotel's license. The restaurant license → that restaurant is closing down. So they are taking that license into the hotel operation.
 SEND Amplified sound - on outside

AGREEMENT: Pursuant to these stipulations, this applicant agrees to have these provisions incorporated in the method of operation of their liquor license. Additionally, the applicant agrees to the community agreements as the basis for the community supporting this application.

APPLICANT / ATTORNEY SIGNATURE 	DATE 1-12-10
CB4 COMMUNITY ASSOCIATE, NELLY GONZALEZ	DATE
 CB4 BLP COMMITTEE CO-CHAIR	DATE 01-12-10
 CB4 BLP COMMITTEE CO-CHAIR	DATE

we received phone number of general manager for "The Hudson."

Community Board 4: Business Licenses & Permits

(350 W. 58th Street Actual Listing)

APPLICANT 58th Street ^{Bar} Company LLC	ADDRESS 353-361 W 57th Street	TYPE OF LICENSE Alteration - OP
DOING BUSINESS AS (DBA) Hudson Hall	CROSS STREETS 8/9	

DESCRIPTION OF APPLICATION To incorporate into 58th Street Bar Co	OWNER REPRESENTATIVE Simon Mais - General manager	LAWYER Donald Bernstein
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HOURS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
	Operation	6:30-4	6:30-4	6:30-4	6:30-4	6:30-4	6:30-4	6:30-4
	Music	"	"	"	"	"	"	"
	Kitchen	6:30-12	6:30-12	6:30-12	6:30-12	6:30-12	6:30-12	6:30-12

SEATING & TABLES	INDOOR			BAR		OUTSIDE	
	CAPACITY	SEATS	TABLES	SEATS	TABLES	SEATS	TABLES
	515	515	82				

OPERATIONAL ISSUES

Will you be applying or intending to apply for a cabaret license?	YES	<input checked="" type="radio"/> NO	N/A
Will you be hosting private parties and promotional events?	<input checked="" type="radio"/> YES	NO	N/A
Will outside promoters be used?	YES	<input checked="" type="radio"/> NO	N/A
Will the security plan submitted be implemented?	YES	NO	<input checked="" type="radio"/> N/A
Will State certified security personnel(s) be used?	YES	NO	<input checked="" type="radio"/> N/A
Will New York Nightlife Association recommendations be followed?	YES	NO	<input checked="" type="radio"/> N/A
Will the applicant be using delivery bicycles?	YES	NO	<input checked="" type="radio"/> N/A
Will applicant have music?	<input checked="" type="radio"/> YES	NO	N/A

If you plan to have music, what type(s)?	BACKGROUND	LIVE MUSIC	DJ
--	------------	------------	----

BUILDING DESIGN

French doors and sliding windows will be closed when any amplified music is played (per law) and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.	YES	NO	<input checked="" type="radio"/> N/A	
Will the kitchen exhaust system be designed to be compliant with NYC building codes and be constructed to not disturb neighboring tenants?	<input checked="" type="radio"/> YES	NO	N/A	Already existing
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	<input checked="" type="radio"/> N/A	
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.)	YES	NO	<input checked="" type="radio"/> N/A	
If applicant decides to apply for alterations, as defined by SLA or DCA (as applicable), he/she will reappear before CB4 to describe these alterations.	<input checked="" type="radio"/> YES	NO	N/A	

OUTDOOR ITEMS

Will applicant use the rooftop or rear yard?	YES	NO	N/A	
The rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	YES	NO	N/A	
The service and consumption of alcohol in the rear ^{yard} yard , on the rooftop, or in any other outdoor space will be only via seated food service.	YES	NO	N/A	
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	YES	NO	N/A	
Will applicant do everything in their power to provide an effective sound baffling or sound controlled environment through landscaping or some type of enclosure, where possible; provided they do not violate any fire or building code regulations? This includes possibly working with landlords for soundproofing tenants apartments (such as installing soundproofing windows, acoustical tiles, etc.).	YES	NO	N/A	N/A - existing establishment ↓ runs to 12:00 @ night for outdoor space....
Will applicant enforce a quiet environment in the outdoor space, so as not to disturb nearby residents (e.g. there will be no amplified music, as per the law, and windows and doors to areas that play amplified music shall be closed). The applicant will make every effort possible to limit the noise emanating from diners by posting signs outside and also on menus asking for respect of the neighbor's privacy and peace. The staff will also encourage a peaceful environment amongst the outdoor diners.	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	

OTHER / NOTES:

	<u>Tables</u>	<u>Chairs</u>	<u>Bar Stools</u>	
Hudson Hall	25	100	18	
Library lounge	7	114	0	→ main
Hudson Bar	18	143	12	→ main
Private Park	32	128	0	

each have own license

* Not hotel's license. The restaurant license → that restaurant is closing down. So they are taking that license into the hotel operation.
 *NO Amplified sound - on outside

AGREEMENT: Pursuant to these stipulations, this applicant agrees to have these provisions incorporated in the method of operation of their liquor license. Additionally, the applicant agrees to the community agreements as the basis for the community supporting this application.

APPLICANT / ATTORNEY SIGNATURE		DATE	1-12-10
CB4 COMMUNITY ASSOCIATE, NELLY GONZALEZ		DATE	
CB4 BLP COMMITTEE CO-CHAIR		DATE	01-12-10
CB4 BLP COMMITTEE CO-CHAIR		DATE	1-12-10

we received phone number of general manager for "The Hudson."



JOHN WEIS
Chair

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

June 10, 2010

Dennis Rosen
Chairman
New York State Liquor Authority
80 S. Swan Street, 9th Floor
Albany, New York 12210

Jonathan Mintz
Commissioner
City of New York
Department of Consumer Affairs
42 Broadway
New York, NY 10004

Re: Hudson Leaseco LLC d/b/a Good Units
353 West 57th Street (8th/9th) aka 368 West 58th Street

Dear Chairman Rosen and Commissioner Mintz:

Manhattan Community Board 4 (MCB4) recommends denial of an alteration to a full liquor license and cabaret license for Hudson Leaseco LLC d/b/a Good Units, unless the following stipulations, agreed to by the applicant, are part of their method of operation; this application only applies to the cellar and subcellar of the hotel known as 'Good Units'.

- 1) Hours of operation of Good Units will be no earlier than 5:00 p.m. and no later than 4:00 a.m., Thursday through Sunday and no earlier than 5:00 p.m. and no later than 2:00 a.m. Monday through Wednesday. An earlier start time can occur if a 'convention' type event is arranged within the hotel, but will always abide by the laws of the NY SLA concerning the sale and consumption of alcohol and the stipulations that follow.
- 2) The establishment will have a total capacity of no more than 425 in the cellar and subcellar. Table and chair arrangements and numbers will be dependent upon the event but will never exceed capacity of 425.
- 3) There will be no more than one permanent stand up bar in the cellar and one permanent stand up bar in the sub-cellar. This will be the arrangement in lieu of

the current 'rolling bar' that they are permitted to use under their current license.

- 4) The applicant will retain all control and responsibility for operation and security of the establishment. If any outside promoter is used, their role will be limited to marketing.
- 5) The applicant will not distribute advertisement fliers around the exterior of the establishment.
- 6) The applicant agrees to employ two New York licensed guards outside of the Hudson Hotel on West 58th Street to monitor noise levels from guests and disburse crowds and traffic as needed during Good Units events as well as all other large events in other areas of the hotel. Additionally the applicant will provide dedicated and licensed security posted inside the West 57th Street doors to ensure they are not used as a guest entrance/exit or a temporary exit to allow for smoking. The total number of security guards employed on lounge and nightclub detail, dependent upon the size of the crowd of the venue, will comply with the New York Nightlife Association best practices of one security guard per 75 patrons.
- 7) The applicant agrees to follow the best practices as outlined by the New York Nightlife Association which was developed in cooperation with the New York City Police Department.
- 8) A certified soundproofing engineer will recommend and implement soundproofing on all indoor and outdoor facilities, including but not limited to the 'Private Park' on the 2nd floor, the Sky Terrace on the 15th Floor and the two 'Penthouse' units on the 24th Floor. The recommendations of the sound engineer include, but are not limited to, decibel restrictors/controls and sound absorbing material. A copy of the full report will be submitted with the application and is attached to this letter. A double door entry way is currently employed to minimize sound escaping from the establishment.
- 9) To ensure that neighbors are not negatively impacted by sound emanating from the sidewalk in front of the establishment due to the gathering of people upon closing, the applicant's security personnel will monitor the area and encourage patrons to either enter the establishment or leave the area. Security personnel will be reassigned from the building interior to the street to assist in monitoring noise levels and assisting in the management of taxis at the conclusion of an event.
- 10) The applicant intends to have live, background and DJ music in the Good Units. Applicant has stated they will advise MCB4 and the Midtown North Police Precinct of the NYPD as to ongoing schedule of public events in advance of the date. The calendar of events will be available online to neighboring residents.
- 11) There will be no French doors or windows that open to the street front.

- 12) Kitchen exhaust will exit through ventilation above the highest floor of surrounding buildings and be constructed in a manner to not disturb neighboring residents or offices. Additionally it will be compliant with NY DOB code.
- 13) Applicant will never install a storm vestibule enclosure as they have the double door 'soundtrap' vestibule.
- 14) The applicant will proactively clean the sidewalk and area immediately outside of the establishment and Good Units related trash on immediate neighboring properties.
- 15) No outdoor sidewalk space will be used for queuing of patrons waiting to enter the establishment. Applicant stated cueing will occur inside in the 'reservoir space' on the first floor of the hotel so there will be no outdoor velvet rope lines.
- 16) Applicant will provide 24 hour contact details to CB4 and pertinent community representatives.
- 17) Applicant will arrange for representatives to regularly attend Precinct Council, Block Association and Community Board meetings to address and resolve any community problems that may arise from this establishment. The hotel and community associations will report progress and/or issues back to MCB4 regularly by email, writing or in person.
- 18) There will be no use of any outdoor spaces (rooftop, patio or sidewalk café) at this time for the sale or consumption of alcoholic beverages related to the Good Units cellar and subcellar.
- 19) Hudson Hotel (including Good Units) agrees to make every reasonable effort to restrict all smoking on the street from all venues/bars/restaurants located on premises and instead direct them to the designated smoking areas in the 'Private Park' section of the hotel on the 2nd floor.
- 20) The applicant is simultaneously applying to the NYC DCA to obtain a cabaret license which will be incorporated into their method of operation of the liquor license. The cabaret license will only permit dancing in the 'Good Units' cellar and subcellar of the establishment. There is no other dancing permitted within the Hudson Hotel property.

Hudson Leaseco LLC has determined the name of this establishment to be 'Good Units' and is located in the cellar and subcellar of the Hudson Hotel. The restaurant, Hudson Bar, Library Bar and 'Private Park' are controlled by a separate liquor license and located on the mezzanine level of the Hudson Hotel. The applicant has stated they will limit the use of the 'sky terrace' located outside on the 15th floor to be used under their hotel liquor license and will employ sound limiting measures when in use.

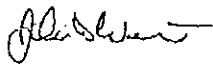
Entrance to the 'Good Units' cellar and subcellar will only be on West 58th Street mainly through the hotel's entrance just to the West of the main hotel entrance door,

but occasionally through the main hotel entrance door. The entrance located on West 57th Street will only be used for emergency access and egress only.

It should also be noted that the applicant did attend a meeting conducted by City Councilmember Gale Brewer as well as appropriate city agencies, MCB4 and community representatives to devise a method to relieve vehicular traffic congestion on West 58th Street as it applies to the Hudson Hotel. The recommendations were approved by MCB4 and we await implementation by NYC DOT. The applicant agreed to work with all agencies on an ongoing basis to effect changes required to facilitate a more organized flow of traffic. A copy of MCB4's letter pertaining to these recommendations is enclosed.

A signed copy of the stipulations agreed to by the applicant is enclosed on the MCB4 form as well as the independent list of stipulations prepared by the applicant themselves. Also enclosed is a copy of the security plan submitted by the applicant.

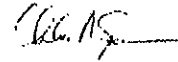
Sincerely,



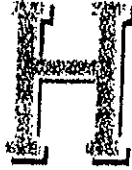
John Weis
Chair
Manhattan Community
Board 4



John Owens
Co-Chair
Business License & Permits
Committee - North



Chuck Spence
Co-Chair
Business License & Permits
Committee - North



Corey Johnson, Chairman
Manhattan Community Board 4
330 West 42nd Street, 26th Floor
New York, NY 10036

Dear Chairman Johnson,

Over the last six months Hudson has made significant nightlife operational changes and prepared/presented a sound attenuation plan developed by Alan Fierstein, Acoustilog, Inc. (see attached). We have also prepared/presented a hotel noise mitigation plan (see attached) in response to the concerns of the Hudson Hotel Tenants Association regarding noise complaints.

At the current time Hudson Hotel is permitted to operate its outdoor venues until midnight as per 2010 stipulations and as confirmed to us by CB4. The currently adopted outdoor closing hour guidelines do not apply to Hudson as it was approved before the guidelines were in place. In response to noise concerns raised during the Business, Permitting and Licensing Committee on July 10th 2012 the management of the Hudson Hotel is willing to offer the following concessions and operate under the following alterations and modifications in all outdoor venues as of July 25th 2012.

A. Residence units 1546 & 2212 (families with children)

1. Install sound proof windows in both units
2. Replace existing widow A/C units with new in wall PTAC units

B. Hudson Private Park (interior courtyard)

1. Operate outdoor space as follows:
 - a. Sunday – Wednesday (Open with music till 10pm, Close outdoor space at 11pm)
 - b. Thursday – Saturday (Open with music till 11pm, Close outdoor space at 11pm)
 - c. Operate music level at 45 decibels as measured inside resident units as recommended by Alan Fierstein's Sound Attenuation Plan.

C. 24th Floor (Tent)

1. Install sound attenuation material on entire penthouse floor in 2013 prior to opening and operating space for the season, approximately April, as recommended by a certified acoustical engineer.

HUDSON

LOCATION: 368 WEST 68 STREET
NEW YORK CITY NY 10019

CONTACT: P 212 564 8000
F 212 564 8001

WEB: MORGANSHOTELGROUP.COM

2. Install noise mitigating glass and aluminum wall panels on remaining two sides of penthouse terrace in 2013 prior to opening and operating space for the season, approximately April, as recommended by a certified acoustical engineer.

D. Sky Terrace (15th Floor Garden)

1. Operate outdoor space as follows:
2. Operate outdoor space as follows:
 - a. Sunday --Wednesday (Open with music till 10pm, Close outdoor space at 11pm)
 - b. Thursday --Saturday (Open with music till 11pm, Close outdoor space at 11pm)
 - c. Operate music level at 45 decibels as measured inside resident units as recommended by Alan Fierstein's Sound Attenuation Plan.
3. Operate with background music only

In addition, the Hudson Hotel Tenant Association has raised concerns regarding electrical upgrades in the building. While these electrical upgrades are unrelated to the alteration application pending at CBA, the Hudson as a landlord is committed to providing a satisfactory quality-of-life for its residents.

Therefore, as discussed with the Hudson Hotel Tenant Association, Hudson will perform the following electrical work to correct resident's complaints regarding circuit breakers that trip out on a constant basis.

1. Resident Floors 20,21,22 to be inspected by licensed electrician
2. Receive a proposal from licensed electrician that will solve the issue of electrical circuits that trip out.
3. Review proposal scope with tenant association to insure that concerns expressed by residence are taken into consideration.
4. Implement licensed electricians proposal by year end 2012.

Respectfully,



Mike Walsh
MHG Regional Vice President, Northeast