

# Manhattan Community Board 4

# Unenclosed Sidewalk Café Stipulations Application

APPLICANT <b>Eater 131 LLC</b>		ADDRESS <b>131 West 23<sup>rd</sup> Street</b>					
DOING BUSINESS AS (DBA) <b>The Guilty Goose</b>		CROSS STREETS <b>6<sup>th</sup> &amp; 7<sup>th</sup> Avenue</b>			OWNER: <b>Annette Fisherma</b>		
DESCRIPTION OF APPLICATION  <i>New sidewalk cafe license</i>		LAWYER:					
		DCA LICENSE NUMBER: <b>1442533</b>					
		SLA LICENSE NUMBER:					
		ON SITE CONTACT: ( Name, position & phone number ):					
Side-walk café hours of Operation	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
	<i>11-12</i>	<i>11-12</i>	<i>11-12</i>	<i>11-12</i>	<i>11-12</i>	<i>11-12</i>	<i>11-12</i>
DCA Hours Allowed	8-12	8-12	8-12	8-12	8-1	8-1	12-12
SEATING & TABLES	DESCRIPTION		NOTES				
	SEATS <b>12</b>	TABLES <b>3</b>					
<b>OPERATIONAL ISSUES</b>							
Will you follow the rule prohibiting speakers for music in the outdoor space?		YES	NO	N/A			
Will you close all French doors and sliding windows when any interior amplified music is played (per law)?		YES	NO	N/A			
The sidewalk café will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.		YES	NO	N/A			
Will you be serving alcohol on the sidewalk? If so, will you have waiter service as required by DCA?		YES	NO	N/A			
The service and consumption of alcohol on the sidewalk café will be only via seated food service.		YES	NO	N/A			
The sidewalk café will not provide standing space for drinking or smoking.		YES	NO	N/A			
Will the outdoor furniture be removed when not in use?		YES	NO	N/A			
Will the applicant be using delivery bicycles? If so, explain where you will store them since you'll have a sidewalk café.		YES	NO	N/A			
Do you intend to 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			

## SOUND ISSUES

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

## CAFÉ DESIGN

Is the sidewalk a minimum of 12 feet? Subtracting the width of the proposed sidewalk café from the width of the entire sidewalk, do you at least leave 8 feet of clearance?

YES

NO

N/A

Is there a minimum clearance of 8 feet between the sidewalk café and all sidewalk obstructions including parking meters, traffic signs and installed City-sanctioned street furniture (current DCA regs exempt those items)?

YES

NO

N/A

Is there a minimum clearance of 8 feet between the sidewalk café and the tree trunk of a tree with a flush grate (regs exempt trees with flush grates)?

YES

NO

N/A

Is there a minimum clearance of 4 feet between the sidewalk café and subway grating to be consistent with ADA standards (regs require 3 ft)

YES

NO

N/A

Is there a minimum clearance of 3 feet between a sidewalk café and a residential building entrance (regs do not apply to residences)?

YES

NO

N/A

Is there a minimum 3 feet wait service aisle to ensure no public space is used by the café to service its clientele?

YES

NO

N/A

Are the sidewalk-café outer boundaries marked on the sidewalk as requested by DCA regulations?

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

## ADDITIONAL INFORMATION: (Applicant Use)

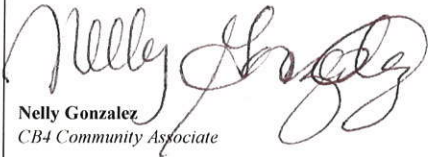
Blank area for additional information.

Manhattan Community Board 4 (MCB4) recommends:

Denial unless all agreed to by applicant is part of the method of operation

Approval  Denial

**CB4 REPRESENTATIVES**

  
Nelly Gonzalez  
CB4 Community Associate

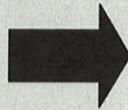
  
Lisa Daglian  
CB4 BLP Committee Co-Chair

  
Paul Seres  
CB4 BLP Committee Co-Chair

**APPLICANT AGREEMENT WITH THE COMMUNITY**

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.

**SIGN HERE**



  
SIGNATURE OF APPLICANT

**Tuesday,  
September 11, 2012**

DATE