

# THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD 3

59 East 4th Street - New York, NY 10003  
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Gigi Li, Board Chair

Susan Stetzer, District Manager

## Community Board 3 Liquor License Application Questionnaire

Please bring the following items to the meeting:

**NOTE: ALL ITEMS MUST BE SUBMITTED FOR APPLICATION TO BE CONSIDERED.**

- Photographs of the inside and outside of the premise.
- Schematics, floor plans or architectural drawings of the inside of the premise.
- A proposed food and or drink menu.
- Petition in support of proposed business or change in business with signatures from residential tenants at location and in buildings adjacent to, across the street from and behind proposed location. Petition must give proposed hours and method of operation. For example: restaurant, sports bar, combination restaurant/bar. (petition provided)
- Notice of proposed business to block or tenant association if one exists. You can find community groups and contact information on the CB 3 website:  
[http://www.nyc.gov/html/mancb3/html/communitygroups/community\\_group\\_listings.shtml](http://www.nyc.gov/html/mancb3/html/communitygroups/community_group_listings.shtml)
- Photographs of proof of conspicuous posting of meeting with newspaper showing date.
- If applicant has been or is licensed anywhere in City, letter from applicable community board indicating history of complaints and other comments.

Check which you are applying for:

- new liquor license
- alteration of an existing liquor license
- corporate change
- alteration to method of operation

Check if either of these apply:

- sale of assets
- upgrade (change of class) of an existing liquor license

Today's Date: \_\_\_\_\_

**If applying for sale of assets, you must bring letter from current owner confirming that you are buying business or have the seller come with you to the meeting.**

Is location currently licensed?  Yes  No Type of license: on premises liquor

If alteration, describe nature of alteration: \_\_\_\_\_

Previous or current use of the location: \_\_\_\_\_

Corporation and trade name of current license: Fourthgen LLC

### APPLICANT:

Premise address: 127 Orchard Street

Cross streets: Blk Rivington & Delancey Sts

Name of applicant and all principals: Fourthgen, LLC

Joshua Tupper, Niki Federman

Trade name (DBA): Russ & Daughters Cafe

**PREMISE:**

Type of building and number of floors: 6 story brick

Will any outside area or sidewalk cafe be used for the sale or consumption of alcoholic beverages? (includes roof & yard)  Yes  No If Yes, describe and show on diagram: \_\_\_\_\_

Does premise have a valid Certificate of Occupancy and all appropriate permits, including for any back or side yard use?  Yes  No What is maximum NUMBER of people permitted? 200

Do you plan to apply for Public Assembly permit?  Yes  No

What is the zoning designation (check zoning using map: <http://gis.nyc.gov/doitt/nycitymap/> - please give specific zoning designation, such as R8 or C2):

C4-4a

**PROPOSED METHOD OF OPERATION:**

Will any other business besides food or alcohol service be conducted at premise?  Yes  No

If yes, please describe what type: \_\_\_\_\_

What are the proposed days/hours of operation? (Specify days and hours each day and hours of outdoor space) 8am - midnight

7 days per week

Number of tables? 16 Total number of seats? 49

How many stand-up bars/ bar seats are located on the premise? one / 9

(A **stand up bar** is any bar or counter (whether with seating or not) over which a patron can order, pay for and receive an alcoholic beverage)

Describe all bars (length, shape and location): Approx 14' x 8' irregular L Front Right

Does premise have a full kitchen?  Yes  No?

Does it have a food preparation area?  Yes  No (If any, show on diagram)

Is food available for sale?  Yes  No If yes, describe type of food and submit a menu

Kosher style Dairy : appetizing

What are the hours kitchen will be open? 8am - midnight

Will a manager or principal always be on site?  Yes  No If yes, which? \_\_\_\_\_

How many employees will there be? 45-50

Do you have or plan to install  French doors  accordion doors or  windows? No

Will there be TVs/monitors?  Yes  No (If Yes, how many?) \_\_\_\_\_

Will premise have music?  Yes  No

If Yes, what type of music?  Live musician <sup>1x per month</sup>  DJ  Juke box  Tapes/CDs/iPod  
If other type, please describe \_\_\_\_\_

What will be the music volume?  Background (quiet)  Entertainment level  
Please describe your sound system: Ipod generated small speakers

Will you host any promoted events, scheduled performances or any event at which a cover fee is charged? If Yes, what type of events or performances are proposed and how often? No

How do you plan to manage vehicular traffic and crowds on the sidewalk caused by your establishment? Please attach plans. (Please do not answer "we do not anticipate congestion.")  
Primarily a daytime business... customers waiting for a table will be given a number and will be seated when their table is available  
Will there be security personnel?  Yes  No (If Yes, how many and when) \_\_\_\_\_

How do you plan to manage noise inside and outside your business so neighbors will not be affected? Please attach plans. Daytime business

Do you have sound proofing installed?  Yes  No  
If not, do you plan to install sound-proofing?  Yes  No currently installed

**APPLICANT HISTORY:**

Has this corporation or any principal been licensed previously?  Yes  No  
If yes, please indicate name of establishment: Fourthgen LLC  
Address: 127 Orchard Street Community Board # 3  
Dates of operation: 2014 - Present

**If you answered "Yes" to the above question, please provide a letter from the community board indicating history of complaints or other comments.**

Has any principal had work experience similar to the proposed business?  Yes  No If Yes, please attach explanation of experience or resume.

Does any principal have other businesses in this area?  Yes  No If Yes, please give trade name and describe type of business Russ ; Daughter 179 East Houston St

Has any principal had SLA reports or action within the past 3 years?  Yes  No If Yes, attach list of violations and dates of violations and outcomes, if any.

Attach a separate diagram that indicates the location (name and address) and total number of establishments selling/serving beer, wine (B/W) or liquor (OP) for 2 blocks in each direction. Please indicate whether establishments have On-Premise (OP) licenses. Please label streets and avenues and identify your location. Use letters to indicate Bar, Restaurant, etc. The diagram must be submitted with the questionnaire to the Community Board before the meeting.

**LOCATION:**

How many licensed establishments are within 1 block? SEE ATTACHED

How many On-Premise (OP) liquor licenses are within 500 feet? \_\_\_\_\_

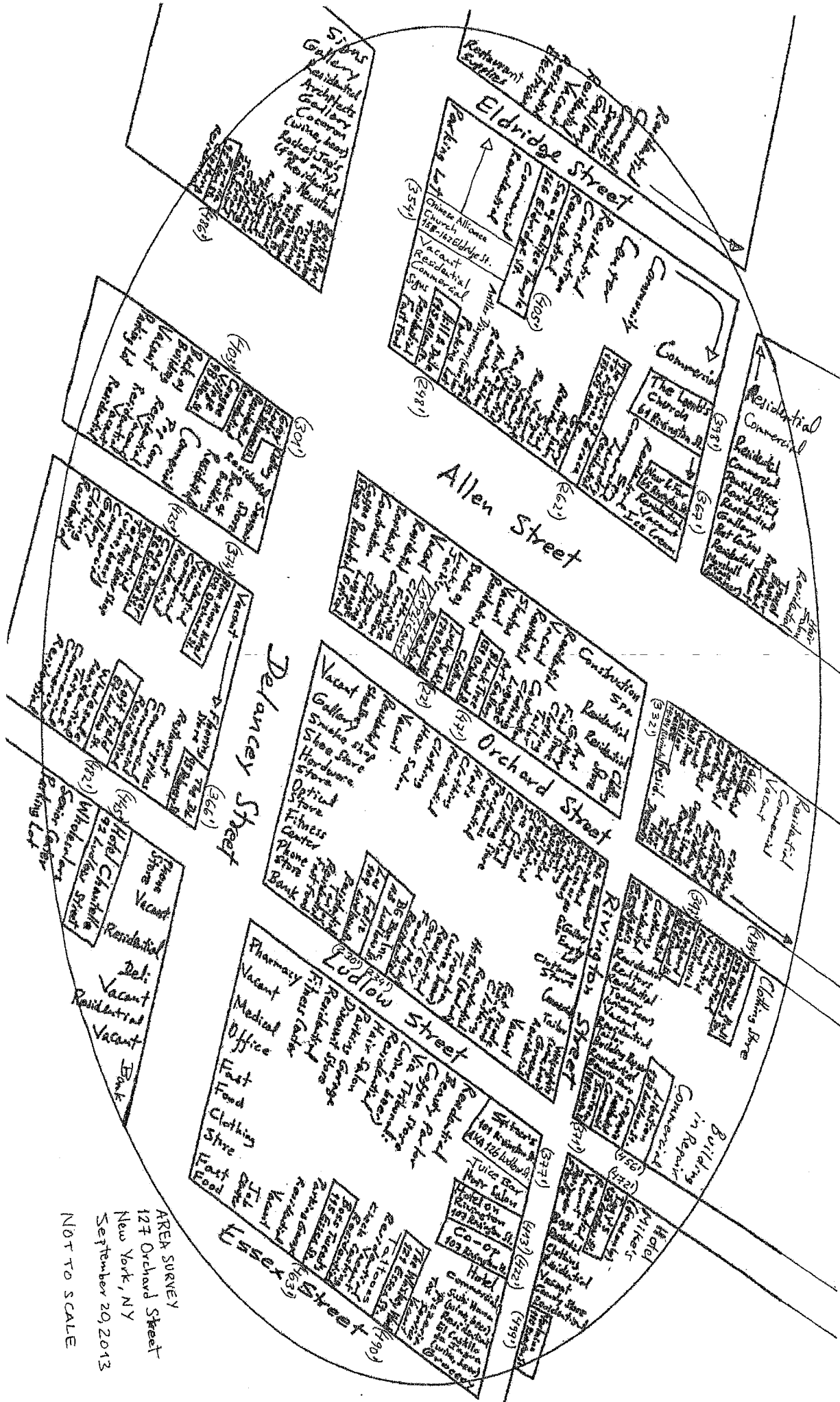
Is premise within 200 feet of any school or place of worship?  Yes  No

**COMMUNITY OUTREACH:**

Please see the Community Board website to find block associations or tenant associations in the immediate vicinity of your location for community outreach. Applicants are encouraged to reach out to community groups. Also use provided petitions, which clearly state the name, address, license for which you are applying, and the hours and method of operation of your establishment at the top of each page. (Attach additional sheets of paper as necessary).

*We are including the following questions to be able to prepare stipulations and have the meeting be faster and more efficient. Please answer per your business plan; do not plan to negotiate at the meeting.*

1.  I will close any front or rear facade doors and windows at 10:00 P.M. every night or during any amplified performances, including but not limited to DJs, live music and live nonmusical performances.
2.  I will not have  DJs,  live music,  promoted events,  any event at which a cover fee is charged,  scheduled performances,  more than \_\_\_\_\_ DJs/ promoted events per \_\_\_\_\_,  more than \_\_\_\_\_ private parties per \_\_\_\_\_. *more than 1 live performance event per month*
3.  I will play ambient recorded background music only.
4.  I will not apply for an alteration to the method of operation agreed to by this stipulation without first coming before CB 3.
5.  I will not seek a change in class to a full on-premise liquor license without first obtaining approval from CB 3. *N/A*
6.  I will not participate in pub crawls or have party buses come to my establishment.
7.  I will not have a happy hour.  I will have happy hour and it will end by \_\_\_\_\_.
8.  I will not have wait lines outside.  There will be a staff person outside to monitor sidewalk crowds and ensure no loitering.
9.  Residents may contact the manager/owner at the following phone number. Any complaints will be addressed immediately and I will revisit the above-stated method of operation if necessary in order to minimize my establishment's impact on my neighbors.



AREA SURVEY  
 127 Orchard Street  
 New York, NY  
 September 20, 2013  
 NOT TO SCALE

## Re: 120 Orchard Street

1. Iggy's - 132 Ludlow Street - (472')
2. Verlaine - 110 Rivington Street - (499')
3. Spitzers - 101 Rivington Street - (377')
4. Hotel on Rivington - 107 Rivington Street - (413')
5. Co-Op - 107 Rivington Street - (422')
6. The Whiskey Ward - 121 Essex Street - (490')
7. Boss Tweeds - 115 Essex Street - (463')
8. Hotel Chantelle - 92 Ludlow Street - (445')
9. Blue Moon Hotel - 100 Orchard Street - (374')
10. Cafe Dancer - 96 Orchard Street - (425')
11. The DL - 95 Delancey Street - (366')
12. Left Field - 87 Ludlow Street - (482')
13. Los Feliz - 109 Ludlow Street - (230')
14. BG Bar Inc. - 113 Ludlow Street - (234')
15. Sauce - 78-84 Rivington Street - (332')
16. Inotera - 98 Rivington Street - (371')
17. Liberation - 137 Ludlow Street - (456')
18. The Orchard House - 146 Orchard Street - (397')
19. Tammany Hall - 152 Orchard Street - (484')
20. Congee Village - 98 Allen Street - (403')
21. Gray Lady - 77 Delancey Street - (301')
22. Lucky Jack's - 129 Orchard Street - (22')
23. Black Tree - 131 Orchard Street - (47')
24. Sorella - 95 Allen Street - (486')
25. Hill & Dale - 115 Allen Street - (248')
26. Near & Far - 65 Rivington Street - (367')

### Schools & Churches

1. The Lamb's Church - 61 Rivington Street - (398')
2. The Church of Grace to Fujianese - 133-135 Allen Street - (262')
3. Chinese Alliance Church - 158-162 Eldridge Street - (354')
4. Sea of Galilee Temple - 166 Eldridge Street - (405')
5. High School for Dual Language & Asian Studies - 350 Grand Street - (2820')