

Manhattan Community Board 4

(All Fields Must Be Completed)

Liquor License Stipulations Application

CORPORATION NAME BCW NYC Chelsea Market LLC		DOING BUSINESS AS (DBA) Berlin Currywurst			
STREET ADDRESS 75 Ninth Avenue/ New York, NY 10011		CROSS STREETS West 15th and west 16th Streets	ZIP CODE 10011		
OWNER <i>(Attach a list of all the people that will be associated/listed with the license)</i>	NAME: Please see attached list	ATTORNEY/ REPRESENTAIVE	NAME: Donald M. Bernstein, Esq.		
	PHONE: 213 628 3455		PHONE: 212 486 6000		
	EMAIL: Hardeep & Lena Manak lh.manak@gmail.com		EMAIL: dbernstein@victorbernstein.com		
MANAGER	NAME: Lena Manak	LANDLORD	NAME: Jamestown Premier Chelsea Market LP		
	PHONE: 323 633 2707		PHONE: 212 652 2122		
	EMAIL: lh.manak@gmail.com		EMAIL: Diane.DeChiaro@JamestownLP.com		
APPLICATION TYPE (Check One)					
<input checked="" type="checkbox"/> New	Has applicant owned or managed a similar business?		YES	NO	Yes
	What is/was the name and address of establishment?		Please refer to attached list		
	What were the dates applicant was involved with this former premise?		Please refer to attached list		
<input type="checkbox"/> Transfer	What is the prior license # and expiration date?				
	Is applicant making any alterations or operational changes?		YES	NO	
	If alterations or operational changes are being made, please describe/list all changes.				
<input type="checkbox"/> 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 type="radio"/> Liquor/Wine/Beer <input type="radio"/> Beer <input checked="" type="radio"/> Wine & Beer				
ESTABLISHMENT TYPE	<input 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 checked="" type="checkbox"/> Kiosk <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	NO	No. We plan to file after the CB Meeting.		
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	NO	No. This is a beer and wine license application.		
Is the 200 Foot Rule applicable? If yes, please attach a diagram of the schools and houses of worship that trigger the rule.	YES	NO	No. This is a beer and wine license application.		
Has applicant/owner(s) read MCB4 Policy Regarding Concentration and Location of Alcoholic-Serving Establishments?	YES	NO	Yes		

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	7AM-10PM	7AM-10PM	7AM-10PM	7AM-10PM	7AM-10PM	7AM-10PM	7AM-10PM	7AM-10PM
	Kitchen	6AM-10PM	6AM-10PM	6AM-10PM	6AM-10PM	6AM-10PM	6AM-10PM	6AM-10PM	6AM-10PM
	Music	7AM-10PM	7AM-10PM	7AM-10PM	7AM-10PM	7AM-10PM	7AM-10PM	7AM-10PM	7AM-10PM
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	Estimated 22*	Estimated 22	0	8**	0	One	8**		
OUTSIDE <i>(Other than sidewalk café)</i>	N/A								
SIDEWALK CAFÉ	N/A								
How many floors are there? What is the capacity for each floor?					The venue is a kiosk on the ground floor in Chelsea Market with an estimated maximum capacity of 22.				
How frequently will the owner(s) be at the establishment?					Daily for Lena Manak and Hardeep Manak will be three an estimated twice a month.				
Will you be applying or intending to apply for a cabaret license with DCA? If yes, will there be dancing?					YES	NO	No		
Will applicant have bottle or table service for beverage alcohol?					YES	NO	No		
Will you be hosting private; promotional or corporate events?					YES	NO	No		
Will outside promoters be used on a regular basis? If yes please describe.					YES	NO	No		
Will you have a security plan? If, yes please attach.					YES	NO	No		
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?					YES	NO	No		
Will applicant be using delivery bicycles? If yes, how many?					YES	NO	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	N/A		
Where will delivery bicycles be stored during the day when not in use?					N/A				

*The enclosed TCO will be renewed and updated to reflect the kiosk space.

**The stand-bar bar serves as a food counter with 8 seats.

LOCATION & ZONING			
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	NO	No
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	YES	NO	Yes
Is a Public Assembly permit required?	YES	NO	No
Are your plans filed with DOB?	YES	NO	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 provided	
	# 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?			
Where did applicant post the notice that was provided?		We will post by September 30, 2015	
Will applicant provide owner cell phone number to neighbors and respond to complaints that arise? Please provide number in space provided.	YES	NO	Yes / 323 633 2707
Will applicant inform the Community Board office of its job openings and/or provide a hyperlink to applicants jobs webpage?	YES	NO	Yes

BUILDING DESIGN			
State the name and type of business previously located in the space.	Ruthy's Bakery		
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.	YES	NO	No
Do you plan any changes to the existing façade? If yes, please describe.	YES	NO	Yes. New signage to read - Berlin Currywurst
Will applicant have a vestibule within the establishment?	YES	NO	No
Will applicant use a storm enclosure?	YES	NO	N/A
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	NO	N/A
Will applicant comply with the NYC noise code?	YES	NO	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	NO	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	NO	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	NO	No - small 209 sq ft kiosk in Chelsea Market
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	No to sound engineer Yes to placing speakers on the floor
Will the kitchen exhaust system extend to the roof?	YES	NO	Yes
Will the establishment have an illuminated sign?	YES	NO	No
Will the establishment have a canopy extending over the sidewalk?	YES	NO	N/A
Where will the air conditioner be located? What type is it?	*		
When was the air conditioner installed?	**		

*Air conditioning is provided for the entire kiosk area via 4 condenser water cooled ceiling mounted forced air AC units.

**AC systems and all components are brand new and are to be commissioned prior to tenant opening.

OUTDOOR ITEMS - OTHER THEN SIDEWALK CAFÉ			
Has the applicant/owner(s) read MCB 4 Rear Yard Rooftop Policy?	YES	NO	N/A
Will applicant use any outdoor spaces: rooftop, rear yard, patio, porch, balcony, pavilion, tents, deck or gazebo? If yes, which one(s)?	YES	NO	No
Are the floorplans for the outdoor space(s) included?	YES	NO	N/A
Will applicant close and vacate the outdoor space(s) by 11PM on Friday & Saturday and 10 PM on all other days?	YES	NO	N/A
Will the service and consumption of alcohol in any outdoor space only be via seated food service?	YES	NO	N/A
Will applicant not allow standing space for patrons to drink or smoke in any outdoor space(s)?	YES	NO	N/A
Will there be no amplified music, as per the law?	YES	NO	N/A
If amplified sound is played inside the establishment, will windows and doors be closed?	YES	NO	N/A
Will applicant agree to post signs outside asking customers to respect the neighbors'?	YES	NO	N/A
Will applicant agree to train staff to encourage a peaceful environment?	YES	NO	Yes
Will applicant provide effective sound control (landscaping enclosure, soundproofing tenants apartments)	YES	NO	N/A
Will there be a lighting plan that allows safe usage of the outdoor space without disrupting neighbors?	YES	NO	N/A

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)

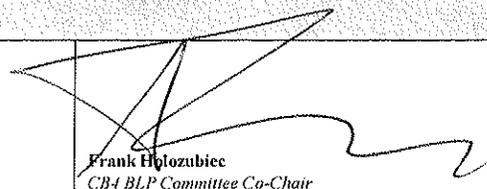
To the extent any additional stipulation on pages 7 and 8 of this application conflicts with any response on pages 1 – 6 of this application, the stipulations on pages 7 and 8 control.

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.

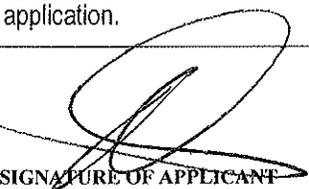
Manhattan Community Board 4 (MCB4) recommends:	<input checked="" type="radio"/> Denial unless all stipulations agreed to by applicant/owner are part of the method of operation <input type="radio"/> Denial <input type="radio"/> Approval
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CB4 REPRESENTATIVES

Nelly Gonzalez <i>CB4 Assistant District Manager</i>	 Frank Hlozubiec <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

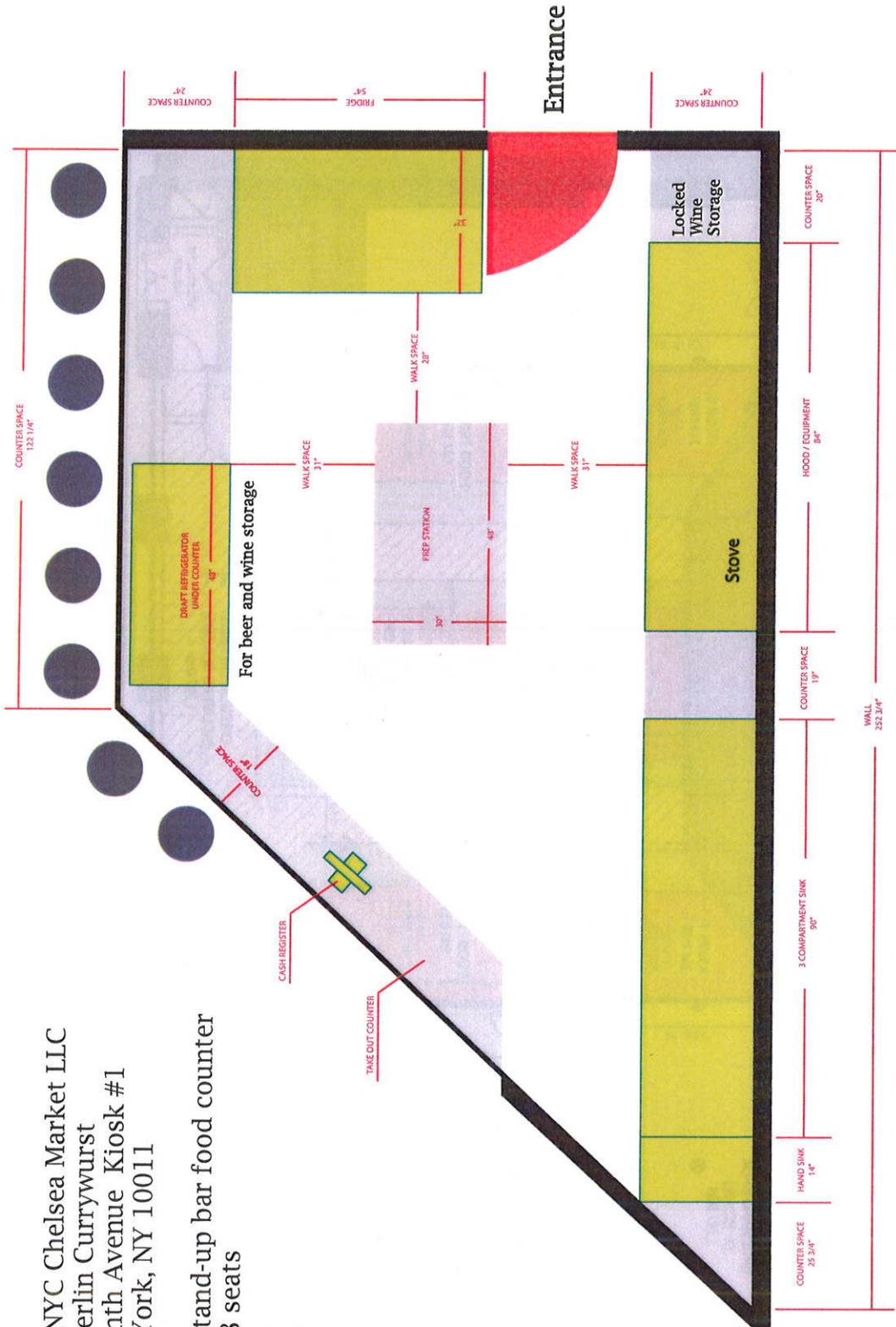
Applicant agrees to these stipulations as the basis for the community support of this application and acknowledges that all of these stipulations are essential prerequisites to the MCB4 recommendation regarding this application. Applicant agrees to have these stipulations incorporated in the method of 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.

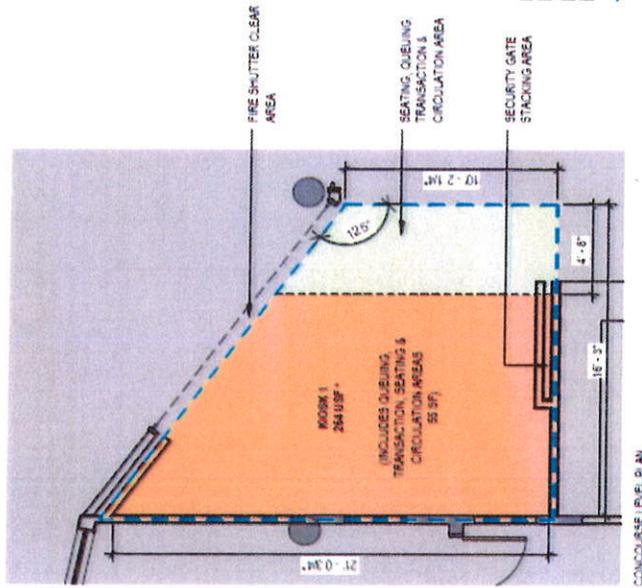
SIGN HERE →	Donald M. Bernstein, Esq, counsel for applicant PRINT NAME OF APPLICANT	 SIGNATURE OF APPLICANT	September 25, 2015 DATE
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BCW NYC Chelsea Market LLC
dba Berlin Currywurst
75 Ninth Avenue Kiosk #1
New York, NY 10011

One stand-up bar food counter
with 8 seats





Dimensions shown are based on preliminary construction plans. Final actual dimensions may vary.

*Usable Square Feet (USF) is a standard unit of building measurement employed by the Manhattan real estate industry. It is determined by the Real Estate Board of New York (REBNY) to be the following: gross floor area minus all vertical penetrations and any mechanical rooms that serve the building. Vertical penetrations are measured to the outside face of the enclosing walls and include elevator shafts, mechanical shafts, fire tower shafts and stair and column openings. Gross floor area is the area of the building enclosed by the exterior perimeter building shell excluding setbacks, roof areas, and parking. Loading docks are included except the area occupied by trucks. The total floor USF for a floor with one tenant and a floor with multiple tenants is exactly the same. USF for a tenant is measured to the outside face of walls between the tenant and shared common areas. Walls shared by (between) tenants are split between the respective tenants.

TENANT LEASING PLANS - KIOSK 1
CHELSEA MARKET

Scale: As indicated

07/10/15

BCW NYC Chelsea Market LLC
dba Berlin Currywurst
75 Ninth Avenue - Kiosk #1
New York, NY 10011



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BERLIN CURRYWURST

Menu Chelsea Market NYC

BREAKFAST (SERVED ALL DAY)

Breakfast Sandwich	\$ 9
Any sausage in bun with sunny side egg, add onions/sauerkraut	
Bauernpfanne – Sausage Hash	\$ 10
Any sausage sliced up w. sunny side egg, roasted potatoes, onions	
Leberkäse	\$ 9
German style meatloaf in bun w. sunny side egg, add onions/sauerkraut	

LUNCH (SERVED ALL DAY) \$8

{ 1. CHOOSE YOUR SAUSAGE }

- Brat (pork)
- Paprika (pork, paprika, garlic)
- Muenbarger (veal, pork)
- Rind (beef)
- Kaese (beef, jalapeno, cheese)
- Chicken (chicken, cilantro, onions)
- Tofu Kielbasa

{ 2. CHOOSE YOUR STYLE }

<p>Currywurst </p> <p>↓</p> <p>Choose a Sauce: Original, Orange-ginger, Garlic</p> <p>↓</p> <p>Choose Heat Level 0-4</p>	<p>In Bun </p> <p>↓</p> <p>Choose a Topping: Minced Onions, Sauerkraut</p> <p>↓</p> <p>Choose Heat Level 0-4</p>
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SIDES

Fries (German, not French)	\$ 5
Sauerkraut Salad (with oranges, carrots)	\$ 5
Rote Beete Salad (field greens, beet, goat cheese, walnut)	\$ 5

DRINKS

Soft Drinks	\$ 3
Draft Beer	\$ 8
Bottled Beer.....	\$ 8
Wine by the Glass (Red/White/Rose).....	\$ 12

*At least, must be 16 years or older to get beer 3 and 4

Berlin Currywurst // 75 Ninth Ave // New York, NY, 10011
 phone 212.628.3455 // info@berlincurrywurst.com // www.berlincurrywurst.com

Owners' Biographies

Hardeep Manak

Born on March 20th 1980 in Offenbach, Germany
2005 Graduated University of Applied Sciences Frankfurt
Degree: Master's Degree in Computer Science and Business Administration
Since 2010 Co-Owner of Berlin Currywurst
02/2011 Opening of first store in Silverlake, LA, CA,
added beer/wine type 41 license in 2012
12/2012 Opening of second store in Hollywood, LA, CA,
closed 03/2015, held beer/wine license
04/2014 Opening of third store at Grand Central
Market LA, CA no beer/wine



Lena Manak

Born on November 21st 1984 in Heilbronn, Germany
2010 Graduated University of Applied Sciences Wiesbaden
Degree: Master's Degree in Media Management
Since 2010 Co-Owner of Berlin Currywurst
02/2011 Opening of first store in Silverlake, LA, CA, added beer/wine type 41 license in 2012
12/2012 Opening of second store in Hollywood, LA, CA, closed 03/2015, held beer/wine license
04/2014 Opening of third store at Grand Central Market LA, CA no beer/wine

Romie Chaudhari

Born on April 5th, 1974 in Hanford, CA
BS in Chemical Engineering from Tufts University
MBA in Corporate Finance and Entrepreneurship from University of Southern California's
Marshall School of Business
Managing Member of Chiron Investments since 2007





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**NYC Department of Buildings
Property Profile Overview**

75 NINTH AVENUE

MANHATTAN 10011

BIN# 1012541

9 AVENUE : 69 - 87
 10 AVENUE : 78 - 92
 WEST 15 STREET : 401 - 459
 WEST 16 STREET : 400 - 460

Health Area : 5600
 Census Tract : 83
 Community Board : 104
 Buildings on Lot : 1

Tax Block : 713
 Tax Lot : 1
 Condo : NO
 Vacant : NO

[View DCP Addresses...](#) [Browse Block](#)

[View Zoning Documents](#) [View Challenge Results](#) [Pre - BIS PA](#) [View Certificates of Occupancy](#)

Cross Street(s): WEST 15 STREET, WEST 16 STREET

DOB Special Place Name:

DOB Building Remarks:

Landmark Status:		Special Status:	N/A
Local Law:	NO	Loft Law:	NO
SRO Restricted:	NO	TA Restricted:	NO
UB Restricted:	NO		
Environmental Restrictions:	N/A	Grandfathered Sign:	NO
Legal Adult Use:	NO	City Owned:	NO
Additional BINs for Building:	NONE		

Special District: UNKNOWN

This property is not located in an area that may be affected by Tidal Wetlands, Freshwater Wetlands, Coastal Erosion Hazard Area, or Special Flood Hazard Area. [Click here for more information](#)

Department of Finance Building Classification: O6-OFFICE BUILDINGS

Please Note: The Department of Finance's building classification information shows a building's tax status, which may not be the same as the legal use of the structure. To determine the legal use of a structure, research the records of the Department of Buildings.

	Total	Open	<u>Elevator Records</u>
<u>Complaints</u>	55	0	<u>Electrical Applications</u>
<u>Violations-DOB</u>	297	4	<u>Permits In-Process / Issued</u>
<u>Violations-ECB (DOB)</u>	38	0	<u>Illuminated Signs Annual Permits</u>
<u>Jobs/Filings</u>	1228		<u>Plumbing Inspections</u>
<u>ARA / LAA Jobs</u>	6		<u>Open Plumbing Jobs / Work Types</u>
Total Jobs	1234		<u>Facades</u>
<u>Actions</u>	490		<u>Marquee Annual Permits</u>
			<u>Boiler Records</u>
			<u>DEP Boiler Information</u>
			<u>Crane Information</u>
			<u>After Hours Variance Permits</u>

OR Enter Action Type:

OR Select from List: ▼

AND

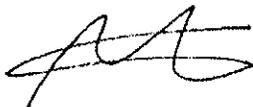
If you have any questions please review these [Frequently Asked Questions](#), the [Glossary](#), or call the 311 Citizen Service Center by dialing 311 or (212) NEW YORK outside of New York City.

Certificate of Occupancy

CO Number: 104025706T028

This certifies that the premises described herein conforms substantially to the approved plans and specifications and to the requirements of all applicable laws, rules and regulations for the uses and occupancies specified. No change of use or occupancy shall be made unless a new Certificate of Occupancy is issued. *This document or a copy shall be available for inspection at the building at all reasonable times.*

A.	Borough: Manhattan	Block Number: 00713	Certificate Type: Temporary
	Address: 75 9 AVENUE	Lot Number(s): 1	Effective Date: 12/24/2014
	Building Identification Number (BIN): 1012541	Building Type: Altered	Expiration Date: 03/24/2015
<i>For zoning lot metes & bounds, please see BISWeb.</i>			
B.	Construction classification: 1		
	Building Occupancy Group classification: COM		
	Multiple Dwelling Law Classification: None		
	No. of stories: 7	Height in feet: 72	No. of dwelling units: 0
C.	Fire Protection Equipment: None associated with this filing.		
D.	Type and number of open spaces: None associated with this filing.		
E.	This Certificate is issued with the following legal limitations: None		
Outstanding requirements for obtaining Final Certificate of Occupancy:			
There are 13 outstanding requirements. Please refer to BISWeb for further detail.			
Borough Comments: None			



Borough Commissioner

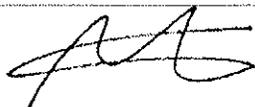


Commissioner

Certificate of Occupancy

CO Number: 104025706T028

Permissible Use and Occupancy						
All Building Code occupancy group designations are 1968 designations, except RES, COM, or PUB which are 1938 Building Code occupancy group designations.						
Floor From To	Maximum persons permitted	Live load lbs per sq. ft.	Building Code occupancy group	Dwelling or Rooming Units	Zoning use group	Description of use
CEL	10	OG	B-2			STORAGE
CEL	9		D-2 B-2		6	KITCHEN, STORAGE
CEL	2				6	ACCESSORY OFFICE
CEL	44		D-2 B-2		6	KITCHEN, STORAGE
CEL	178		F-4		6	EATING AND DRINKING ESTABLISHMENT (WEST)
CEL	10	OG	B-2			STORAGE
CEL	4		D-2 C		6	KITCHEN AND ACCESSORY OFFICE
CEL	5		B-2		6	RETAIL STORAGE
CEL	200		F-4		6	EATING AND DRINKING ESTABLISHMENT (EAST)
CEL	1					ACCESSORY OFFICE
001		300	B-2			NON STORAGE GARAGE FOR NOT MORE THAN FIVE (5) MOTOR VEHICLES
001	25	150	B-2			NON STORAGE GARAGE FOR NOT MORE THAN FIVE (5) MOTOR VEHICLES
001	228		F-4		6	RETAIL STORE WITH EATING AND DRINKING PLACE



Borough Commissioner



Commissioner

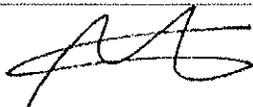
Certificate of Occupancy

CO Number: 104025706T028

Permissible Use and Occupancy

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Floor From To	Maximum persons permitted	Live load lbs per sq. ft.	Building Code occupancy group	Dwelling or Rooming Units	Zoning use group	Description of use
001	96		C		6	RETAIL STORE WITH EATING AND DRINKING PLACE
001	243		F-4		6	EATING AND DRINKING ESTABLISHMENT (EAST)
001	200		F-1B		6	WAITING AREA
001	186		F-4		6	EATING AND DRINKING ESTABLISHMENT (WEST)
001	7		D-2		6	KITCHEN
001	2					ACCESSORY OFFICE
001	40		C		6	RETAIL SPACE
002	5	150	B-2			STORAGE
003	25	150	B-2			SHIPPING AND RECEIVING
004	40	150	B-2			STORAGE, SHIPPING, MANUFACTURING
005	40	150	B-2			MANUFACTURING
006	80		B-2		6	OFFICES
PEN		400	C			WATER SUPPLY, MISCELLANEOUS EQUIPMENT



Borough Commissioner



Commissioner