



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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COREY JOHNSON
Chair

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

July 28, 2011

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

Re: Gustoso LLC d/b/a Bar 9
807 Ninth Avenue (53/54)

Dear Chairman Rosen:

Manhattan Community Board 4 (MCB4) recommends denial of a transfer for an on premise liquor license for **Gustoso LLC d/b/a Bar 9** unless the following stipulations, agreed to by the applicant, are part of the method of operation for this restaurant and bar with a total capacity of 74, with 62 seats at 21 tables, 1 stand up full service bar with 10 seats:

- Hours of operation will be Monday through Sunday 5PM-4AM.
- No outside promoters will be used.
- The applicant has agreed to background music for normal operation.
- French doors will be closed by 11PM on Fridays and Saturdays and at 10PM Sunday through Thursday, and whenever amplified music is played. Background music and a DJ will be in use.
- The applicant has agreed to provide proof of sound proofing modifications to their space.
- The applicant has agreed to install all kitchen ventilation to the roof and away from neighboring residents as per New York City Department of Building Code.
- The applicant will follow Best Practices from the NYPD and the New York Nightlife Association.

The applicant has also stipulated and agreed that if they increase their occupancy as per New York Department of Buildings Code and FDNY guidelines, then the applicant will appear again in front of the committee to discuss their proposed alteration for their method of operation.

A signed copy of the stipulations and community agreements is enclosed. This application is for a transfer of on-premise liquor license to be used at a restaurant and bar located at 807 Ninth Avenue, New York, NY

Sincerely,



Corey Johnson
Chair
Manhattan Community Board
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[signed 7/28/11]
Paul Seres
Co-Chair
Business License & Permits
Committee

[signed 7/28/11]
Lisa Daglian
Co-Chair
Business License & Permits
Committee