



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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JOHN WEIS
Chair

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

September 17, 2010

Dennis Rosen
Chairman
New York State Liquor Authority

Re: Stephen Molloy or entity to be formed d/b/a Molloy's
737 Ninth Avenue (49th/50th Streets)

Dear Chairman Rosen:

Manhattan Community Board 4 (MCB4) recommends denial of a transfer of a full liquor license for Stephen Molloy or entity to be formed d/b/a Molloy's, unless the following stipulations, agreed to by the applicant, are part of the method of operation for this establishment:

- Hours of operation will be no earlier than 11:00 am and no later than 4:00 am, 7 days per week. The hours of operation of the kitchen will be no earlier than 11:00 am and no later than 3:00 am, 7 days per week.
- There will be no use of any outdoor spaces (rooftop, patio or sidewalk cafe).
- The applicant is not applying for a cabaret license with this current application.
- The applicant agrees to never use outside promoters.
- The applicant stated they will have background music playing in the restaurant/bar. The applicant stated they will have live acoustic musicians occasionally. The hours of live music agreed to by the applicant are no earlier than 11:00 am and no later than 12:00 am, 7 days per week.
- The applicant will use a certified sound engineer and implement their recommendations to mitigate potential noise disturbance to the neighboring residents and buildings. The applicant HAS/HAS NOT complied with the agreement to provide a copy of the sound engineer's report/recommendations to MCB4 by 8/31/10. A copy of that report IS/IS NOT enclosed.
- There will be French doors and/or windows that open to the street front. Applicant has agreed to close them by 10:00 pm Sunday through Thursday and 11:00 pm on Friday and Saturday. They will also be closed whenever amplified sound is played inside, as per law.
- There will be absolutely no use of delivery bikes.
- 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.

- Applicant will not install a storm vestibule enclosure that will project more than 18 inches as per DOB code. Storm enclosures can only be used between November 15th and April 15th.

A signed copy of the stipulations agreed to by the applicant is enclosed. This application is for a transfer of a full liquor license from an existing restaurant (La Vineria). The applicant plans to install two stand-up bars. There will be 18 seats in the bar areas. Total capacity is 74 patrons with 50 seated at 15 dining tables.

Sincerely,



John Weis
Chair
Manhattan Community Board
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Chuck Spence
Co-Chair
Business License & Permits
Committee - North