

THE CITY OF NEW YORK
 MANHATTAN COMMUNITY BOARD 3
 59 East 4th Street - New York, NY 10003
 Phone: (212) 533-5300 - Fax: (212) 533-3659
 www.cb3manhattan.org - info@cb3manhattan.org

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)
- Letter of 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/sla/community_groups.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

Check if either of these apply:

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

Today's Date: January 8, 2014

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.

Type of license: OP Liquor Is location currently licensed? Yes No

If alteration, describe nature of alteration: The addition of the back deck on the 2nd floor

Previous or current use of the location: Currently used as restaurant

Corporation and trade name of current license: 106 3rd Ave NYC INC. d/b/a Brazen Fox Kitchen & Craft Beer

APPLICANT:

Premise address: 106 Third Avenue

Cross streets: Corner of Third Avenue & 13th Street (Northwest)

Name of applicant and all principals: 106 3rd Ave Inc./ Declan Rainsford & Rory Dolan

Trade name (DBA): Brazen Fox Kitchen & Craft Beer

PREMISE:

Type of building and number of floors: 2 Floor/ entirely commercial

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: We are currently approved for a sidewalk cafe on Third Ave & 13th Street. Alteration to add back deck on 2nd floor.

Does premise have a valid Certificate of Occupancy and all appropriate permits, including certificate of occupancy for back or side yard intended for commercial use? Yes No

Indoor Certificate of Occupancy 75 + 75 Outdoor Certificate of Occupancy 10 people
(fill in maximum NUMBER of people permitted)

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

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

C1-9A

Is this premise wheel chair accessible? Yes No

PROPOSED METHOD OF OPERATION:

What type of establishment will this be (i.e.: restaurant, bar, performance space, club, hotel)?
Restaurant

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) Indoors: 11:00 am to 4:00 am - seven days

Outdoors: Sunday - Thursday: 11:00 am to 11:00 pm; Friday & Saturday: 11:00 am to Midnight

Number of tables? Terrace: 4 Number of seats at tables? Terrace: 10

How many stand-up bars/ bar seats are located on the premise? 2

(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)

Ground Floor: 20' bar with 2 5' returns on south wall of restaurant
Describe all bars (length, shape and location): 2nd Floor: 20' bar with 2 5' returns on south wall of the restaurant

Any food counters? Yes No If Yes, describe: _____

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
American Comfort Food

What are the hours kitchen will be open? 11:00 am until 3:00 am every day

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

How many employees will there be? 20

Do you have or plan to install French doors accordion doors or windows?

Will you agree to close any doors and windows at 10:00 P.M. every night? Yes No

Will there be TVs/monitors? Yes No (If Yes, how many?) 4

Will premise have music? Yes No

If Yes, what type of music? Live musician 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 with speakers

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

How do you plan to manage vehicular traffic and crowds on the sidewalk caused by your establishment? Please attach plans.

The person watching the front door on Third Avenue will see that any people that gather out front will keep their voices down. Any one who refuses to comply will be refused re-entry.

Will there be security personnel? Yes No (If Yes, how many and when) 5 to 7 nights a week, there will be a door person on duty. On all nights, there will be 1 to 2 managers on duty responsible for security

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

Do you have or plan to install sound-proofing?

APPLICANT HISTORY:

Has this corporation or any principal been licensed previously? Yes No

If yes, please indicate name of establishment: in White plains - Brazen Fox & Ron Blacks This establishment is currently licensed & the Principals are also

Address: 175 and 181 Mamaroneck Avenue, White Plains, NY

Community Board # _____

Dates of operation: 2006 to present & 2010 to 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 _____

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? 3

How many licensed establishments are within 500 feet? 15

Is premise within a 500 foot radius of 3 or more establishments with OP licenses? Yes No

How many On-Premise (OP) liquor licenses are within 500 feet? 10

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

If there is a school or place of worship within 200 feet of your premise on the same block, submit a block plot diagram or area map showing its location in proximity to your premise and indicate the distance and name and address of the school or house of worship.

COMMUNITY OUTREACH:

If there are block associations or tenant associations in the immediate vicinity of your location, you must contact them. Contact the CB 3 office at info@cb3manhattan.org to find block and tenant associations. **Please attach proof (copies of letters or email and poster) that you have advised these groups of your application with sufficient time for them to respond to your notice.**

Please 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).

CONTACT INFORMATION:

Applicant's telephone number: 212.353.1063 Email: declan0050@hotmail.com

Contact Name: Michael Ferrari

Attorney Representative Other

Telephone number: (212) 972-7040 Email: mf@rvferrari.com

Please provide contact information for residents and the Community Board and confirm that if complaints are made, you will act immediately to resolve any problems.

Contact person: Declan Rainsford Phone: 212.353.1063

Address: 106 Third Avenue/ New York, NY 10003

Email: declan0050@hotmail.com

I hereby certify that the information provided above is truthful and accurate based upon my personal belief.

Name: Declan Rainsford

Signature:  Date: January 8, 2014

Management of Noise Inside and Outside of the Premises
106 Third Avenue/ Brazen Fox Kitchen & Craft Beer

Since we opened the establishment in late 2013, we have made every effort to be mindful of our neighbors. As we agreed in our stipulations, we close our windows and doors by 10:00 pm and our music is played at an acceptable level. The expenses for renovation of the establishment exceeded \$100,000 and included insulating the ceiling which abuts the building above and the wall to the building next door.

We run a very civilized establishment similar to the two restaurants we have successfully operated in White Plains since 2006 and 2010. Any patrons who are behaving inappropriately are asked curb their behavior. If they refuse or continue to behave poorly, they are asked to leave. This has been our policy in White Plains and is now our policy in Manhattan.

We will close the back terrace every night at 11:00 PM on weekdays, and Midnight on weekends. The use of the terrace will be for dining patrons seated at tables only. They will be held to an even higher standard of behavior than those within the restaurant as any noise they may create can affect our neighbors even more.

We have invested a great deal of money to operate this space and we expect to remain for many years. We understand that we will not remain if we operate in violation of the law or in violation of our agreements with our neighbors.

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Drug Store Beer License	
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FOURTEENTH STREET

	5 Napkin Burger 150 E 14 th St. OP Liquor
	APPLICANT 106 Third Ave On premises liquor

THIRTEENTH STREET

	Nevada Smiths 100 3 rd Avenue OP Liquor Restaurant
	Bar None 98 Third Avenue OP Liquor
	Teriyaki Express & Sushi Wine/ Beer - RW
	90 Miles to Philly 94 3 rd Ave Restaurant Beer
	Blue 9 Burger 92 3 rd Ave Restaurant Wine/ beer

The Penny Farthing 103 3 rd Avenue Restaurant – OP Liquor		
Haxari 99 3 rd Avenue OP Liquor		

TWELTH STREET

	Webster Hall 119 & 125 E 11 th St. On Premises liquor

Proximity Report for Location:

January 8, 2014

106 3RD AVE, New York, 10003

* This report is for informational purposes only in aid of identifying establishments potentially subject to 500 and 200 foot rules. Distances are approximated using industry standard GIS techniques and do not reflect actual distances between points of entry. The NYS Liquor Authority makes no representation as to the accuracy of the information and disclaims any liability for errors.

Closest Liquor Stores

Name	Address	Approx. Distance
TRADER JOES EAST INC	138 E 14TH ST	455 ft
33 UNION SQUARE WEST INC	140 4TH AVE	715 ft
M J K LIQUORS INC.	161 3RD AVENUE	770 ft
MIAT LIQUORS INC	166 2ND AVE	980 ft
IWM HOLDINGS LLC	108 E 16TH STREET	1160 ft
ST MARKS LIQUOR LLC	16 ST MARKS PL	1315 ft
KOMAN LIQUORS INC	46 UNION SQUARE EAST	1385 ft

Churches within 500 Feet

Name	Approx. Distance
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Schools within 500 Feet

Name	Address	Approx. Distance
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On-Premise Licenses within 750 Feet

Name	Address	Approx. Distance
99 THAI PLAYGROUND LLC	99 3RD AVE	15 ft
EAST COUNTY LOU TH INC	103 3RD AVENUE	30 ft
92 NUNSWALK INC	100 3RD AVE	80 ft
LONGFORD INC	98 3RD AVE	115 ft
K H T ENTERPRISES INC	222 EAST 14TH STREET	310 ft
JINX PROOF L L C	231 E 14TH STREET	375 ft
90 3RD AVE NYC INC	145 E 13TH ST	380 ft
4N CORP	233 E 14TH ST	380 ft
BIZET LLC	150 E 14TH ST	405 ft
243 E 14TH CAFE INC	243 E 14TH ST	415 ft
THIRD AVENUE RESTAURANT CORP	64 3RD AVENUE	545 ft
HONEY JAR INC	60 3RD AVE	605 ft
82ND STREET CAFE INC	1453 57 3RD AVE	610 ft
FT 245 CORP	245 EAST 11TH STREET AKA 175 S	615 ft
3RD AVENUE HOSPITALITY LLC	55 3RD AVE	625 ft
CHIPOTLE MEXICAN GRILL OF COLORADO LLC	117 E 14TH STREET	625 ft
WEBSTER HALL ENTERTAINMENT CORP	119 E 11TH STREET	660 ft
MBDE RESTAURANT GROUP LLC	127 4TH AVE	665 ft

Name	Address	Approx. Distance
132 4TH AVENUE RESTAURANT LLC	132 4TH AVE	670 ft
DAIMYO GROUP LLC	207 2ND AVENUE	685 ft
PMP VENTURES INC	219 2ND AVE	690 ft
ATLAS HUGGED INCORPORATED	213 2ND AVE	705 ft
211 AVE A RESTAURANT INC	197 2ND AVE	705 ft
HUZZAH LLC	221 2ND AVE	715 ft
CORNER BILLIARDS CORP	110 E 11TH ST	715 ft
129 EAST 15TH BAR CORP	129 E 15TH ST	720 ft
1337 THIRD AVENUE LLC	1337 39 41 3RD AVENUE	735 ft
LM RESTAURANT GROUP LLC	120 E 15TH ST	750 ft

Pending Licenses within 750 Feet

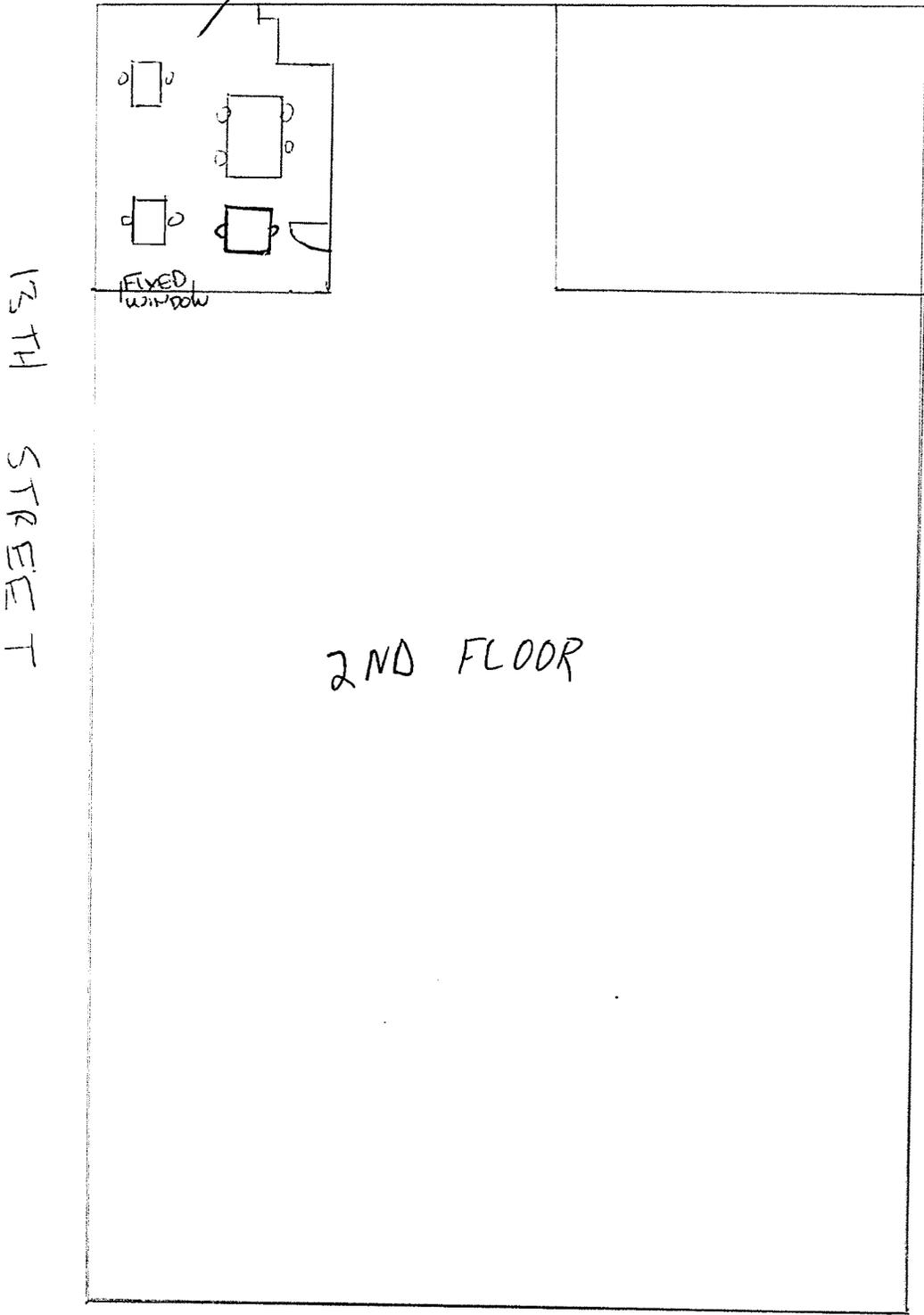
Name	Address	Approx. Distance
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Unmapped licenses within zipcode of report location

Name	Address
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ALTERATION

ADDITION OF OUTDOOR
TERRACE



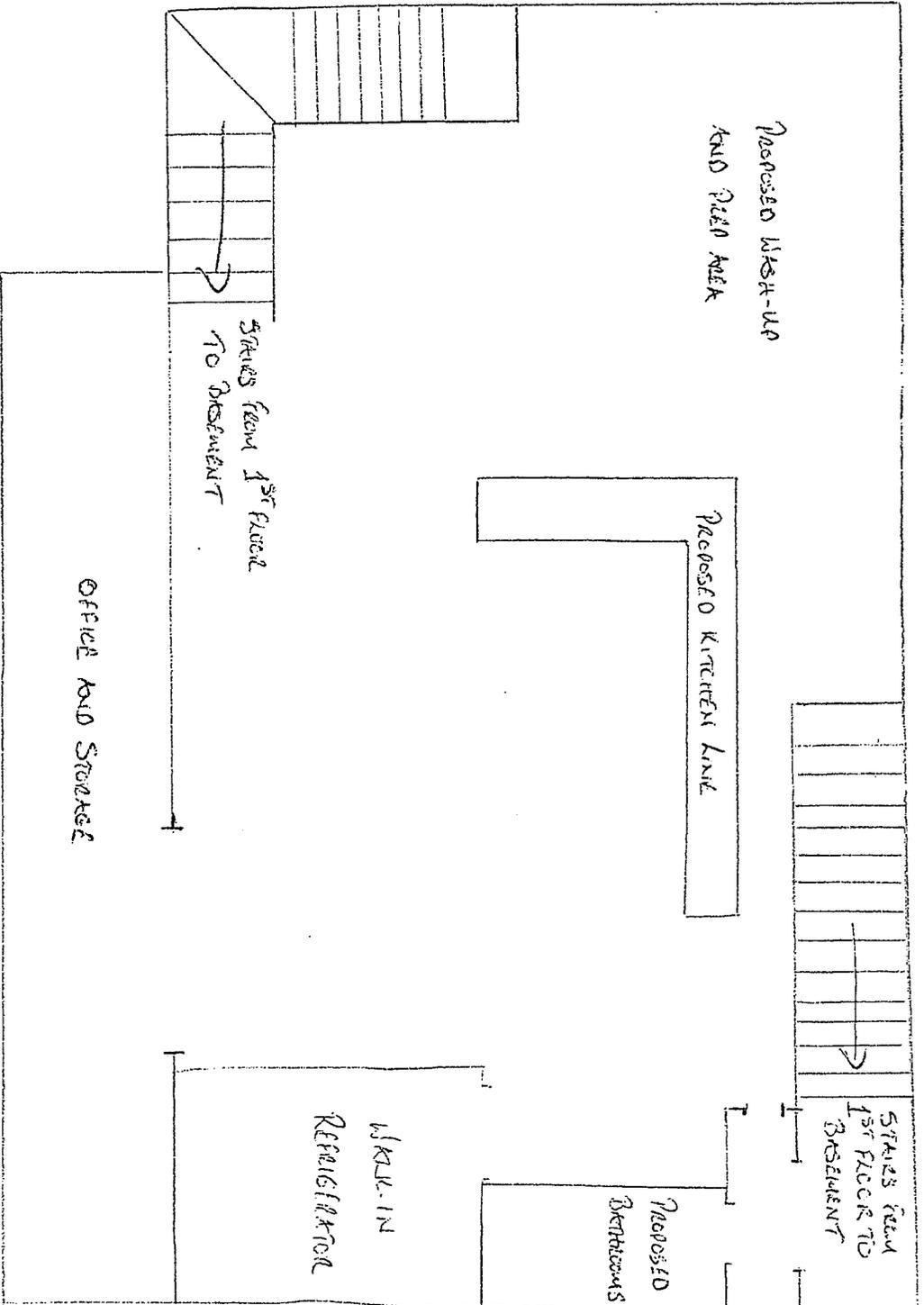
13TH
STREET

2ND FLOOR

3RD AVENUE

106 THIRD AVE. (LOWEN KEUFL)
CELESTINE

60 FT.



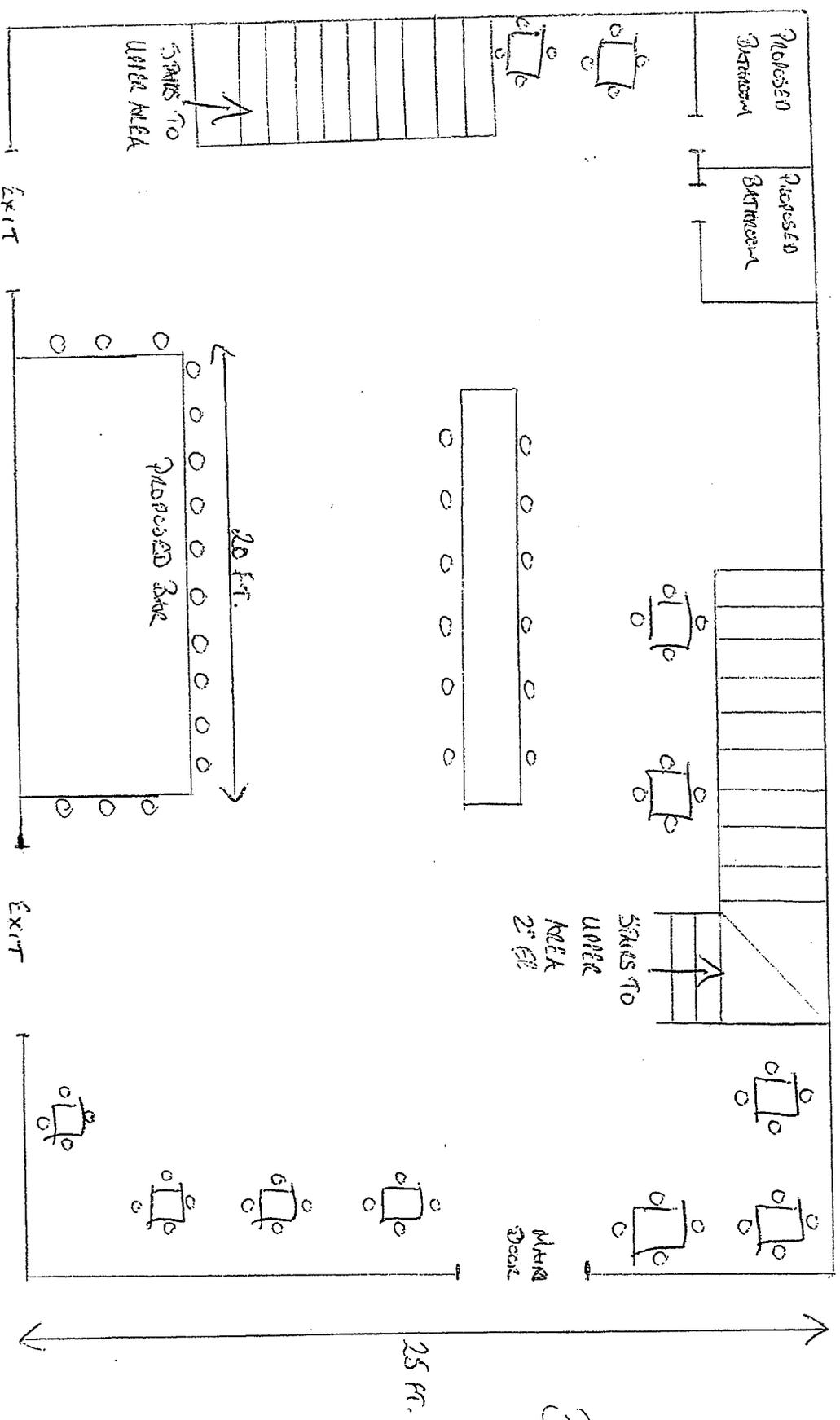
13th STREET

320 AVE.

25 FT.

106 THIRD AVE. (1ST FLOOR)

60 FT.

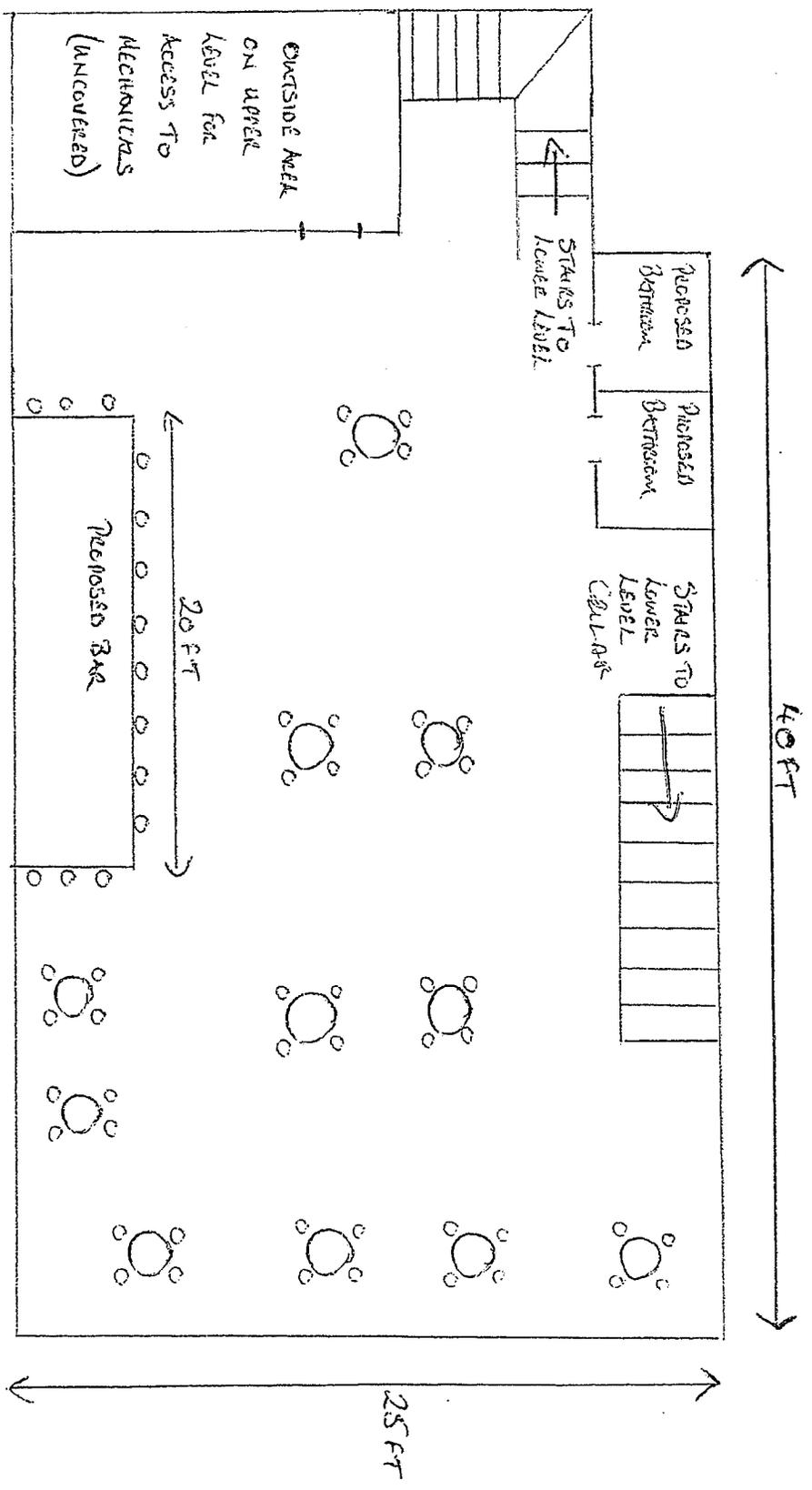


3RD AVE.

25 FT.

13TH STREET

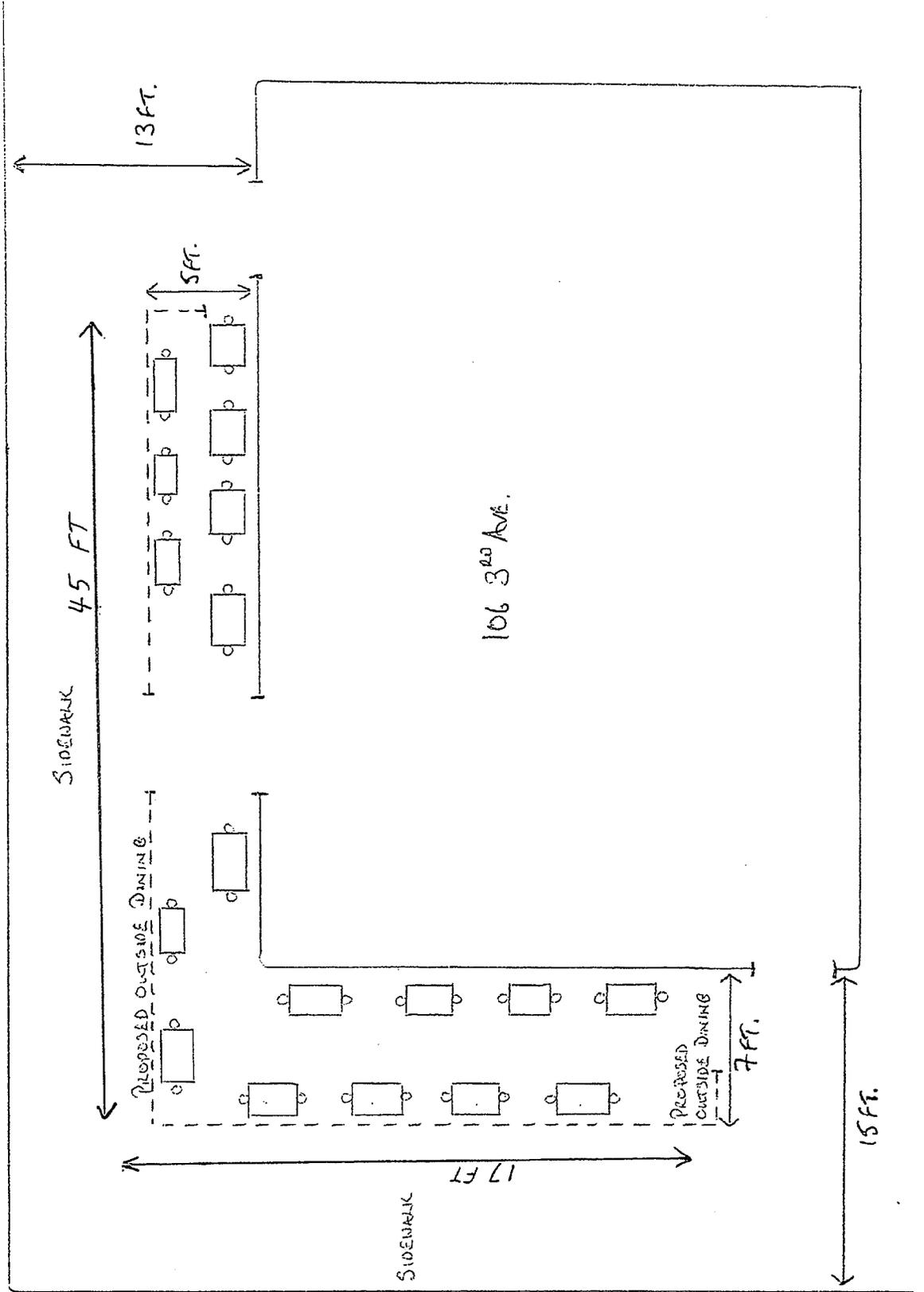
106 THIRD AVE. (UPPER FLOOR)
2ND FLOOR



12TH STREET.

3RD AVE.

← EAST 13TH STREET WEST →



↑ SOUTH
3RD AVE
↓ NORTH