

Manhattan Community Board 4

(All Fields Must Be Completed)

Liquor License Stipulations Application

CORPORATION NAME		DOING BUSINESS AS (DBA)	
Mangitalia LLC		Boccone Ristorante	
STREET ADDRESS		CROSS STREETS	ZIP CODE
506 9th Avenue		W 38th & W 39th	10018
OWNER <i>(Attach a list of all the people that will be associated/listed with the license)</i>	NAME:	Antonino Pecora	ATTORNEY/ REPRESENTATIVE
	PHONE:	347-368-6033	
	EMAIL:	egreco@pecllc.com	
MANAGER	NAME:		LANDLORD
	PHONE:		
	EMAIL:		
	NAME:	Kathleen E. Negri Stathopoulos, Esq.	
	PHONE:	718-567-2990	
	EMAIL:	negriesq@aol.com	
	NAME:	PEC LLC	
	PHONE:	347-368-6033	
	EMAIL:	egreco@pecllc.com	
APPLICATION TYPE (Check One)			
<input checked="" type="radio"/> New	Has applicant owned or managed a similar business?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
	What is/was the name and address of establishment?	Il Punto / 507 9th Avenue NY, NY 10018	
	What were the dates applicant was involved with this former premise?	2000 to Present	
<input type="radio"/> Transfer	What is the prior license # and expiration date?		
	Is applicant making any alterations or operational changes?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
	If alterations or operational changes are being made, please describe/list all changes.		
<input type="radio"/> 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 checked="" type="checkbox"/> Liquor/Wine/Beer <input type="checkbox"/> Beer <input type="checkbox"/> Wine & Beer		
ESTABLISHMENT TYPE	<input checked="" type="checkbox"/> Restaurant <input type="checkbox"/> Cabaret <input type="checkbox"/> Night Club <input type="checkbox"/> Hotel <input type="checkbox"/> Bar/Tavern <input type="checkbox"/> Catering Establishment <input type="checkbox"/> Adult Entertainment <input type="checkbox"/> Wine Bar <input type="checkbox"/> Dance Club <input type="checkbox"/> Sports Bar <input type="checkbox"/> Club (Fraternal Organization – Members Only)		
Has applicant/owner filed with the SLA? If yes, when? If no, when do you plan to file?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	March 28, 2016 to be mailed.
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.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
Is the 200 Foot Rule applicable? If yes, please attach a diagram of the schools and houses of worship that trigger the rule.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
Has applicant/owner(s) read MCB4 Policy Regarding Concentration and Location of Alcoholic-Serving Establishments?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	

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	11 - 11	11-11	11-11	11-11	11-11	11-11	11-11	11-11
	Kitchen	11-11	11-11	11-11	11-11	11-11	11-11	11-11	
	Music	11-11	11-11	11-11	11-11	11-11	11-11	11-11	
If you plan to have music, what type(s)? (Circle all that apply)			<input checked="" type="checkbox"/> BACKGROUND	LIVE MUSIC	DJ	JUKE BOX	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	less than 74	70	19	52	0	1	11	1/2	
OUTSIDE <i>(Other than sidewalk café)</i>	N/A								
SIDEWALK CAFE	N/A								
How many floors are there? What is the capacity for each floor?					Ground Floor Only				
How frequently will the owner(s) be at the establishment?					Daily				
Will you be applying or intending to apply for a cabaret license with DCA? If yes, will there be dancing?					YES	NO <input checked="" type="checkbox"/>			
Will applicant have bottle or table service for beverage alcohol?					YES <input checked="" type="checkbox"/>	NO			
Will you be hosting private; promotional or corporate events?					YES	NO <input checked="" type="checkbox"/>			
Will outside promoters be used on a regular basis? If yes please describe.					YES	NO <input checked="" type="checkbox"/>			
Will you have a security plan? If, yes please attach.					YES	NO <input checked="" type="checkbox"/>			
Will security plan be implemented?					YES	NO			
Will State certified security personnel be used?					YES	NO			
Will New York Nightlife Association and NYPD Best Practices be followed?					YES <input checked="" type="checkbox"/>	NO			
Will applicant be using delivery bicycles? If yes, how many?					YES	NO <input checked="" type="checkbox"/>			
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				

LOCATION & ZONING			
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	<input checked="" type="checkbox"/> NO	
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input checked="" type="checkbox"/> YES	NO	
Is a Public Assembly permit required?	YES	<input checked="" type="checkbox"/> NO	
Are your plans filed with DOB?	<input checked="" type="checkbox"/> YES	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	West 36th Street Block Assn. / Frank Strock at mcgee79@aol.com	
	# 2	Hell's Kitchen Neighborhood Assn. / Kathleen Treat at kathleentreat@gmail.com	
	# 3		
	# 4		
	# 5		
Please provide dates when applicant met with the groups listed above.		No meeting to date.	
Who was your contact person at each group you met with?		N/A	
When did applicant post the notice that was provided?		March 23, 2016	
Where did applicant post the notice that was provided?		Front Window	
Will applicant provide owner cell phone number to neighbors and respond to complaints that arise? Please provide number in space provided.		<input checked="" type="checkbox"/> YES	NO
Will applicant inform the Community Board office of its job openings and/or provide a hyperlink to applicants jobs webpage?		<input checked="" type="checkbox"/> YES	NO

BUILDING DESIGN			
State the name and type of business previously located in the space.	Alquini Restaurant & Cigar Shop		
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	
Do you plan any changes to the existing façade? If yes, please describe.	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	
Will applicant have a vestibule within the establishment?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	
Will applicant use a storm enclosure?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	
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 <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	
Will applicant comply with the NYC noise code?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	
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? <i>KS</i>	YES <input checked="" type="checkbox"/>	NO <input checked="" type="checkbox"/>	
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? <i>KS</i>	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	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 <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	Soft Background Music only
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 <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	Soft Background Music Only
Will the kitchen exhaust system extend to the roof?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	
Will the establishment have an illuminated sign?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	
Will the establishment have a canopy extending over the sidewalk?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	
Where will the air conditioner be located? What type is it?	Backyard		
When was the air conditioner installed?	In March		

OUTDOOR ITEMS - OTHER THEN SIDEWALK CAFÉ			
Has the applicant/owner(s) read MCB 4 Rear Yard Rooftop Policy?	YES	NO	N/A No Outdoor Space
Will applicant use any outdoor spaces: rooftop, rear yard, patio, porch, balcony, pavilion, tents, deck or gazebo? If yes, which one(s)?	YES	NO	N/A
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	N/A
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	No Sidewalk Cafe
Will applicant be applying for a sidewalk café now or in the future?	YES	NO	
Is applicant in this application seeking to include a sidewalk café in its liquor license?	YES	NO	
If yes, has applicant submitted an application and plans to NYC Dept. of Consumer Affairs? Please attach application and plans.	YES	NO	
Will applicant close and vacate the sidewalk café by 11 PM on Friday & Saturday and 10 PM on all other days?	YES	NO	
Will applicant be serving alcohol in the sidewalk café? If so, will you have waiter service?	YES	NO	
Will the café have a 3 ft. wide serving aisle running the entire length of the sidewalk cafe?	YES	NO	
Will applicant mark the perimeter of the café on the sidewalk?	YES	NO	
Will the service and consumption of alcohol in the sidewalk café only be via seated food service?	YES	NO	
Will the sidewalk café not provide standing space for drinking or smoking?	YES	NO	
Will applicant use any portable natural gas heaters? If so, do you have the requisite approvals from DOB & the Fire Department?	YES	NO	
Will applicant have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	
Will all furniture, plants and barricades be stored inside between the evening closing hours and the morning opening hours?	YES	NO	
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	
Will applicant use umbrellas?	YES	NO	
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	

ADDITIONAL STIPULATIONS: (Office Use Only)

- Applicant will not seek to use any outdoor space or apply for a sidewalk cafe at any time in the future
- Applicant will obtain a sound report from a certified acoustician and submit to CB4 prior to 5/27. Applicant agrees to implement report's recommendations to insulate neighboring residences from unreasonable sound and noise. Report will include levels for amplified sound that will ensure it cannot be heard by neighboring residences and sound levels will be adhered to by applicant.

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:

Denial unless all stipulations agreed to by applicant/owner are part of the method of operation
 Denial Approval

CB4 REPRESENTATIVES

Nelly Gonzalez
CB4 Assistant District Manager


Frank Holozubiec
CB4 BLP Committee Co-Chair


Burt Lazarin
CB4 BLP Committee Co-Chair

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.

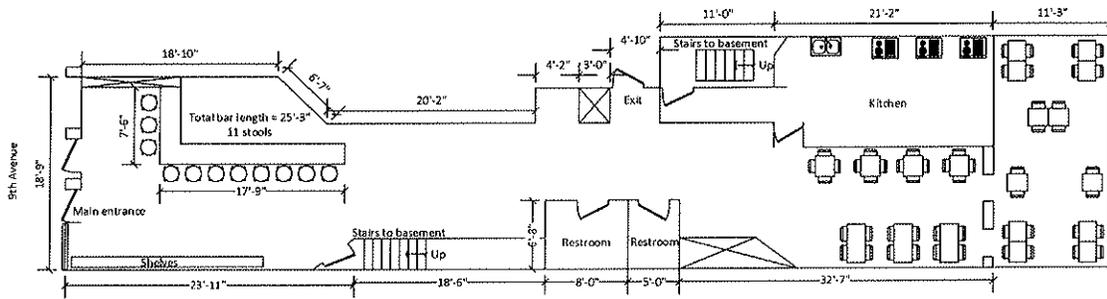
SIGN HERE →

Kathleen E. Negri Stathopoulos, ESS
PRINT NAME OF APPLICANT

Kathleen E. Negri Stathopoulos, ESS
SIGNATURE OF APPLICANT

5/10/16
DATE

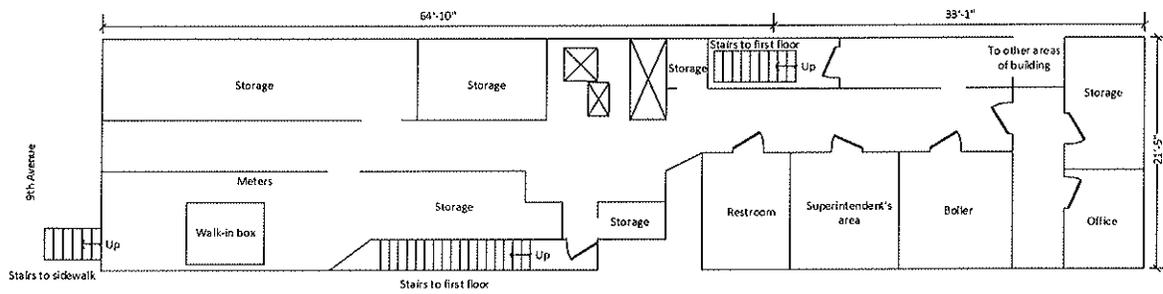
C&B/REK
FLOOR
PLAN



17 tables/52 seats

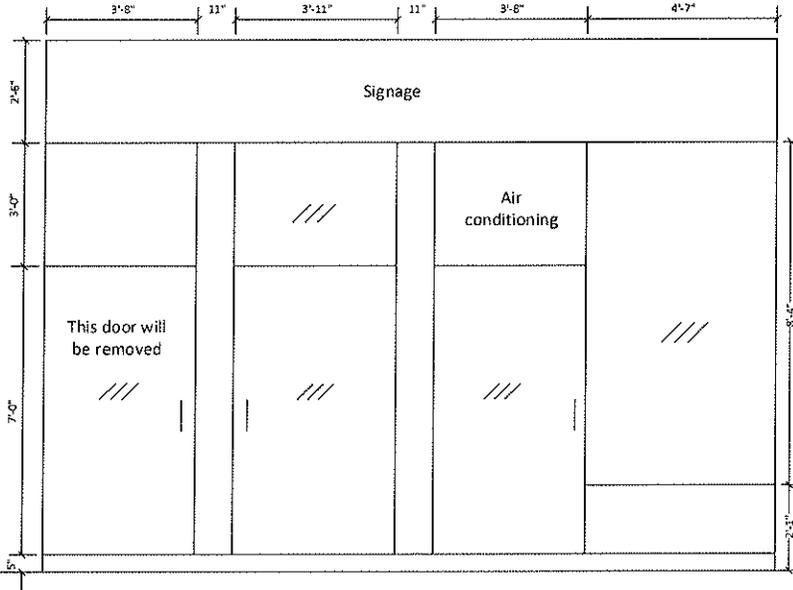
INTERIOR DIAGRAM - First Floor
(Proposed)
506 9th Avenue
New York, NY
February 12, 2016

NOT TO SCALE



INTERIOR DIAGRAM - Basement
 506 9th Avenue
 New York, NY
 February 12, 2016

NOT TO SCALE



FRONT ELEVATION
 (As is)
 506 9th Avenue
 New York, NY
 February 12, 2016
 NOT TO SCALE

SEAFOOD TOWERS:

The Chef Tower For four to six

Fresh Maine Lobster, Colossal Crab, Oysters, Jumbo Shrimp,
Little Neck Clams, Tuna Tartar & Smoked Salmon

SEAFOOD:

FRESH MAINE LOBSTER 25 COLOSSAL CRAB & AVOCADO 18
JUMBO SHRIMP 6.50 Each LITTLE NECK CLAMS 1.50 Each OYSTERS 3.00 Each

ANTIPASTI

3/ \$12 5/ \$16 7/ \$25

Salumi	Formaggi
Prosciutto di Parma	Parmigiano Reggiano
Finocchiona	Pecorino di Pienza
Lardo	Montasio
Cacciatolino	Gorgonzola
Mortadella	Brinata del Mugello
Speck	Taleggio

salad

Lattuga e Gorgonzola - Apples, walnuts, gorgonzola 10.50
Barbabietole con Riccia - Beets, Frisee, Goat Cheese 10.50

Pasta bites 1/\$8 2/\$18 3/\$22

Risotto del Giorno - Daily Special
Tagliatelle alla Bolognese - Classic Meat Ragù
Trotie alla Genovese - pesto, green beans potatoes
Ricotta gnocchi - porcini mushrooms, black radish,
Lobster Agnolotti - brandy paprika tarragon sauce
Gluten free Pasta - seasonal vegetables

Dolci

\$9

Tiramisu
Coppa Boccione
Homemade Cheesecake

Crostini Misti a Modo Nostro - 12.00
Piquillos Rellenos
Braised short ribs stuffed poquillo peppers, salsify puree 16
Stuffed figs with gorgonzola, wrapped in speck 14
Tortilla Española 12
Traditional Spanish omelet of the day
Olive all'Ascolana - 10.00
Espinacas a la Catalana 10
Sautéed spinach, garbanzos, pine nuts, golden raisins
Burrata su Crostone con Prosciutto e Tartufo 14.50
Arancini di Riso - 10.00
Lamb Lollipops with rosemary and garlic 17.50
Cozzata - Steamed Mussels in White Wine 13.50
Calamari Fritti - Fried Squid 11.50
Polpette - Meatballs with Fresh Tomato & Polenta 10.50
Gambas al ajillo - olive oil garlic, parsley, qindilla peppers
Fried Artichokes - lemon capers aioli 14

Sliders

3/ \$ 12 5/\$18

Tuna - sesame seed, wasabi, black radish served on a brioche
Salmone -spicy saffron sauce served on an onion bun
Boccione - grilled zucchini, asparagus, brie, pesto served on a mini
ciabatta bread
Pulled pork - slow cook, Texas - style, served on an onion bun
Mediterranean - Moroccan chicken, dill yogurt served on a pita roll

CONTORNI

\$10

Rapini Saltati - Broccoli Rabe Tuscan Fries, Rosemary & Sage
Torre di Verdure - Grilled Vegetable Timbale

We accept Cash, Amex, Visa, MC, and Discover. 20% gratuity added for parties of 6 or more. Maximum of 3 Credit Cards per Table.

Sound Control

31 Sandy Ln
Selden, NY 11784
646-226-3966

May 19, 2016

Boccone Rest.
506 9th Ave
New York, NY 10018

ATT: Emily Gonzalez

RE: Noise testing

The following report is based on my site visit and readings taken May 18, 2016 at 506 - 9th Ave NYC, at 7:15 PM.

Calibration – Before test – 110dB(A) After test – 110dB(A)

Ambient levels - 50dB(A)

Testing done in the presence of Emily Gonzalez and Carlo Apolloni, at excessively high levels.

Frequency band	63	125	250	500	1k	2k	4k	Broadband
Bar level dB	84	93	96	100	98	88	66	100 dB(A)
APT 2RF	64	53	54	44	41	32	<30	43 dB(A)
Transmission Loss of ceiling(TL)	20	40	42	56	57	56	-	57

Observations: Testing was done using excessively loud levels to insure a high signal to noise ratio (That the test signal- pink noise- would be louder than the ambient levels)

Conclusion: It is my professional opinion that normal restaurant operations, including low level background music, will not intrude into the apartments on the 2nd floor, and that Boccone Restaurant will be in compliance with the NYC Noise Code.

If you have any questions, please feel free to call me any time.

Thank you.

Dan Prosseda
SOUND CONTROL

NOTE:

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All readings taken with Bruel & Kjaer 2205, Quest 215 with OB 45 octave filter sound level meters, Noise Sentry RT data logging meter calibrated with Quest CA-22, CA-12 or GenRad 1562-A sound sources: ref: .0002 microbar

Re: 506 9th Avenue

1. Frames Bowling Lounge - 550 9th Avenue - (461)
2. Siberia South - 356 West 40th Street - (410)
3. D'strikt Hotel - 342 West 40th Street - (451)
4. Bar Forty - 340 West 40th Street - (477)
5. Staybridge - 334-340 West 40th Street - (473)
6. Skyroom - 330 West 40th Street - (499)
7. Blue Ruin - 538 9th Avenue - (369)
8. Holland Bar - 532 9th Avenue - (283)
9. Snack Eos - 522 9th Avenue - (140)
10. Mercado - 352 West 39th Street - (169)
11. Scallywags - 508 9th Avenue - (31)
12. Project X Ventures LTD. - 339 West 38th Street - (296)
13. Carbone - 331 West 38th Street - (394)
14. Oavina - 496 9th Avenue - (180)
15. Mangennois - 492 9th Avenue - (217)
16. El Rancho de Agave - 476 9th Avenue - (473)
17. Il Punto - 507-509 9th Avenue - (103)
18. Hell's Kitchen Cafe - 523 9th Avenue - (221)
19. HK Lounge - 405 West 39th Street - (254)

Schools & Churches

1. Metro Baptist Church - 408 West 40th Street - (449)

North
⊕

West 39th Street

Snack EOS 522 9th Ave.
Residential
Fast Food
Pomodoro (wine, beer)
Meat Market
Vacant
Residential
Groceries
Residential
Scallywag's 508 9th Ave.
Residential
APPLICANT
Residential
Hair Salon
Coffee Store

9th Avenue

BLOCK PLOT
506 9th Avenue
New York, NY
February 12, 2016

NOT TO SCALE

West 38th Street

Vacant
Residential
Vacant
Residential
IL Punto 507-509 9th Ave.

Re.: Mangitalia LLC
506 9th Avenue New York, New York 10018
OP Application

500-FOOT LAW STATEMENT

It is the Applicant's position that the issuance of this license will serve the interest, convenience and advantage of the public in that this restaurant will focus on seasonal, local, market-driven, contemporary Italian-American cuisine, that is not offered by the surrounding licensed premises. The cocktail and wine list will be dynamic and unique to complement the food and atmosphere, and to complete the total dining experience. The goal is delicious, inspired and creative food and drink that will provide the public with a new and different alternative.

As such, the Applicant will also provide business for local vendors and employment for a number of individuals thereby enhancing the local economy, as well as creating tax revenue for the city.

In addition, Manhattan Community Board 4, which has jurisdiction over the neighborhood the proposed restaurant is located in, has no objection to the issuance of an on-premise liquor license to the applicant, as stated in their letter dated December 9, 2015, a copy of which is annexed hereto.