

Manhattan Community Board 4
(All Fields Must Be Completed)

Liquor License Stipulations Application

CORPORATION NAME		DOING BUSINESS AS (DBA)	
Three Brothers Baking Inc.		Pierside Cafe	
STREET ADDRESS		CROSS STREETS	ZIP CODE
1 Pier 78		W38TH & W39TH STREET	10018
OWNER <i>(Attach a list of all the people that will be associated/listed with the license)</i>	NAME: Siraj B. Himani	ATTORNEY/ REPRESENTATIVE	NAME: Jacob T. Fogel, Esq.
	PHONE: 212-220-2848		PHONE: 917-974-2782
	EMAIL: fhimani@gmail.com		EMAIL: jayfogel@aol.com
MANAGER	NAME: Salmann S. Himani	LANDLORD	NAME: JMB PROPERTY LLC
	PHONE: 917-536-3918		PHONE: 212-564-2894
	EMAIL: salhimani1@gmail.com		EMAIL:
APPLICATION TYPE (Check One)			
<input checked="" type="checkbox"/> New	Has applicant owned or managed a similar business?	<input checked="" type="radio"/> YES	<input type="radio"/> NO
	What is/was the name and address of establishment?	Docklands Maco-451 12th Ave Aka Pier 79 Ferry House Cafe-Pier 11 South St Seaport	
	What were the dates applicant was involved with this former premise?	2011	
<input type="checkbox"/> Transfer	What is the prior license # and expiration date?		
	Is applicant making any alterations or operational changes?	<input type="radio"/> YES	<input type="radio"/> 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 checked="" type="checkbox"/> Liquor/Wine/Beer <input type="checkbox"/> Beer <input type="checkbox"/> Wine & Beer		
ESTABLISHMENT TYPE	<input type="checkbox"/> Restaurant <input type="checkbox"/> Cabaret <input type="checkbox"/> Night Club <input type="checkbox"/> Hotel <input checked="" 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?	YES	<input checked="" type="radio"/> NO	
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	<input checked="" type="radio"/> NO	
Is the 200 Foot Rule applicable? If yes, please attach a diagram of the schools and houses of worship that trigger the rule.	YES	<input checked="" type="radio"/> NO	
Has applicant/owner(s) read MCB4 Policy Regarding Concentration and Location of Alcoholic-Serving Establishments?	<input checked="" type="radio"/> YES	<input type="radio"/> 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	7am-12am	7am-12am	7am-12am	7am-12am	7am-12am	7am-12am	7am-12am	7am-12am
	Kitchen	7am-12am	7am-12am	7am-12am	7am-12am	7am-12am	7am-12am	7am-12am	
	Music	7am-12am	7am-12am	7am-12am	7am-12am	7am-12am	7am-12am	7am-12am	
If you plan to have music, what type(s)? (Circle all that apply)		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	74	74	6	24	1	0	0		
OUTSIDE <i>(Other than sidewalk café)</i>	74	74	13	52	1	0	0		
SIDEWALK CAFÉ	N/A	N/A	N/A	N/A					
How many floors are there? What is the capacity for each floor?					ONE (1)				
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	<input checked="" type="radio"/>			
Will applicant have bottle or table service for beverage alcohol?					YES	<input checked="" type="radio"/>			
Will you be hosting private; promotional or corporate events?					YES	<input checked="" type="radio"/>			
Will outside promoters be used on a regular basis? If yes please describe.					YES	<input checked="" type="radio"/>			
Will you have a security plan? If, yes please attach.					YES	<input checked="" type="radio"/>			
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?					<input checked="" type="radio"/>	NO			
Will applicant be using delivery bicycles? If yes, how many?					YES	<input checked="" type="radio"/>			
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	<input checked="" type="radio"/>			
Where will delivery bicycles be stored during the day when not in use?					N/A				

S.G.

LOCATION & ZONING

Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	<input checked="" type="radio"/>	
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	YES	<input checked="" type="radio"/>	LETTER OF NO OBJECTION
Is a Public Assembly permit required?	YES	<input checked="" type="radio"/>	
Are your plans filed with DOB?	YES	NO	N/A

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	
	# 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?		
Will applicant provide owner cell phone number to neighbors and respond to complaints that arise? Please provide number in space provided.	YES	NO
Will applicant inform the Community Board office of its job openings and/or provide a hyperlink to applicants jobs webpage?	YES	NO

BUILDING DESIGN

State the name and type of business previously located in the space.

Three Brother Inc. Pierside Cafe

Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.

YES

 NO

Do you plan any changes to the existing façade? If yes, please describe.

YES

 NO

Will applicant have a vestibule within the establishment?

YES

 NO

Will applicant use a storm enclosure?

YES

 NO

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

Will applicant comply with the NYC noise code?

 YES

NO

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

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

Has applicant obtained an acoustical report from a certified sound engineer to assess potential noise disturbance to the neighboring residents and buildings?

YES

 NO

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

Music will be background music only.

Will the kitchen exhaust system extend to the roof?

 YES

NO

Will the establishment have an illuminated sign?

YES

 NO

Will the establishment have a canopy extending over the sidewalk?

YES

 NO

Where will the air conditioner be located? What type is it?

When was the air conditioner installed?

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

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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 cafe?	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)

- No music or amplified sound whatsoever at any time in outdoor space
- Outdoor space will be closed and vacated of all patrons no later than 11p.m. nightly

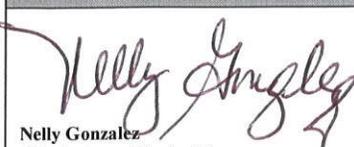
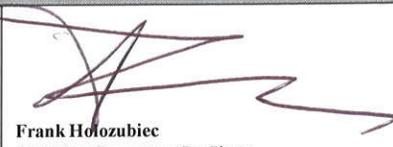
To the extent any additional stipulation on pages 7 and 8 of this application conflicts with any response on pages 1 – 6 of this application, the stipulations on pages 7 and 8 control.

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.

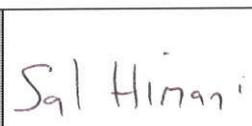
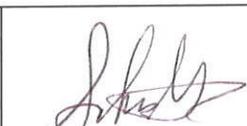
Manhattan Community Board 4 (MCB4) recommends:	<input checked="" type="radio"/> Denial unless all stipulations agreed to by applicant/owner are part of the method of operation <input type="radio"/> Denial <input type="radio"/> Approval
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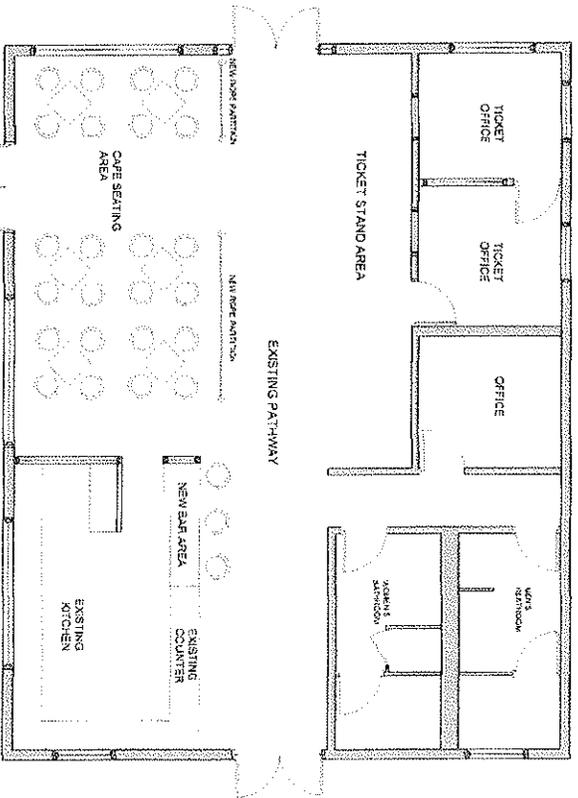
CB4 REPRESENTATIVES

 Nelly Gonzalez <i>CB4 Assistant District Manager</i>	 Frank Holozubiec <i>CB4 BLP Committee Co-Chair</i>	 Burt Lazarin <i>CB4 BLP Committee Co-Chair</i>
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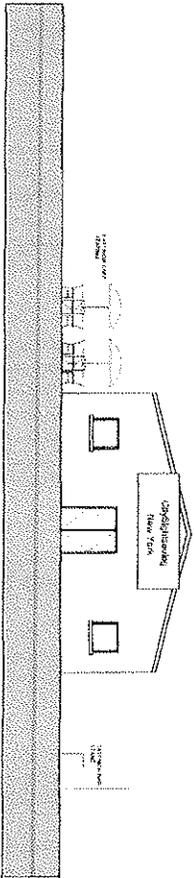
APPLICANT AGREEMENT WITH THE COMMUNITY

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.

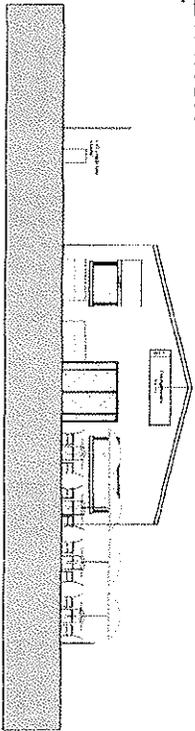
SIGN HERE →	 Sal Hirani PRINT NAME OF APPLICANT	 SIGNATURE OF APPLICANT	6/5/16 DATE
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GROUND FL PLAN
SCALE: 1/8" = 1'-0"



FRONT ELEVATION
SCALE: 1/8" = 1'-0"



REAR ELEVATION
SCALE: 1/8" = 1'-0"

MENU

BREAKFAST

Bagel W/ cream cheese
Two eggs on a roll
Egg and Cheese on a roll
Bacon egg and cheese on a roll
Ham egg and cheese on a roll

COFFEE AND EXPRESSO

Coffee
Tea
Espresso
Cappuccino
Café Latte
Hot Chocolate
Iced coffee
Iced latte
Iced cappuccino

HOT SANDWICHES

Philly cheese steak
Roast turkey on rye
Tuna Melt
Grilled Cheese w/ tomatoes

WRAPS

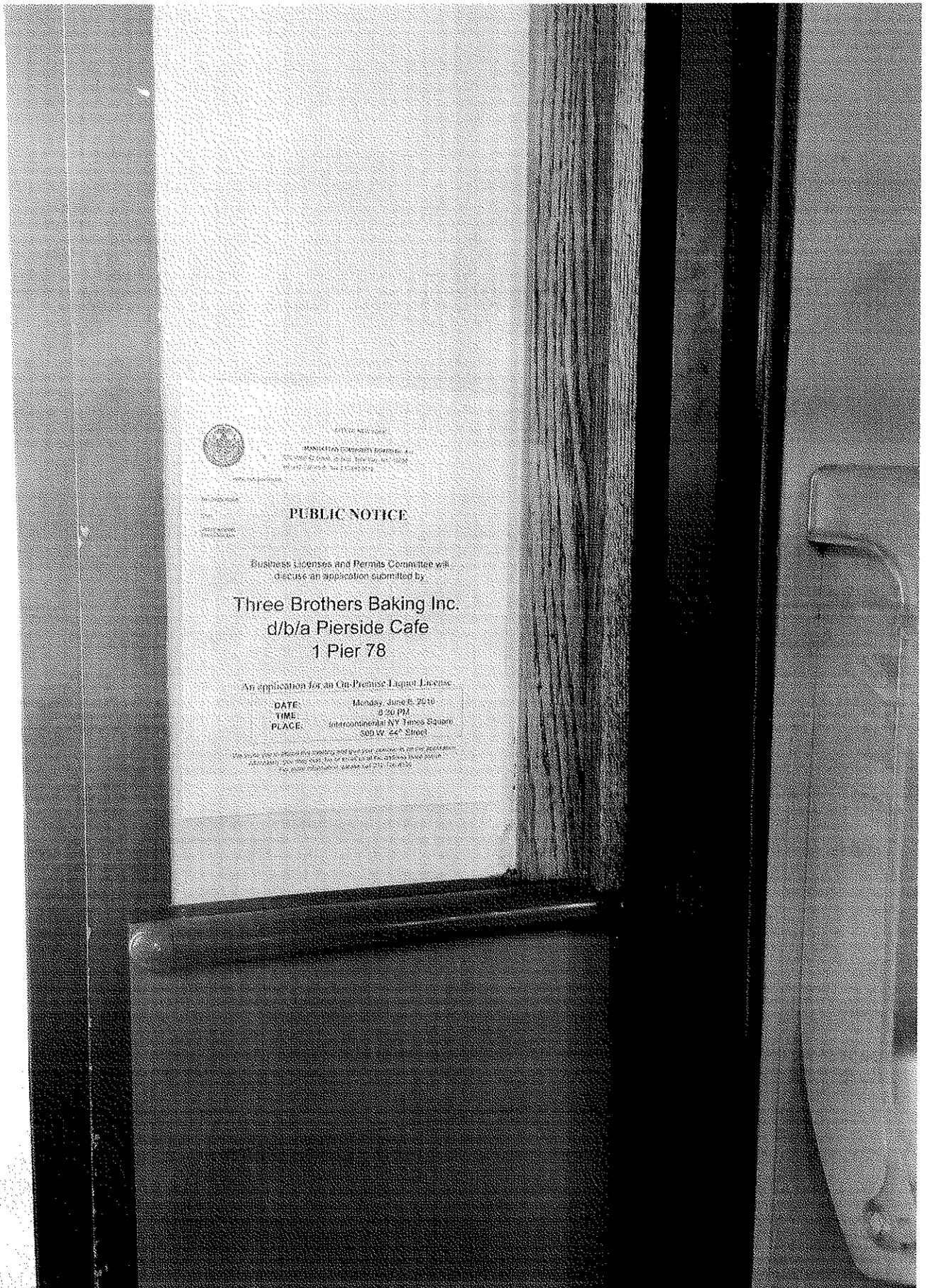
Grilled Chicken club
Tuna salad wrap
Turkey club wrap
Ham and Swiss wrap
Grilled Chicken wrap

PANINI

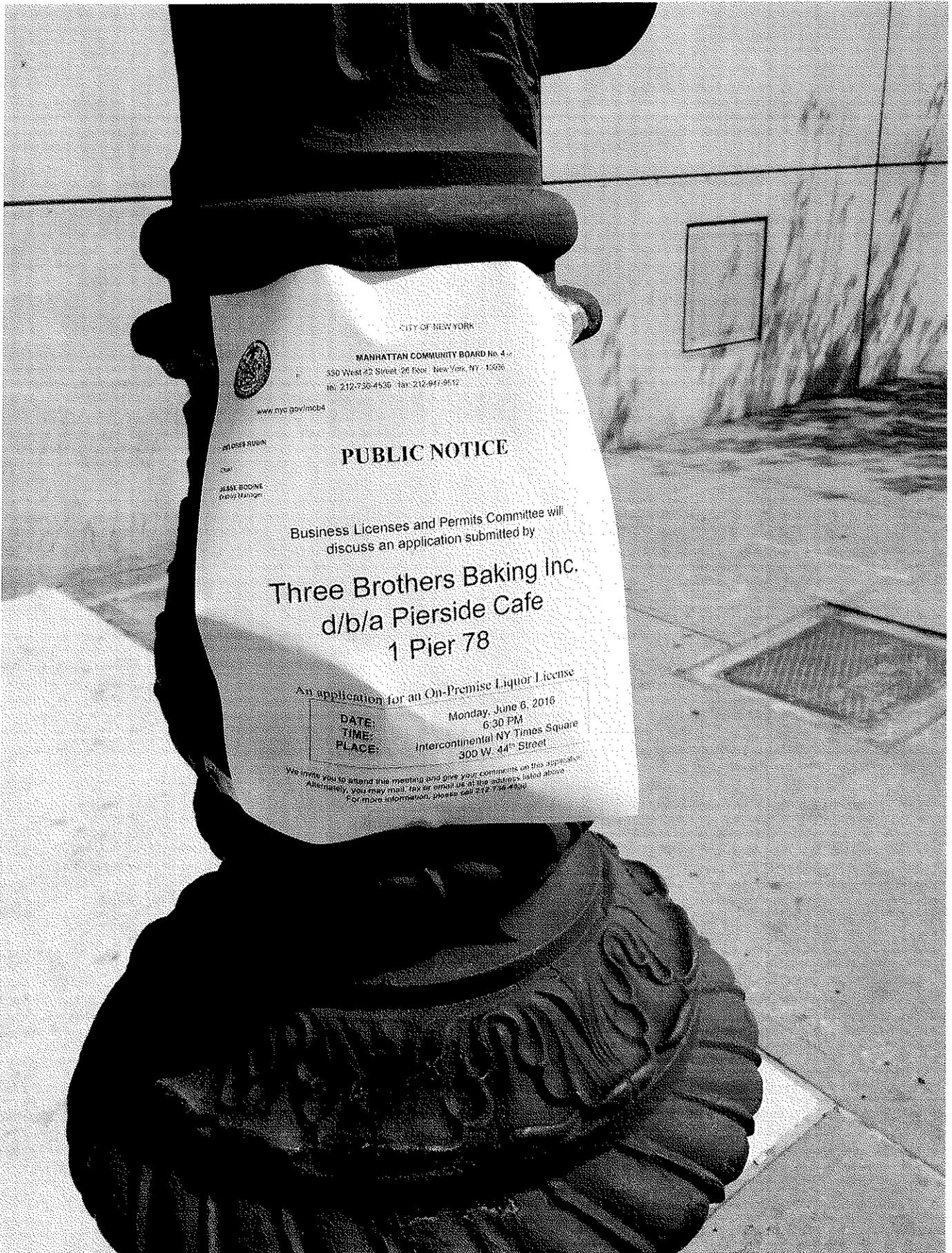
Grilled Chicken fajita
Monte Cristo
Vegetarian

TROPICAL SMOOTHIES

Mango Madness
Peach Pizzaz
Pina Collider
Strawberry Sensation







CITY OF NEW YORK
MANHATTAN COMMUNITY BOARD No. 4
550 West 42 Street, 26 floor, New York, NY 10036
Tel: 212-730-4535 Fax: 212-947-9512
www.nyc.gov/mc04

PUBLIC NOTICE

Business Licenses and Permits Committee will discuss an application submitted by

**Three Brothers Baking Inc.
d/b/a Pierside Cafe
1 Pier 78**

An application for an On-Premise Liquor License

DATE:	Monday, June 6, 2016
TIME:	6:30 PM
PLACE:	Intercontinental NY Times Square 300 W. 44th Street

We invite you to attend the meeting and give your comments on the application. Alternatively, you may mail, fax or email us at the address listed above. For more information, please call 212-730-4535.









From: jayfogel <jayfogel@aol.com>

To: mcgee79 <mcgee79@aol.com>

Cc: jpretentecb4 <jpretentecb4@gmail.com>; teddygonzalez14 <teddygonzalez14@aol.com>; fhimani <fhimani@gmail.com>; salhimani1 <salhimani1@gmail.com>

Bcc: john.mudd <john.mudd@usa.net>; bill <bill@midtownsouthcc.org>; eduardozeiger <eduardozeiger@compuserve.com>; kathleentreat123 <kathleentreat123@gmail.com>; ndoyle <ndoyle@hrpt.ny.gov>; jayfogel <jayfogel@att.net>

Subject: Three Brothers Baking Inc, d/b/a Pier Side Cafe 1 Pier 78

Date: Tue, May 31, 2016 2:41 pm

Good Afternoon;

Our office is representing Three Brothers Baking Inc. d/b/a Pier Side Cafe. We were directed by Community Board #4 to notify you regarding the filing of an On Premise License for the above mentioned applicant. The applicant operates Pier Side Cafe at 1 Peir 78, between West 38th & West 39th street since 2009. The cafe is the same building as Citysightseeing which is also located in pier. Citysightseeing Boat Tours provide sightseeing cruises to the community and with the majority of customers are tourist. The cafe serves all customers of Citysights Boat Tours during the hours the boats are running. The cafe sells food and beverages to customers while they are just waiting to take a cruise or just meeting at cafe to enjoy view and grab a bite after the cruises. The cafe is a great spot for all riders of the boat tours to stop before and after going on the tours.

The applicant is seeking an on premise license, 7 days a week 7am-12am. There will be one service bar in the inside and one in the outside with waitress service. There will be a total 12 tables and 66 seats and there will be only back ground music.

If you have any questions please feel free to contact my office or email me..

Thank you
Jacob T. Fogel, Esq.
26 Court Street, Suite 908
New York, New York 11242
917-974-2782