

Valerie S. Mason
Chair

Will Brightbill
District Manager



505 Park Avenue, Suite 620
New York, N.Y. 10022-1106
(212) 758-4340
(212) 758-4616 (Fax)
www.cb8m.com – Website
info@cb8m.com – E-Mail

**The City of New York
Community Board 8 Manhattan**

January 25, 2024

Robert Benedetto
Deputy Commissioner
State Liquor Authority
80 South Swan Street, Suite 900
Albany, NY 12210-8002

RE: The Frick Collection and Hudson Yards Catering LLC dba pending, 1 East 70th Street (Between Madison and Fifth Avenues) New Application and Temporary Retail Permit for Liquor, Wine, Beer and Cider

Dear Deputy Commissioner Benedetto,

Applications will only be approved based upon the applicant's agreement to the following stipulations:

- 1. The applicant will abide by the bicycle guidelines and will ensure that any third-party delivery provider that it contracts with shall abide by the bicycle guidelines.**
- 2. The applicant will keep the front of the establishment clean.**
- 3. The applicant will be denied if they participate in bar-crawls.**
- 4. The applicant will abide by applicable Covid-19 regulations at the time.**

At the Full Board meeting of Community Board 8 Manhattan held on January 24, 2024, the board approved the following resolution by a vote of 39 in favor, 2 opposed, 0 abstentions and 1 not voting for cause:

WHEREAS this is a New application for a Liquor, Wine, Beer, and Cider License and Temporary Retail Permit; and

WHEREAS the Frick met with residents of both East 70th Street and East 71st Street and reached agreement on the attached stipulations, which CB8 agrees with and incorporates as conditions of approval; and

WHEREAS the applicant has agreed to Community Board 8's stipulations concerning delivery bikes and bar crawls and; therefore

BE IT RESOLVED that the application is **APPROVED**, subject to the stipulations above.

Please advise this office of any action taken regarding this matter.

Sincerely,

Valerie S. Mason

Valerie S. Mason
Chair

Abraham Salcedo

Abraham Salcedo
Chair, Street Life Committee

cc: Honorable Kathy Hochul, Governor of New York State
Honorable Eric Adams, Mayor of the City of New York
Honorable Mark Levine, Manhattan Borough President
Honorable Jerry Nadler, 12th Congressional District Representative
Honorable Liz Krueger, NYS Senator, 28th Senatorial District
Honorable José M. Serrano, NYS Senator, 29th Senatorial District
Honorable Edward Gibbs, NYS Assembly Member 68th Assembly District
Honorable Alex Bores, NYS Assembly Member, 73rd Assembly District
Honorable Rebecca Seawright, NYS Assembly Member 76th Assembly District
Honorable Keith Powers, NYC Council Member, 4th Council District

Honorable Julie Menin, NYC Council Member, 5th Council District
Honorable Diana Ayala, NYC Council Member, 8th Council District

STIPULATIONS AS TO THE CAFÉ AT THE FRICK COLLECTION

Hours of Operation. The Café at The Frick Collection will be an amenity for visitors and Café hours will parallel museum hours, including where museum hours may be extended through evening hours on a particular night of the week and/or from time to time.

Public Access During Café Hours: As an amenity for museum visitors, the café will not be open to the general public during hours when The Frick Collection is not open to the general public, provided that the cafe will not be open later than 9PM under any circumstances. There will be a reasonable grace period for patrons to finish their meals and for restaurant staff to clean and shut down the restaurant after it closes to the public.

No Live Music, No Dancing, Only Quiet Recorded Music. The Café shall not play live music. Any music that is played in the Café shall be pre-recorded, piped in through a sound system with a sound limiter designed to provide ambient music in a café setting. There will be no dancing in the Café.

Seats. The Frick Collection Café anticipates that the café will have seating for approximately 68 patrons upon reopening of the museum.

No Drink Specials. The Café shall not offer “drink specials” allowing for discounts on alcohol, wine, beer or cider.

Privacy and No Light Pollution. Light pollution will be mitigated through the use of shades (or other window treatments) at the restaurant, shop, and the upper lobby reception hall on the 2nd floor level during the evening hours. The Frick Collection will use reasonable efforts to ensure that lights inside are turned off at night if spaces are not occupied or being used to the extent possible without interfering without limitation with security, housekeeping, maintenance, operations, or similar activities and safety of its staff, facility or collections. If practicable, if dimmed lights are used after Museum hours, they will be on motion sensors. Subject to the caveats of this paragraph, the glass walkway between the Mansion and the Art Reference Library will not be illuminated after dusk when the Museum is not occupied or being used.

No Bicycle Deliveries. The Frick Collection Café will not accept orders for delivery or make deliveries by bicycle or third-party delivery service.

STIPULATIONS FOR THE FRICK COLLECTION

Crowd and Traffic Controls. The Frick will offer advance ticketing as well as timed entry when deemed appropriate by the Frick in its sole discretion to help minimize lines of visitors on the street. The Frick will have security or other appropriate personnel on the street to control any lines that might form during museum hours and before an event or any crowds following evening events. The number of crowd control personnel shall scale to the size of catered events, including such events accepting or releasing a large number of guests at the same time such as in the auditorium. The Frick Collection will assign a security guard to discourage idling or double

parking on East 70th and 71st Streets relating to catered events and will use traffic cones in front of the museum when necessary. Using signage, messaging on its website or other means of communication, including to third-party lessees, The Frick Collection will encourage event guests to be picked up following evening events on either Fifth Avenue or Madison Avenue, and will take reasonable steps to discourage parking of hired cars or taxis on either East 70th or 71st Streets before, during or after events. The Frick Collection will take reasonable steps to discourage buses, trailers, or RVs involved in catered events from parking or idling on East 70th or 71st Street.

Noise and Odor Controls. The Frick Collection will comply with all engineering plans to eliminate noise and odors from the kitchen and café. Cooking fumes and odors will be vented on the roof of The Frick Art Reference Library. The Frick Collection will keep the kitchen exhaust maintained and in good working order. While the Museum does not foresee any issues relating to kitchen exhaust because it vents above neighboring buildings, it will work with neighbors in the future to mitigate any concerns that may arise.

Garbage Removal. To address neighbor concerns around trash removal, The Frick Collection will undertake to negotiate in good faith with its garbage carter to come between 8:00AM and 9:00AM each day for trash removal. Garbage will be in containers with tops on. The Frick will take the garbage out when pickups are expected and will bring in the empty garbage containers in reasonably short order so that they will not be left on the sidewalks or street after pickup for extended periods. Subject to consultation with East 70th Street Block Association, The Frick will consider having its garbage collected from the current No Standing Zone on Fifth Avenue.

Deliveries. To address neighbor concerns regarding delivery vehicles, where feasible, the Frick will schedule deliveries between 8:00AM and 10:00AM. The Frick Collection will require trucks retrieving rental equipment from evening events to come between 8:00AM and 10:00AM the following morning. The Frick Collection will assign a security guard to ensure that caterer load-outs following evening events are done as quietly as possible and, whenever possible, in one batch.

Loading and Unloading Zone. Following the positive recommendation of its liquor license application by the Community Board, The Frick Collection will apply to the Community Board and the Department of Transportation for a dedicated use permitted under the current No Standing Zone under RCNY §4-08(3)(i) for Truck Loading on Fifth Avenue for the purpose of facilitating deliveries and pick-ups. The Block Association will support such application. Subject to consultation with East 70th Street Block Association, the Frick will consider having its deliveries and pick-ups from this location if approved.

Acoustical Survey. The Frick agrees to retain an acoustical engineer by March 1, 2024 to conduct an appropriate survey in order to identify potential noise issues and sound attenuation proposals and share the resulting report with East 70th Street Block Association before finalized.

CATERED EVENTS IN THE GARDENS

Outdoor Music in Fifth Avenue Garden during Catered Events. Outdoor background music in the Fifth Avenue Garden during catered events will only be permitted until 8PM up to three (3) times per year and until 10PM up to three (3) times per year. The Frick will provide thirty (30) days' notice to its neighbors prior to the events for which it will have outdoor music until 10PM.

Use of the 70th Street Garden for Catered Events. The Frick Collection will only allow access to the 70th Street Garden in connection with catered events until 8PM. No bar shall be placed in the 70th Street Garden. No music shall be permitted in the 70th Street Garden during catered events.

STIPULATIONS AS TO CATERED EVENTS

Not a Catering Hall. The Frick Collection affirms that its mission is not that of a catering hall.

Indoor Music. Live music or disc jockeys shall only be permitted during catered events indoors in locations within The Frick Collection that can and will be sealed with all windows and doors closed.

Indoor Dancing. Dancing shall only be permitted indoors within The Frick Collection.

Conservation. The Frick will not host events at which liquor is served that will interfere with the conservation of artworks and/or library collections.

No Liquor Specials. The Frick Collection will not allow third parties to offer "drink specials" allowing for discounted alcohol, wine, beer or cider. The Frick Collection shall not participate in a pub crawl.

ADDITIONAL ITEMS

Limitation on Bars. Should The Frick Collection plan to use more than 10 bars at any catered event, which the Frick expects to be very rare, it will provide Community Board 8 Manhattan, the East 70th Street Block Association and other buildings on East 70th and East 71st Streets between Fifth Avenue and Madison Avenue specifically as determined by the Association at least ten (10) days advance notice of the event in which this number of bars will be used.

Hours of Catered Events. All Frick-catered events will end by 11PM on Sunday through Wednesday and by 12AM on Thursday through Saturday, with the exception of one event on a Thursday through Saturday that will end by 12:30AM. All third-party catered events will end by 11PM on Sunday through Thursday and by 12AM on Friday and Saturday. The Frick shall provide notice by hand to the East 70th Street Block Association and neighbors on East 70th and East 71st, and by e-mail to Community Board 8, Manhattan, no fewer than seven (7) days prior to hosting catered events for more than fifty (50) guests past 11PM.

Establishment of Hotline. Frick Security will have a dedicated phone number which will be made available to Community Board 8 Manhattan, the local police precinct, the East 70th Street Block Association and neighbors to communicate in the event of security or related issues during catered events with person(s) who will respond to calls.

Quarterly Meetings. The Frick Collection and East 70th Street Block Association and representatives from buildings on East 70th Street and East 71st Street (between Madison Avenue and Fifth Avenue) will meet quarterly to discuss any matters relating to the Stipulations and other matters of mutual interest.

Auditorium Rental. Doors shall open for entry before an Auditorium rental where liquor, wine, beer, or cider is served.

EAST 71st STREET PROPOSED STIPULATIONS

1. While the Frick does not currently plan to use the East 71st Street entrance for catered events, it may do so for catered events taking place primarily in the Frick Art Reference Library (FARL) building or the Frick's education center, or if required for maintenance, safety or security reasons. If required for maintenance, safety or security reasons, the Frick will inform representatives from residential buildings on East 71st Street reasonably in advance.
2. The Frick does not currently foresee using East 71st Street for garbage pick-up or deliveries, except for library deliveries and maintenance work in or around the FARL building. If the Frick wishes to use East 71st for garbage pick-up or deliveries (other than the enumerated exceptions) in the future, however, it will consult with neighbors on East 71st Street and take reasonable steps to limit disruption to them.
3. The Frick does not currently foresee having its vendors use East 71st Street as a staging area for catered events. If the Frick's vendors wish to use East 71st Street for such purposes (other than any enumerated exceptions stated in these Stipulations), it will use reasonable efforts to discourage such use. If such use is necessary in the future, however, it will inform the neighbors on East 71st Street reasonably in advance and take reasonable steps to limit disruption to them.
4. The Frick does not currently foresee applying for a loading zone on East 71st Street. If the Frick wishes to do so in the future, however, it will consult with neighbors on East 71st Street and use reasonable efforts to limit disruption to East 71st Street. These stipulations do not affect the rights of the East 71st Street neighbors to engage with DOT concerning any planned DOT loading zone changes inconsistent with this paragraph.
5. The Frick Collection will deliver information about the hotline once it is established to any East 71st Street building that requests such information.