

NEW YORK STATE LIQUOR AUTHORITY
FULL BOARD AGENDA
MEETING OF OCTOBER 8, 2013
REFERRED FROM: LICENSING BUREAU

2013-02625

REASON FOR REFERRAL
REQUEST FOR DIRECTION

APPLICATION OF 200' LAW ON
PROPERTY LOCATED AT:

315 WEST 54TH STREET, MANHATTAN

(DECLARATORY RULING)

The Members of the Authority at their regular meeting held at the Zone I New York City Office on OCTOBER 8, 2013 determined:

Flynn & Flynn, P.L.L.C.

ATTORNEYS AT LAW

TERRENCE R. FLYNN, JR.

MARY P. FLYNN

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ROCKAWAY BEACH, NEW YORK 11694
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NYC OFFICE BY APPOINTMENT ONLY

March 22, 2013

Thomas Donoghue Esq.
Special Counsel
New York State Liquor Authority
317 Lenox Avenue
New York, New York 10028

Re: Request for a Declaratory Ruling by Uncle Vanya Inc. #1154660

Dear Mr. Donoghue:

The captioned licensee is seeking a declaratory ruling with regard to St. George Orthodox Church, located at 307 West 54th Street, New York, New York. The Church rents our space for commercial purposes and for non-charitable purposes to Regas Stationary.

Regas' business involves the creation and sale of invitations, stationary, or paper products for sale to the general public. The products are not related to a religious theme. Nor are Regas' operations related to church activities or in furtherance of church purposes.

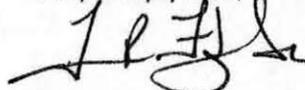
I have attached as exhibits to this request as exhibit "A" Regas website indicating that the business is located within the church building on the second floor. It further discusses how the space is its own from design to control of the space.

Exhibit "B" is an outline of the individuals involved in Regas' operation, none of which are connected to the church activities. Exhibit "C" is a page from the website that also indicated that Regas has its own commercial studio in "the heart of New York City". Exhibit "D" is a set of web pages from Regas' site evidencing how an order is placed and that money is being paid directly to Regas for the products being purchased. Lastly, Exhibit "E" is a photo showing a sign on the door for deliveries to go upstairs.

We are seeking a declaratory ruling that St George Orthodox Church is not being used exclusively as a Church, within the definition of the ABC Law. The reason for the request is the licensee wishes to file for an application for an upgrade to an On Premise License.

Please advise me as to when the matter will be placed before the Full Board. Thank you for your cooperation.

Very truly yours,



Terrence R. Flynn Jr.