

NEW YORK STATE LIQUOR AUTHORITY
FULL BOARD AGENDA
MEETING OF MAY 10, 2016
REFERRED FROM: COUNSEL'S OFFICE

2016-01137E

REASON FOR REFERRAL
REQUEST FOR DIRECTION

200' LAW FOR PREMISES LOCATED AT:

15 WEST 55TH STREET, MANHATTAN

(DECLARATORY RULING)

The Members of the Authority at their regular meeting held at the Zone I New York City office on MAY 10, 2016 determined:

O'Brien, Cynthia (SLA)

From: Terrence Flynn [REDACTED]
Sent: Wednesday, April 20, 2016 6:08 PM
To: Flug, Jacqueline (SLA)
Subject: Declaratory Ruling Request for 15 West 55th street, NY NY
Attachments: church.pdf

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Hello

I am writing to request a Declaratory Ruling that the 200 foot Rule does not apply to the Fifth Avenue Presbyterian Church located on the corner of Fifth Avenue and 55th Street, NY NY.

The basis for the request is that the Church is not operating exclusively as a Church under the ABC Law of the State of New York. In support of this ruling is the following:

1. Exhibit A. The Website for "Purpartner" a Design firm that rents office within the church building. The address can be found on the website and is that of the church (7 west 55th Street) 7th Floor. the operation of this business has nothing to do with the Church or is not affiliated with the Church. They are a commercial tenant.
2. Exhibit B. Pages from the Church website demonstrating that they rent rooms and areas of the church building to third parties (regardless of church affiliation) for commercial purposes.
3. Exhibit C. Another portion of the Church website which confirms that there is a third part catering service that services functions within the church building. One does not have to be affiliated with the church to hold such a function. This is done on a profit basis.
4. Exhibit D. The certificate of Occupancy for the Church building which shows that it is zoned for offices on the 6 and 7th floor which they rent out per above. Also the catered events and room rentals are on the 2nd through 5th floors.

Please let me know when this matter will be placed on the Full Board Calendar. thank you for your consideration.

Terrence R Flynn Jr., Esq.
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