

VILLAGE OF MAMARONECK  
ZONING BOARD OF APPEALS

APPLICATION FOR RENEWAL OF SPECIAL PERMIT

SPECIAL PERMIT NO. 11 SP 22

Date: AUGUST 15, 2022

Name of Permittee: MIKE ARICI for MAMARONECK BARQUILA INC.

Doing Business As: BARQUILA TAPAS COCKTAIL LOUNGE

Premises: 308 Mamaroneck Avenue, Mamaroneck, New York

Section: 9 Block: 18 Lots: 17A

\_\_\_\_\_ hereby applies to the Village of Mamaroneck Zoning Board of Appeals for a renewal of the above-referenced special permit, which was originally granted on NOVEMBER 5, 2020, and which will expire on NOVEMBER 5, 2022.

Said special permit was granted for the following use at the above-noted property:

To operate a restaurant in its existing restaurant space

**1. All conditions of the special permit have been complied with.**

Yes ( )

No ( X )

**If "No", please explain:** All issues regarding exceeding permitted hours of operation have been disposed of in Mamaroneck Village Court (August 31, 2021). At this time, there are no violations pending in Mamaroneck Village Court. A Notice of Pleading was served upon Applicant and is pending before the State of New York Division of Alcoholic Beverage Control (attached hereto).

**2. Since the last application for this special permit, I have no knowledge nor have I been advised of any complains made to the Village of Mamaroneck Building Department, Police Department, or any other department or agency of the Village in connection with the operation of the use allowed by the subject special permit.**

Yes ( )

No ( X )

If "No", please explain: A copy of the parcel history has been provided by the Village of Mamaroneck and is attached hereto. It should be noted that pending open violations are for "open passed permitted hours" only.

3. Since the last application for this special permit, no violations have been noticed, no violations have been cited, nor have any proceedings been commenced in connection with the operation of the use allowed by the subject special permit.

Yes ( )                      No ( X )

4. I have read the attached "Instructions for Renewal Application" and save complied with same.

Yes ( X )                      No ( )

If "No", please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Please indicate any facts or changes in circumstances which may require a modification of the condition previously set forth in connection with the subject special permit:

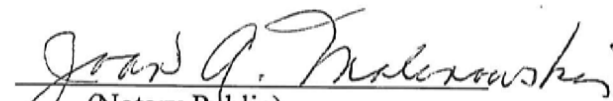
Given the nature of the Applicant's business, an application has previously been submitted for extended hours of operation.

6. Please indicate any other information that you want the Board to consider: The Applicant has struggled to seek a consistent business formula to assure sustainability in the Village. However, with adjusting its menu and business model to include an expanded menu, seeking a cabaret license and additional hours of operation, it is likely that the entity will succeed. Most fortunately, the Applicant is located away from any properties that are high density residential, therefore avoiding any civil noise complaints being filed to date.

THE UNDERSIGNED HEREBY AFFIRMS, UNDER PENALTIES OF PERJURY, THAT ALL STATEMENTS CONTAINED IN THIS APPLICATION ARE TRUE. THE UNDERSIGNED FURTHER ACKNOWLEDGES THAT THE ZONING BOARD OF APPEALS WILL RELY UPON THE TRUTH AND ACCURACY OF THE STATEMENTS CONTAINED IN THIS APPLICATION IN PROCESSING THIS REQUEST FOR RENEWAL.

  
\_\_\_\_\_  
(Applicant's Signature)  
ANDREW M. SPATZ  
Attorney for Applicant  
\_\_\_\_\_  
(Print Name)

Sworn to before me this 15<sup>th</sup> day  
of AUGUST, 2022

  
\_\_\_\_\_  
(Notary Public)

**JOAN A. MALINOWSKI**  
Notary Public, State of New York  
No. 4517610  
Qualified in Westchester County  
Commission Expires June 30, 2026

Applicant's Address: 308 Mamaroneck Avenue  
Mamaroneck, New York 10543

Applicant's Daytime Telephone Number: 914-777-0593

# PARCEL HISTORY



Village of Mamaroneck  
169 Mt. Pleasant Ave  
Mamaroneck, New York 10543  
914-777-7731

8/12/2022

Address: 308 MAMARONECK AV - Unit 31

Parcel ID: 9-18-17A

Issued Date	Item	Status	CO/CC #	CO/CC Date
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6/23/2021	COMPLAINT #:21-0719	OPEN - Dismissed		
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Owner:

ZONING VIOLATION

6/23/2021	COMPLAINT #:21-0720	OPEN - Dismissed		
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Owner:

ZONING VIOLATION extended operating hours

6/23/2021	COMPLAINT #:21-0721	OPEN - Dismissed		
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Owner:

ZONING VIOLATION extended operating hours

6/23/2021	COMPLAINT #:21-0723	OPEN - Dismissed		
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Owner:

ZONING VIOLATION extended operating hours

6/23/2021	COMPLAINT #:21-0724	OPEN - Dismissed		
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Owner:

ZONING VIOLATION extended operating hours

# PARCEL HISTORY



Village of Mamaroneck  
169 Mt. Pleasant Ave  
Mamaroneck, New York 10543  
914-777-7731

8/12/2022

Address: 308 MAMARONECK AV - Unit 31

Parcel ID: 9-18-17A

Issued Date	Item	Status	CO/CC #	CO/CC Date
7/8/2021	COMPLAINT #:21-0744	OPEN - Dismissed		
<b>Owner:</b> ZONING VIOLATION extended operating hours				
7/8/2021	COMPLAINT #:21-0746	OPEN - Dismissed		
<b>Owner:</b> Zoning Violation- extended operation hours				
7/13/2021	COMPLAINT #:21-0753	OPEN - Dismissed		
<b>Owner:</b> Zoning Violation- extended operation hours				
1/1/2022	COMPLAINT #:22-1119	OPEN		
<b>Owner:</b> Open passed permitted hours				
1/22/2022	COMPLAINT #:22-1121	OPEN		
<b>Owner:</b> Open passed permitted hours				

# PARCEL HISTORY



Village of Mamaroneck  
169 Mt. Pleasant Ave  
Mamaroneck, New York 10543  
914-777-7731

8/12/2022

Address: 308 MAMARONECK AV - Unit 31

Parcel ID: 9-18-17A

Issued Date	Item	Status	CO/CC #	CO/CC Date
2/13/2022	COMPLAINT #:22-1123	OPEN		
<b>Owner:</b> Open passed permitted operating hours				
2/19/2022	COMPLAINT #:22-1124	OPEN		
<b>Owner:</b> Open after permitted operating hours				
4/3/2022	COMPLAINT #:22-1120	OPEN		
<b>Owner:</b> Open passed permitted hours				
7/2/2022	COMPLAINT #:22-1122	OPEN		
<b>Owner:</b> Open passed permitted hours				

AT A MEETING OF THE ZONING BOARD OF APPEALS OF THE VILLAGE OF  
MAMARONECK, HELD ON NOVEMBER 4, 2021, THE FOLLOWING RESOLUTION WAS  
ADOPTED:

APPLICATION NO. 11SP-2020

Name: Mike Arici, Mamaroneck Barquilla Inc.  
Premises: 308 Mamaroneck Avenue  
District: C-2  
Tax I.D.: Section 9, Block 18, Lot 17A

**WHEREAS**, Mike Arici, Mamaroneck Barquilla Inc. ("Applicant") has applied to this Board for an amendment of its special permit to operate an existing restaurant, which was granted on November 5, 2020 ("Prior Approval"); and

**WHEREAS**, the requested amendment includes a request to extend the hours of operation to 9:00AM to 2:00AM seven (7) days a week; and

**WHEREAS**, the Prior Approval included the following hours of operation: Monday through Thursday, 10:30 a.m. to 10:00 p.m., Friday 10:30 a.m. to 11:30 p.m., Saturday 9:00 a.m. to 11:30 p.m. and Sunday 9:00 a.m. to 10:00 p.m.; and

**WHEREAS**, after due notice, this Board held a public hearing on such application on October 7, 2021, at which time the Board heard all parties and received and considered the application and related materials; and

**WHEREAS**, on October 7, 2021, the public hearing was closed; and

**WHEREAS**, the proposed action is a Type II pursuant to the New York State Environmental Quality Review Act ("SEQRA"); and

**WHEREAS**, pursuant to the Board's special use permit standards and its authority under the Village of Mamaroneck Zoning Code (the "Zoning Code"), the Board may regulate hours of operation to mitigate any adverse impacts, e.g. noise; and

**WHEREAS**, the Board finds that there are residents living nearby the Premises (along Mamaroneck Avenue) that would be adversely impacted by noise from a restaurant use being permitted until 2:00AM seven days a week, which hours of operation are not consistent with surrounding like uses and the character of the community; and

**NOW, THEREFORE BE IT RESOLVED**, that, after duly reviewing the application and related materials, and considering the same, the Board hereby grants the requested special permit amendment to operate the restaurant on the Premises with the below noted hours of operation and makes the following findings:

- 1) The Premises is currently improved with the existing restaurant, which is consistent with the other restaurants that have previously operated at the Premises. The requested amendment does not change the existing nature of the Premises, it only impacts the hours of operation.
- 2) The Premises is located on Mamaroneck Avenue with apartments in the area and school aged children, and as such noise and amplified or live music conditions must be mitigated to achieve compliance with the Village's special use permit standards. With noise mitigation noted below (hours of operation), the use will not adversely affect the public health, safety and welfare, and the comfort and convenience of the public in general, and of the residents of the neighborhood in particular.
- 3) The application is in compliance with special permit standards and requirements of the Code of the Village of Mamaroneck.
- 4) The Applicant is entitled to the granting of the special permit amendment under the circumstances of this application.
- 5) All aspects of the Prior Approval remain except for the hours of operation, which have been amended herein to mitigate identified noise impacts.

**BE IT FURTHER RESOLVED**, the amended special use permit granted herein shall comply with the following conditions:

- A. The Prior Approval, which was a special use permit for the existing restaurant remains in full force and effect but for the amended hours of operation noted herein. The Prior Approval was granted on November 5, 2020 for an initial probationary period of two (2) years, which is set to expire on November 5, 2022. The amendments provided for herein do not alter the need for the Applicant to seek an extension of the Prior Approval, as amended herein, prior to the November 5, 2022 expiration. Such a renewal application having to be made by Applicant no less than four (4) months prior to the expiration date, and, upon the Applicant's failure to make said renewal application, the special permit granted herein shall expire without further notice to the Applicant.
- B. That the special permit shall terminate upon change in the use, operation or configuration of the plans as approved hereto for the Premises.
- C. That the granting of this application shall not be deemed to relieve the Applicant of the need to obtain approval of any other board or agency or officer prescribed by law or ordinance with regard to the plans or construction or any other phase of the proposed project.
- D. The hours of operation shall be as follows:



- a. **Sunday through Thursday:** Doors and windows are to close by 10:00pm, service shall cease at 10:30pm and patrons must be out of the Premises by 11:00pm.
- b. **Friday through Saturday:** Doors and Windows are to close by 11:00pm, service ceases by 12:30am and patrons must be out of the Premises by 1:00am.

E. That the failure to observe and perform any of these conditions shall render this permit invalid.

**BE IT FURTHER RESOLVED**, that the Board directs that a complete copy of this resolution be filed with the Village Clerk in compliance with New York State Village Law.

On the motion of ZBA member **KRAMER** seconded by ZBA member **YERGIN** the foregoing resolution was adopted with all ZBA members voting as follows:

<b>Robin Kramer, Chair</b>	<b>YES</b>
<b>Meg Yergin</b>	<b>YES</b>
<b>Gretta Heaney</b>	<b>YES</b>
<b>David Neufeld</b>	<b>ABSENT</b>
<b>Brian Glattstein</b>	<b>ABSTAIN</b>




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David Neufeld, Chair, Zoning Board of Appeals

DATED: Mamaroneck, New York  
 November 4, 2021  
 July 5, 2022

AT A MEETING OF THE ZONING BOARD OF APPEALS OF THE VILLAGE OF MAMARONECK,  
HELD ON NOVEMBER 5, 2020, THE FOLLOWING RESOLUTION WAS ADOPTED:

APPLICATION NO. 11SP-2020

Name: Mike Arici for Mamaroneck Barquilla Inc.  
Premises: 308 Mamaroneck Ave  
District: C-2  
Tax I.D.: Section 9, Block 18, Lot 17A

WHEREAS, Mike Arici for Mamaroneck Barquilla Inc. ("Applicant") has applied to the Village of Mamaroneck Zoning Board of Appeals ("Board") for a special permit to operate a new restaurant in an existing restaurant space at 308 Mamaroneck Ave ("Premises") within a C-2 District, pursuant to Article X Chapter 342 (Zoning) of the Code of the Village of Mamaroneck; and

WHEREAS, after due notice, this Board opened and closed a public hearing on the application on September 10, 2020, at which time it heard all parties wishing to be heard were heard and the Board received all evidence and proofs; and

WHEREAS, after duly considering all the proofs and evidence before it, the Board finds as follows:

1. Sit down restaurants, and not fast food, have previously operated at the Premises, including Moonlight on the Avenue and Café Mozart.
2. The location and size of the use, the nature and intensity of the operation, and the traffic involved in or conducted in connection with it, the size of the site in relation to it, and the location of the site with respect to the type, arrangement, and capacity of streets giving access to it, are such that the use, as set forth by the Applicant, will be in harmony with the appropriate and orderly development of the district in which it is located.
3. The location, nature, and height of buildings, walls and fences, and the nature and extent of the landscaping and screening on the site, as existing or proposed, are such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings. The proposed restaurant will utilize existing commercial space at the Premises.
4. The operation in connection with the use, as set forth by the Applicant, will not be objectionable by reason of noise, fumes, smoke, dust, vibration, glare, intensity, or flashing lights.
5. The use, as set forth by the Applicant, will not adversely affect the public health, safety and welfare, and the comfort and convenience of the public in general, and of the residents of the neighborhood in particular. The Premises is located on Mamaroneck Avenue with apartments

in the area and school aged children, and as such noise and amplified or live music conditions must be mitigated.

6. The application is in compliance with special permit standards and requirements as set forth in Sections 342-45 and 342-71 of the Code of the Village of Mamaroneck.

7. The Applicant is entitled to the granting of the special permit under the circumstances of this application.

NOW, THEREFORE, on motion of Yergin, and seconded by Kramer:

BE IT RESOLVED that this Board finds that the within application is a Type II action not subject to review under the State Environmental Quality Review Act ("SEQRA"); and be it further

RESOLVED, that in accordance with the vote of this Board taken on November 5, 2020, that the application for such special permit is hereby granted, subject to the following conditions:

A. That the special permit granted herein shall be valid for an initial probationary period of two (2) years beginning November 5, 2020, with the renewal application having to be made by Applicant no less than four (4) months prior to the expiration date, and, upon the Applicant's failure to make said renewal application, the special permit granted herein shall expire without further notice to the Applicant.

B. That the special permit shall terminate upon change in the use, operation or configuration of the plans as approved hereto for the Premises.

C. That any work done hereunder shall be in strict compliance with the plans as filed with this application,

D. That the granting of this application shall not be deemed to relieve the Applicant of the need to obtain approval of any other board or agency or officer prescribed by law or ordinance with regard to the plans or construction or any other phase of the proposed project.

E. That the Applicant shall procure a building permit from the Building Department where required within one (1) year where necessary to comply with federal, state, or local codes, laws, regulations or requirements and all work shall be completed within two (2) years from the date of the building permit, otherwise this approval is revoked; and any request for extending the time within which to obtain said building permit shall be filed no less than sixty (60) days prior to the expiration of the one (1) year period.

F. The hours of operation shall be no greater than between the hours of Monday through Thursday 10:30am to 10:00pm, Friday 10:30am to 11:30pm, Saturday 9:00am to 11:30pm and Sunday 9:00am to 10:00pm.

G. That any and all deliveries to the Premises shall be made in the morning, at a time which will minimize traffic congestion on Mamaroneck Avenue.

H. That live music, ancillary to the food and beverages served, shall be allowed to be played at the subject premises in the following manner:

1. That any live music to be performed shall be of an acoustic nature with no electronic amplification, no percussion instruments shall be used, said music shall be limited to no more than three (3) performers at one time, and the playing of any live music shall cease one (1) hour before the closure time set forth herein.

2. The Premises shall close all doors and windows after 10:00pm on every day if music or any amplified sound is being played on the Premises.

I. That the office space shown on the plans for the subject site shall be utilized for the sole use of the proprietor.

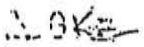
J. That there shall be a maximum of forty-six (46) seats in the interior of the restaurant.

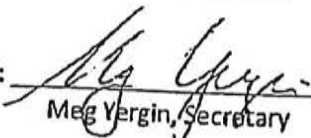
K. That the central monitoring fire alarm system shall continue to be installed and shall be maintained at all times.

L. That the failure to observe and perform any of these conditions shall immediately revoke this special permit.

Total Members:	5
Members Present:	5
Ayes:	5
Nays:	0
Abstain:	0
Absent:	0
Recused:	0
Vacancy:	0

Date Approved: November 5, 2020

By:   
Robin Kramer, Chair

By:   
Meg Yergin, Secretary

05 03 2018 9SP-2018 Sweet Symphony III for Moonlight on the Ave. 308 Mamaroneck Ave

AT A MEETING OF THE ZONING BOARD OF APPEALS OF THE VILLAGE OF  
MAMARONECK, HELD ON MAY 3, 2018, THE FOLLOWING RESOLUTION WAS  
ADOPTED:

RECEIVED  
CLERK'S OFFICE  
2018 MAY 10 A 11: 29

APPLICATION NO. 9SP-2018

VILLAGE OF MAMARONECK  
NEW YORK

Name: Sweet Symphony III LLC for Moonlight on the Ave.  
Premises: 308 Mamaroneck Ave  
District: C-2

Section 9, Block 18, Lot 17A

WHEREAS, Sweet Symphony III LLC for Moonlight on the Ave. ("Applicant") has applied to this Board for a special permit to operate a new restaurant in an existing restaurant space at 308 Mamaroneck Ave ("Premises") within a C-2 District, pursuant to Article X Chapter 342 (Zoning) of the Code of the Village of Mamaroneck; and

WHEREAS, restaurants have previously been operated at the Premises (Café Mozart); and

WHEREAS, after due notice, this Board held a public hearing on such application on May 3, 2018, at which time it heard all parties and received their evidence and proofs; and the public hearing having been closed; and members of this Board having made personal inspection of the Premises and being familiar therewith; and

WHEREAS, the Applicant confirmed it will be operating the restaurant in a very similar manner as Café Mozart formerly located at the Premises; and

WHEREAS, after duly considering all the proofs and evidence before it, this Board finds as follows:

1. The location and size of the use, the nature and intensity of the operation, and the traffic involved in or conducted in connection with it, the size of the site in relation to it, and the location of the site with respect to the type, arrangement, and capacity of streets giving access to it, are such that the use, as set forth by the Applicant, will be in harmony with the appropriate and orderly development of the district in which it is located.

2. The location, nature, and height of buildings, walls and fences, and the nature and extent of the landscaping and screening on the site, as existing or proposed, are such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings. The proposed restaurant will utilize existing commercial space at the Premises.

05 03 2018 9SP-2018 Sweet Symphony III for Moonlight on the Ave. 308 Mamaroneck Ave

3. The operation in connection with the use, as set forth by the Applicant, will not be objectionable by reason of noise, fumes, smoke, dust, vibration, glare, intensity, or flashing lights.

4. The use, as set forth by the Applicant, will not adversely affect the public health, safety and welfare, and the comfort and convenience of the public in general, and of the residents of the neighborhood in particular.

5. The application is in compliance with special permit standards and requirements as set forth in Sections 342-45 and 342-71 of the Code of the Village of Mamaroneck.

6. The Applicant is entitled to the granting of the special permit under the circumstances of this application.

NOW THEREFORE, on motion of Ms. Kramer, and seconded by Ms. Wenstrup:

BE IT RESOLVED, this Board finds that the within application is a Type II action not subject to review under the State Environmental Quality Review Act (SEQRA), and it is further;

RESOLVED, that in accordance with the vote of this Board taken on May 3, 2018 that the application for such special permit is hereby granted, subject to the following conditions:

- A. That the special permit granted herein shall be valid for an initial probationary period of three (3) years beginning May 3, 2018, with the renewal application having to be made by Applicant no less than four (4) months prior to the expiration date; and, upon the Applicant's failure to make said renewal application, the special permit granted herein shall expire without further notice to the Applicant.
- B. That the special permit is granted to the Applicant and shall expire upon a transfer of ownership or a change in the use of the Premises.
- C. That any work done hereunder shall be in strict compliance with the plans as filed with this application, except as expressly modified by the conditions herein or as approved by the Building Inspector.
- D. That the granting of this application shall not be deemed to relieve the Applicant of the need to obtain approval of any other board or agency or officer prescribed by law or ordinance with regard to the plans or construction or any other phase of the proposed project.
- E. That the Applicant shall procure a building permit from the Building Department within one (1) year where necessary to comply with federal, state, or local codes,

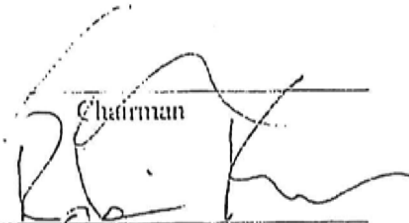
05 03 2018 9SP-2018 Sweet Symphony III for Moonlight on the Ave. 308 Mamaroneck Ave

laws, regulations or requirements and all work shall be completed within one (1) year from the date of the building permit, otherwise this application is denied; and any request for extending the time within which to obtain said building permit shall be filed no less than sixty (60) days prior to the expiration of the one (1) year period.

- F. The hours of operation shall be no greater than between the hours of Monday through Thursday 10:30am to 10:00pm, Friday 10:30am to 11:30pm, Saturday 9:00am to 11:30pm and Sunday 9:00am to 10:00pm
- G. That any and all deliveries to the Premises shall be made in the morning, at a time which will minimize traffic congestion on Mamaroneck Avenue.
- H. That live classical music, ancillary to the food and beverages served, shall be allowed to be played at the subject premises in the following manner:
  - That any live music to be performed shall be of an acoustic nature with no electronic amplification, no percussion instruments shall be used, said music shall be limited to no more than three (3) performers at one time, and the playing of any live music shall cease one (1) hour before the closure time set forth herein.
- I. That the office space to be utilized at the subject site shall be for the sole use of the proprietor.
- J. That there shall be a maximum of forty-six (46) seats in the interior of the restaurant.
- K. That the central monitoring fire alarm system, shall continue to be installed and shall be maintained at all times.
- L. That the failure to observe and perform any of these conditions shall render this permit invalid.

<u>In favor:</u>	Weprin, Neufeld, Wenstrup, Kramer, Yergin
<u>Opposed:</u>	None
<u>Absent:</u>	None

Dated: May 3, 2018  
Mamaroneck, N.Y.

Chairman  
  
Secretary

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Expires: 6-5-c

AT A MEETING OF THE ZONING BOARD OF APPEALS OF THE VILLAGE OF MAMARONECK HELD ON JUNE 1, 2006, THE FOLLOWING RESOLUTION WAS ADOPTED:

APPLICATION NO. 8SP-1995

RENEWAL

Name: CAFE MOZART  
Premises: 308 Mamaroneck Avenue  
District: C-2

Section 9, Block 18, Lot 17A

RECEIVED  
ZONING OFFICE  
2006 JUN -7 AM 9:32  
VILLAGE OF MAMARONECK

WHEREAS, this Board granted a special permit under Resolution No. 9SP-1994 on November 3, 1994 to convert a retail use to a restaurant/cafe (Cafe Mozart) at the above premises located within a C-2 District for a period of three (3) years; and

WHEREAS, said special permit was amended by this Board under Resolution No. 8SP-1995 on September 7, 1995 and was then continued as Application No. 8SP-1995; and

WHEREAS, renewals of said special permit were granted to Cafe Mozart by this Board on April 6, 2000 and June 5, 2003, each for additional periods of three (3) years; and

WHEREAS, Cafe Mozart has applied to this Board for another renewal of the special permit to continue the operation of said restaurant/cafe, pursuant to Article X of Chapter 342 (Zoning) of the Code of the Village of Mamaroneck; and

WHEREAS, after due notice, this Board held a public hearing on such renewal application on June 1, 2006, at which time it heard all parties and received their evidence and proofs; and the public hearing having been closed; and members of this Board having made personal inspection of the premises and being familiar therewith; and

WHEREAS, after duly considering all the proofs and evidence before it, this Board finds as follows:

1. All conditions of the special permit have been complied with.
2. No complaints have been made to the Building Department, Police Department, or any other department or agency of the Village in connection with the operation of the restaurant/cafe.
3. No violations have been cited in connection with the operation of the restaurant/cafe.
4. The applicant is entitled to the granting of the renewal of the special permit.

vo. 8SP-1995 (RENEWAL)

NOW THEREFORE, on motion of Mr. Jackson, and seconded by Mr. Gabriele:

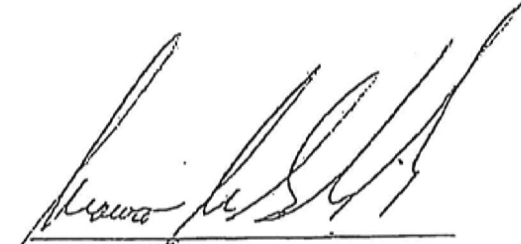
BE IT RESOLVED, in accordance with the vote of this Board taken on June 1, 2006, that the application for renewal of such special permit is hereby granted, subject to the following conditions:

- A. That the renewal of the special permit granted herein shall be valid for a period of three (3) years beginning June 5, 2006, with the renewal application having to be made by applicant no less than four (4) months prior to the expiration date; and, upon the applicant's failure to make said renewal application, the special permit granted herein shall expire without further notice to the applicant.
- B. That the renewal of the special permit is granted to the applicant and shall expire upon a transfer of ownership or a change in the use of the premises.
- C. That the hours of operation for the subject premises shall be from 6:00 a.m. to 12:00 midnight, Sunday through Thursday, and from 6:00 a.m. to 1:00 a.m., Friday and Saturday, and that food shall not be served and customers shall not be permitted within the premises outside the hours of operation.
- D. That any and all deliveries to the premises shall be made in the morning, at a time which will minimize traffic congestion on Mamaroneck Avenue.
- E. That live classical music, ancillary to the food and beverages served, shall be allowed to be played at the subject premises in the following manner:
- That any live music to be performed shall be of an acoustic nature with no electronic amplification, no percussion instruments shall be used, said music shall be limited to no more than three (3) performers at one time, and the playing of any live music shall cease one (1) hour before the closure time set forth herein.
- F. That the office space to be utilized at the subject site shall be for the sole use of the proprietor.
- G. That there shall be a maximum of forty-six (46) seats in the interior of the restaurant.
- H. That the central monitoring fire alarm system, shall continue to be installed in accordance with Condition "C" of the April 6, 2000 renewal resolution, and shall be maintained at all times.
- I. That the failure to observe and perform any of these conditions shall render this permit invalid.


In favor: Sullivan, Jackson, Neuringer, Mgrditchian, Gabriele

Opposed: None

No. 8SP-1995 (RENEWAL)



Chairman



Secretary

AT A MEETING OF THE ZONING BOARD OF APPEALS OF THE VILLAGE OF MAMARONECK HELD ON JUNE 5, 2003, THE FOLLOWING RESOLUTION WAS ADOPTED:

APPLICATION NO. 8SP-1995

RENEWAL

Name: CAFE MOZART  
Premises: 308 Mamaroneck Avenue  
District: C-2

Section 9, Block 18, Lot 17A

WHEREAS, this Board granted a renewal of a special permit on April 6, 2000 to Cafe Mozart to continue the operation of a restaurant/cafe at the above premises located within a C-2 District for a period of three (3) years; and

WHEREAS, Cafe Mozart has applied to this Board for another renewal of the special permit to continue the operation of said restaurant/cafe, pursuant to Article X of Chapter 342 (Zoning) of the Code of the Village of Mamaroneck; and

WHEREAS, after due notice, this Board held a public hearing on such renewal application on June 5, 2003, at which time it heard all parties and received their evidence and proofs; and the public hearing having been closed; and members of this Board having made personal inspection of the premises and being familiar therewith; and

WHEREAS, after duly considering all the proofs and evidence before it, this Board finds as follows:

1. All conditions of the special permit have been complied with.
2. No complaints have been made to the Building Department, Police Department, or any other department or agency of the Village in connection with the operation of the restaurant/cafe.
3. No violations have been cited in connection with the operation of the restaurant/cafe.
4. The applicant is entitled to the granting of the renewal of the special permit.

NOW THEREFORE, on motion of Mr. Mgrditchian, and seconded by Mr. Jackson:

BE IT RESOLVED, in accordance with the vote of this Board taken on June 5, 2003, that the application for renewal of such special permit is hereby granted, subject to the following conditions:

- A. That the renewal of the special permit granted herein shall be valid for a period of three (3) years beginning June 5, 2003, with the renewal application having to be made by applicant no less than four (4) months prior to the expiration date; and, upon the applicant's failure to make said renewal application, the special permit granted herein shall expire without further notice to the applicant.

RECEIVED  
CLERK'S OFFICE  
03 JUN 12 PM 2:07  
VILLAGE OF MAMARONECK

No. 8SP-1995 (RENEWAL)

B. That the renewal of the special permit is granted to the applicant and shall expire upon a transfer of ownership or a change in the use of the premises.

C. That the following conditions of the resolution dated November 3, 1994, which originally granted the special permit for the operation of the restaurant/cafe, and the resolution dated September 7, 1995, which amended the special permit, shall remain in effect:

- (1) That the hours of operation for the subject premises shall be from 6:00 a.m. to 12:00 midnight, Sunday through Thursday, and from 6:00 a.m. to 1:00 a.m., Friday and Saturday, and that food shall not be served and customers shall not be permitted within the premises outside the hours of operation.
- (2) That any and all deliveries to the premises shall be made in the morning, at a time which will minimize traffic congestion on Mamaroneck Avenue.
- (3) That live classical music, ancillary to the food and beverages served, shall be allowed to be played at the subject premises in the following manner:

That any live music to be performed shall be of an acoustic nature with no electronic amplification, no percussion instruments shall be used, said music shall be limited to no more than three (3) performers at one time, and the playing of any live music shall cease one (1) hour before the closure time set forth herein.

- (4) That the office space to be utilized at the subject site shall be for the sole use of the proprietor.
- (5) That there shall be a maximum of forty-six (46) seats in the interior of the restaurant.

D. That the central monitoring fire alarm system, which was to be installed in accordance with Condition "C" of the April 6, 2000 renewal resolution, shall be maintained at all times.

E. That the failure to observe and perform any of these conditions shall render this permit invalid.

In favor: Jackson, Neuringer, Mgrditchian, Gabriele

Opposed: None

Abstention: Weprin

BUILDING DEPARTMENT  
VILLAGE OF MAMARONECK  
MUNICIPAL BUILDING-MAMARONECK, NY

TEL: (914) 777-7331

SPECIAL PERMIT NOTIFICATION

APPL NO: 8SP-1995

DISTRICT: 02

TO: Cafe Mozart

308 Mamaroneck Avenue  
Mamaroneck, NY 10543

DATE: May 15, 2006

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED May 31, 2006

FOR PERMIT TO renew Special Permit

LOCATED AT 308 Mamaroneck Avenue ON THE PREMISES

HAS BEEN RECEIVED AND A PUBLIC HEARING WILL BE HELD ON June 1, 2006

AT THE VILLAGE OF MAMARONECK MUNICIPAL BUILDING, 169 MT. PLEASANT AVENUE

AT 7:00 P.M. PLEASE TAKE FURTHER NOTICE THAT YOU, THE APPLICANT, MUST

NOTIFY ALL PROPERTY OWNERS LOCATED WITHIN A RADIUS OF 100 FEET OF THE

SUBJECT PREMISES OF YOUR APPLICATION AND OF THE PROPOSED HEARING.

  
BUILDING INSPECTOR

A recipient of a copy of this notification is a property owner of record within a radius of 400 feet. Interested parties may review plans on any application in the Building Inspectors Office at Village Hall.

VILLAGE OF



MAMARONECK

Village Hall  
Mamaroneck, N.Y. 10543

CERTIFICATE OF COMPLIANCE

No. C#21115

Date: November 25, 2003

THIS CERTIFIES that the alterations located at 308-314 Mamaroneck  
Avenue Section No. 9, Block No. 18, Lot No. 17A, Tax Map  
of the Village of Mamaroneck, conforms substantially to the approved plans and specifications  
heretofore filed in this office with application for Building Permit dated Nov, 22, 2002  
pursuant to which Building Permit No. 21115, dated Feb. 3, 2003  
was issued and conforms to all of the requirements of the Zoning Ordinance or Special Ruling by  
the Zoning Board of Appeals or Village Board of Trustees. The use for which this certificate is  
issued is facade renovations.

This certificate is issued to  
of the aforesaid property.

3D Associates

(owners)

  
Acting Building Inspector

(The Certificate of Compliance will be issued only after the Building Inspector is convinced of the completion of the construction in compliance with the State Uniform Building & Fire Prevention Code and with other laws, ordinances, or regulations affecting the premises, and in conformity with the approved plans and specifications. A final electrical and plumbing certificate or other evidence of compliance will be required before the issuance of the Certificate of Compliance.)

# CERTIFICATE OF OCCUPANCY



Village of Mamaroneck  
169 Mt. Pleasant Ave  
Mamaroneck, New York 10543

9/21/2016

Map. No.: 9-18-17A

Permit No.: 16-0984

Cert. No.: 16-0984

Location: 308 MAMARONECK AV

This Certifies that the building(s) located at the premises listed above conforms substantially to all of the requirements of the applicable provisions of the law. The occupancy for which this certificate is issued is:

**Obtain Historical Certificate of Occupancy - 308 Mamaroneck Avenue Cafe' Mozart**

This CERTIFICATE is issued to the owner -

**308-312 MAMK, LLC**

of the aforesaid building(s).



# PASSED INSPECTION



Village of Mamaroneck  
169 Mt. Pleasant Ave  
Mamaroneck, New York 10543  
914-777-7731

6/23/2022

308-312 MAMK, LLC  
728 PALMER AVENUE  
MAMARONECK, NY 10543

Inspection Date: 6/23/2022

Record Owner of Title: 308-312 MAMK, LLC

RE: 308 MAMARONECK AV

Parcel ID: 9-18-17A

Re: Inspection at: BARQUILA - 308 MAMARONECK AV - Parcel ID: 9-18-17A

Tenant/Occupant 308-312 MAMK, LLC

Phone Number

## TO WHOM IT MAY CONCERN

Please be advised that a(n) CABARET LICENSE INSPECTION Inspection was conducted at the above location on the date specified.

There were no Building Code Violations noted at this time. Please take note of the results below:

## Results:

Failed previous- All violations present at this location have been cleared.

If you have any questions, do not hesitate to contact me.

---

Shawn Jimison, Fire Inspector

80 South Swan Street, Suite 900  
Albany, NY 12210-8002

STATE OF NEW YORK  
DIVISION OF ALCOHOLIC BEVERAGE CONTROL  
163 West 125th Street  
New York, NY 10027

535 Washington Street, Suite 303  
Buffalo, NY 14203

IN THE MATTER OF PROCEEDINGS TO CANCEL OR REVOKE

1331234, WESTCHESTER OP 1331234

NOTICE OF PLEADING

MAMARONECK BARQUILA INC

545-2022/Case No. 160805

308 MAMARONECK AVE  
MAMARONECK, NY 10543

PLEASE TAKE NOTICE, that pursuant to Section 118 of the Alcoholic Beverage Control Law and sections 54.1 and 54.2 of the Rules of the State Liquor Authority, you are required to answer by mail to the State Liquor Authority, at the office of the Division of Alcoholic Beverage Control, Adam Clayton Powell Jr. SOB, 163 West 125th Street, 8th Floor, New York, New York 10027, on or before, **07/27/2022**, in connection with the proceedings to suspend, cancel or revoke the above referenced license, and to plead to the following charge(s):

1. That on or before June 26, 2022, the occurrence of noise, disturbance, misconduct or disorder in the licensed premises, in front of or adjacent to the licensed premises, or in the parking lot of the licensed premises has resulted in the licensed premises becoming a focal point for police attention; all cause for revocation, cancellation or suspension of the license in accordance with rule 36.1(q) of the Rules of the State Liquor Authority [9 NYCRR 53.1(q)].
2. That on January 1, 2022, the licensee violated rule 54.3 of the Rules of the State Liquor Authority [9 NYCRR 48.3], in that it did not conform with all applicable building codes, and/or fire, health, safety and governmental regulations; operated beyond the time permitted by the Special Probationary Permit, all cause for revocation, cancellation or suspension of the license in accordance with rule 36.1(f) of the Rules of the State Liquor Authority [9 NYCRR 53.1(f)].
3. That on January 22, 2022, the licensee violated rule 54.3 of the Rules of the State Liquor Authority [9 NYCRR 48.3], in that it did not conform with all applicable building codes, and/or fire, health, safety and governmental regulations; operated beyond the time permitted by the Special Probationary Permit, all cause for revocation, cancellation or suspension of the license in accordance with rule 36.1(f) of the Rules of the State Liquor Authority [9 NYCRR 53.1(f)].
4. That on February 13, 2022, the licensee violated rule 54.3 of the Rules of the State Liquor Authority [9 NYCRR 48.3], in that it did not conform with all applicable building codes, and/or fire, health, safety and governmental regulations; all cause for revocation, cancellation or suspension of the license in accordance with rule 36.1(f) of the Rules of the State Liquor Authority [9 NYCRR 53.1(f)].
5. That on February 19, 2022, the licensee violated rule 54.3 of the Rules of the State Liquor Authority [9 NYCRR 48.3], in that it did not conform with all applicable building codes, and/or fire, health, safety and governmental regulations; operated beyond the time permitted by the Special Probationary Permit, all cause for revocation, cancellation or suspension of the license in accordance with rule 36.1(f) of the Rules of the State Liquor Authority [9 NYCRR 53.1(f)].
6. That on March 12, 2022, the licensee violated rule 54.3 of the Rules of the State Liquor Authority [9 NYCRR 48.3], in that it did not conform with all applicable building codes, and/or fire, health, safety and governmental regulations; operated beyond the time permitted by the Special Probationary Permit, all cause for revocation, cancellation or suspension of the license in accordance with rule 36.1(f) of the Rules of the State Liquor Authority [9 NYCRR 53.1(f)].
7. That on March 13, 2022, the licensee violated rule 54.3 of the Rules of the State Liquor Authority [9 NYCRR 48.3], in that it did not conform with all applicable building codes, and/or fire, health, safety and governmental regulations; operated beyond the time permitted by the Special Probationary Permit, all cause for revocation, cancellation or suspension of the license in accordance with rule 36.1(f) of the Rules of the State Liquor Authority [9 NYCRR 53.1(f)].
8. That on March 20, 2022, the licensee violated rule 54.3 of the Rules of the State Liquor Authority [9 NYCRR 48.3], in that it did not conform with all applicable building codes, and/or fire, health, safety and governmental regulations; operated beyond the time permitted by the Special Probationary Permit, all cause for revocation, cancellation or suspension of the license in accordance with rule 36.1(f) of the Rules of the State Liquor Authority [9 NYCRR 53.1(f)].
9. That on April 3, 2022, the licensee violated rule 54.3 of the Rules of the State Liquor Authority [9 NYCRR 48.3], in that it did not conform with all applicable building codes, and/or fire, health, safety and governmental regulations; operated beyond the time permitted by the Special Probationary Permit, all cause for revocation, cancellation or suspension of the license in accordance with rule 36.1(f) of the Rules of the State Liquor Authority [9 NYCRR 53.1(f)].

80 South Swan Street, Suite 900  
Albany, NY 12210-8002

STATE OF NEW YORK  
DIVISION OF ALCOHOLIC BEVERAGE CONTROL  
163 West 125th Street  
New York, NY 10027

535 Washington Street, Suite 303  
Buffalo, NY 14203

10. That on April 23, 2022, the licensee violated rule 54.3 of the Rules of the State Liquor Authority [9 NYCRR 48.3], in that it did not conform with all applicable building codes, and/or fire, health, safety and governmental regulations; operated beyond the time permitted by the Special Probationary Permit, all cause for revocation, cancellation or suspension of the license in accordance with rule 36.1(f) of the Rules of the State Liquor Authority [9 NYCRR 53.1(f)].

11. That on April 30, 2022, the licensee violated rule 54.3 of the Rules of the State Liquor Authority [9 NYCRR 48.3], in that it did not conform with all applicable building codes, and/or fire, health, safety and governmental regulations; operated beyond the time permitted by the Special Probationary Permit, all cause for revocation, cancellation or suspension of the license in accordance with rule 36.1(f) of the Rules of the State Liquor Authority [9 NYCRR 53.1(f)].

12. That on May 14, 2022, the licensee violated rule 54.3 of the Rules of the State Liquor Authority [9 NYCRR 48.3], in that it did not conform with all applicable building codes, and/or fire, health, safety and governmental regulations; all cause for revocation, cancellation or suspension of the license in accordance with rule 36.1(f) of the Rules of the State Liquor Authority [9 NYCRR 53.1(f)].

13. That on or before June 26, 2022, in violation of rule 48.2 of the Rules of the State Liquor Authority [9 NYCRR 48.2], the licensee, through the actions and/or inactions of its principal(s), and/or its agents and employees, failed to exercise a high degree of supervision over the conduct of the licensed business.

PLEASE TAKE NOTICE THAT YOUR FAILURE TO PLEAD WILL BE DEEMED A "NO CONTEST" PLEA, NO HEARING WILL BE HELD, AND THE STATE LIQUOR AUTHORITY MAY ASSESS A PENALTY FOR THE CHARGE(S) INDICATED ABOVE.

PLEASE TAKE FURTHER NOTICE that you may be represented by counsel.

PLEASE TAKE FURTHER NOTICE that you may plead to the charge(s) by mail provided that a letter signed by you or your attorney, setting forth your plea, is received by the Office of Counsel at the above address on or before the pleading date specified above.

PLEASE TAKE FURTHER NOTICE that the maximum penalty for the charge(s) above may be a revocation, cancellation, or suspension of the license in accordance with the Alcoholic Beverage Control Laws and/or the Rules of the State Liquor Authority, forfeiture of the bond filed by you, and/or a civil penalty. In addition, if the State Liquor Authority revokes the license, it may proscribe the issuance of a license at the premises for a period of two years from the date of revocation of the license.

PURSUANT TO SECTION 301 of the State Administrative Procedure Act and Executive Order Number 26, interpreter services shall be made available to licenses, at no charge, by the State Liquor Authority.

Licensee's name and residence address  
ARICI, MUCAHIT  
24 READ ST, PORTCHESTER, NY 10573

Licensee's Landlord  
308-312 MAMK LLC  
728 PALMER AVE, MAMARONECK, NY 10543

Notice to Landlord: As stated above, in the event the disposition of this case results in a Revocation of the license, the Authority may impose, as part of the penalty, a two year prohibition against the issuance of any alcoholic beverage license at these premises.

Date: 06/28/2022

DIVISION OF ALCOHOLIC BEVERAGE CONTROL

Office of Counsel  
by: Margarita Marsico  
163 West 125th Street, 8th Floor  
New York, New York 10027

Tel: (212) 961-8318  
Fax: (212) 961-8316

Certified Mail # 7020 3160 0002 0873 0889

OFFICE USE ONLY  
 Original  Amended Date \_\_\_\_\_

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### STATE OF NEW YORK NOTICE OF APPEARANCE

Section 166 of the Executive Law requires a regulatory agency to maintain for public inspection, a record of who appears before it, for a fee as a third party (e.g., an attorney, an agent, lobbyist\*, or representative) on behalf of a person or organization subject to the regulatory jurisdiction of the agency. This usually occurs when the third party's client is involved in an enforcement, formal permit, or application matter. *This form is subject to all the rules and regulations of the Freedom of Information Law. Information that is confidential as a matter of law need not be furnished.*

Agency: NYS Liquor Authority / Division of Alcoholic Beverage Control

Date: \_\_\_\_\_

Division / Bureau: COUNSEL'S OFFICE

**1. Name of individual appearing:**

Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
E-mail: \_\_\_\_\_

**2. Client represented:**

\_\_\_\_\_

Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

**3. Subject of appearance:**  Regulatory / Enforcement  Lobbying

\_\_\_\_\_

**4. Acting in the capacity of:**  Attorney  Lobbyist  Agent  Other (describe below)

Description: \_\_\_\_\_

**5. Are you being compensated:**  Yes  No  
If YES, Check FEE or SALARY:  FEE  SALARY

**6. Signature of individual appearing:** \_\_\_\_\_

**7. Agency official (printed name):** \_\_\_\_\_

Signature: \_\_\_\_\_

\*A LOBBYIST is a person or organization, other than a New York State government employee acting in an official capacity, who appears for the purpose of influencing the adoption or rejection of proposed rules, regulations, rates, legislation, including the State budget or the specification or award of a State Procurement Contract. An "appearance" for lobbying purposes can be a personal visit, letter, telephone call, conversation at a meeting, or any other type of contact, but does not include "on the record" proceedings or hearings.

## PLEADING AND HEARING INSTRUCTIONS

### Proceeding to a Hearing

**Not Guilty Pleas:** By pleading "Not Guilty" to the charge(s), you are requesting that a fact-finding hearing be scheduled. Upon a plea of "Not Guilty" you will receive notification of a scheduled hearing.

All requests for hearing adjournments must be made in writing and received by the Authority at least three business days prior to the hearing date. If you request an adjournment, please clearly state the reason for your request. You must attach the Notice of Pleading to the request and email the request to [hearingbureau@sla.ny.gov](mailto:hearingbureau@sla.ny.gov). You should email a copy to the assigned prosecutor. To reach a prosecutor via email include their first name, period, last name @sla.ny.gov; for example, [John.smith@sla.ny.gov](mailto:John.smith@sla.ny.gov). Adjournments will be granted for good cause only.

If you require an interpreter, you must notify the assigned prosecutor at least five business days before your hearing via email. The Authority will provide interpreters to licensees at no expense.

### Appearing for a Hearing

Licensees and their representatives must appear on the date of the hearing unless they have received specific written or telephone instructions from the Authority not to appear. Licensees may hire an attorney to represent them. No adjournments will be granted due to your failure to obtain counsel.

Licensees must bring acceptable proof of identity, such as a driver's license. Anyone appearing on behalf of a licensee, except an attorney licensed to practice law in New York, must be prepared to present documentation showing that they are authorized to appear for the licensee.

### Failure to Appear

If you fail to appear, a default may be taken against you and you may lose your right to contest the charge(s) against you. After a default, a full range of penalties may be considered against your license, and you may be ordered to pay a civil penalty, or your license may be suspended, canceled, or revoked.

### How to Settle a Violation Without a Hearing

If you submit one of the following pleas, your plea will be forwarded to the Members of the Authority without a fact-finding hearing:

**No Contest Pleas:** A "No Contest" plea is a plea whereby the licensee agrees to not contest the charge(s) and waits for the penalty to be discretionarily imposed by the Members of the Authority.

**Conditional No Contest Pleas (CNC):** A "Conditional No Contest" plea is whereby the licensee agrees to not contest the charge(s) if the Members of the Authority accept the licensee's proposed penalty. To be accepted, a CNC must be in writing and the Office of Counsel must determine that (1) the licensee's proposal adequately addresses the charged violations and (2) the penalty is appropriate to submit to the Members of the Authority. If the Office of Counsel agrees to deliver your CNC to the Members of the Authority for ultimate determination, your hearing will be cancelled pending that determination.

Phone 914-825-8523  
Fax 914-777-7707



VILLAGE of MAMARONECK POLICE DEPARTMENT  
Vision • Mindfulness • Professionalism • Dedication



This communication (including attachments) is covered by the Electronic Communication Privacy Act, U.S.C. Sections 2510-2521, is confidential, and may contain privileged information. If you are not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, or believe you have received this communication in error, please do not print, copy, retransmit, disseminate, or otherwise use this communication or any of the information contained herein. Also please notify sender that you have received this e-mail in error and delete the copy you received.

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**From:** Marsico, Margarita (SLA) <[Margarita.Marsico@sla.ny.gov](mailto:Margarita.Marsico@sla.ny.gov)>  
**Sent:** Thursday, June 23, 2022 3:44:55 PM  
**To:** Sgt. Joseph Gaglione <[jgaglione@vompd.com](mailto:jgaglione@vompd.com)>  
**Subject:** 308 Mamaroneck Avenue - Barquila Inc.

Hi Sergeant,

This matter has been assigned to me to prosecute. I will be mailing the licensee a Notice of Pleading charging that they are a Focal Point for Police Attention under the ABCL as well as their failures to conform to the various Mamaroneck rules and stipulations on the dates you outlined.

If you have any questions, please reach out to me. My office number is 212-961-8318.

Thanks,

-Margarita Marsico

## Courtney Wong

---

**From:** Jerry Barberio  
**Sent:** Thursday, June 30, 2022 2:49 PM  
**To:** Courtney Wong  
**Subject:** Fwd: 308 Mamaroneck Avenue - Barquila Inc.

Thank you,

Jerry Barberio  
Village Manager  
Village of Mamaroneck

Begin forwarded message:

**From:** Sally Roberts <sroberts@vomny.org>  
**Date:** June 29, 2022 at 8:40:22 AM EDT  
**To:** Jerry Barberio <jbarberio@vomny.org>, Agostino Fusco <afusco@vomny.org>  
**Cc:** Daniel Sarnoff <dsarnoff@vomny.org>, Elena Decunzo <edecunzo@vomny.org>  
**Subject:** FW: 308 Mamaroneck Avenue – Barquila Inc.

**From:** Chief Sandra DiRuzza <sdiruzza@vompd.com>  
**Sent:** Wednesday, June 29, 2022 7:34 AM  
**To:** Sally Roberts <sroberts@vomny.org>; Frank Tivolacci <ftivolacci@vomny.org>  
**Cc:** Lt. P.J Trujillo <ptrujillo@vompd.com>  
**Subject:** FW: 308 Mamaroneck Avenue - Barquila Inc.

Hi Sally

Please see the below which was received from the SLA regarding Barquilla. Please forward to appropriate personnel.

Thank you

Regards,

**Chief Sandra DiRuzza**  
Village of Mamaroneck Police Department  
169 Mt. Pleasant Avenue  
Mamaroneck, New York, 10543  
[www.vompd.com](http://www.vompd.com)

LAW OFFICES OF  
**LORENZO L. ANGELINO**

Tele. (845) 214-1133  
Fax (845) 625-1672

42 CATHARINE STREET  
POUGHKEEPSIE, NY 12601

www.AngelinoLaw.com  
langelino@AngelinoLaw.com

July 8, 2022

VIA E-Mail ([margarita.marsico@sla.ny.gov](mailto:margarita.marsico@sla.ny.gov))

VIA Facsimile (212) 961-8316

New York State Liquor Authority

163 West 125<sup>th</sup> Street

New York, NY 10027

ATTN: Margarita Marsico, Esq.

Re: Licensee: MAMARONECK BARQUILA INC.  
308 Mamaroneck Ave., Mamaroneck, NY 10543  
Serial #: 1331234  
Matter: Proceedings to Cancel or Revoke 545-2022/Case No. 160805

To Margarita Marsico,

Attached please find this office's notice of appearance for the above referenced matter. We are hereby submitting a plea of NOT GUILTY on behalf of the licensee. Please forward all discovery on this matter to my office. Discovery can be sent via email to the address above.

Thank you for your attention to same.

Sincerely,

*s/ Lorenzo L. Angelino*  
Lorenzo L. Angelino, Esq.



OFFICE USE ONLY		
<input type="radio"/> Original	<input type="radio"/> Amended	Date _____

## STATE OF NEW YORK NOTICE OF APPEARANCE

Section 166 of the Executive Law requires a regulatory agency to maintain for public inspection, a record of who appears before it, for a fee as a third party (e.g., an attorney, an agent, lobbyist\*, or representative) on behalf of a person or organization subject to the regulatory jurisdiction of the agency. This usually occurs when the third party's client is involved in an enforcement, formal permit, or application matter. *This form is subject to all the rules and regulations of the Freedom of Information Law. Information that is confidential as a matter of law need not be furnished.*

Agency: NYS Liquor Authority / Division of Alcoholic Beverage Control

Date: 07/08/2022

Division / Bureau:

1. Name of individual appearing: Lorenzo L. Angelino, Esq.

Address: 42 Catharine Street, Poughkeepsie, NY 12601

Telephone: (845) 214-1133

E-mail: langelino@angelinolaw.com

2. Client represented: Mamaroneck Barquilla Inc.

Address: 308 Mamaroneck Ave., Mamaroneck, NY 10543

Telephone: (914) 315-1388

3. Subject of appearance:     Regulatory / Enforcement     Lobbying

545-2022/Case No. 160805

4. Acting in the capacity of:     Attorney     Lobbyist     Agent     Other (describe below)

Description:

5. Are you being compensated:     Yes     No  
 If YES, Check FEE or SALARY:     FEE     SALARY

6. Signature of individual appearing: Lorenzo L. Angelino

7. Agency official (printed name):

Signature: \_\_\_\_\_

\*A LOBBYIST is a person or organization, other than a New York State government employee acting in an official capacity, who appears for the purpose of influencing the adoption or rejection of proposed rules, regulations, rates, legislation, including the State budget or the specification or award of a State Procurement Contract. An "appearance" for lobbying purposes can be a personal visit, letter, telephone call, conversation at a meeting, or any other type of contact, but does not include "on the record" proceedings or hearings.