

Meeting Date: _____

APPLICANT INFORMATION:

Name of applicant(s): 164 Mulberry Street Corp.

Trade name (DBA): Da Nico

Premises address: 164 Mulberry Street. New York New York 10013

Cross Streets and other addresses used for building/premise: Mulberry & Grand

CONTACT INFORMATION:

Principal(s) Name(s): Nicholas Criscitelli

Office or Home Address: 164 Mulberry Street

City, State, Zip: New York, NY 10038

Telephone #: 212-343-1212 email : danicorestaurant@gmail.com

Landlord Name / Contact: Annette's Property Corp.

Landlord's Telephone and Fax: [REDACTED]

| NAMES OF ALL PRINCIPAL(s): | NAMES / LOCATIONS OF PAST / CURRENT LICENSES HELD |
|-----------------------------------|--|
| <u>Nicholas Criscitelli</u> | <u>134 Mulberry Street NY NY, 7324 Amboy Street SI</u> |
| _____ | _____ |
| _____ | _____ |

Briefly describe the proposed operation (i.e. "We are a family restaurant that will focus on..."):

This is an existing family run restaurant in Little Italy for over 27 years. The existing SLA license was first issued on 6/13/95. Nicholas Criscitelli, President, is 100% owner and operator. This is a corporate change to add Mr. Cricitelli's wife Angela Criscitelli as 50% owner. Angela Criscitelli will also be assisting her husband as Manager of the restaurant.

WHAT TYPE(S) OF LICENSE(S) ARE YOU APPLYING FOR (MARK ALL THAT APPLY):

- a new liquor license (Restaurant Tavern / On premise liquor Other)
- an UPGRADE of an existing Liquor License
- an ALTERATION of an existing Liquor License
- a TRANSFER of an existing Liquor License
- a HOTEL Liquor License
- a DCA CABARET License
- a CATERING / CABARET Liquor License
- a BEER and WINE License
- a RENEWAL of an existing Liquor License
- an OFF-PREMISE License (retail)
- OTHER : **Corporate Change**

If upgrade, alteration, or transfer, please describe specific nature of changes:

(Please include physical or operational changes including hours, services, occupancy, ownership, etc.)

Nicholas Criscitelli owns 100% and is transferring 50% ownership to his wife Angela Criscitelli who will also be manager.

If this is for a new application, please list previous use of location for the last 5 years:

Is any license under the ABC Law currently active at this location? yes no

If yes, what is the name of current / previous licensee, license # and expiration date: SAME/Current_____

164 Mulberry Street Corp. d/b/a Da Nico – Expires 5/31/23

Have any other licenses under the ABC Law been in effect in the last 10 years at this location?

yes no

If yes, please list DBA names and dates of operation:

PREMISES:

By what right does the applicant have possession of the premises?

Own Lease Sub-lease Binding Contract to acquire real property other: _____

Type of Building: Residential Commercial Mixed (Res/Com) Other: _____

Number of floor: 5 Year Built : _____

Describe neighboring buildings: Little Italy, restaurants and shops

Zoning Designation: _____

Zoning Overlay or Special Designation (applicable) N/A _____

Block and Lot Number: _____ / _____

Does the premise occupy more than one building, zoning lot, tax lot or more than one floor? yes no

Is the premise located in a historic district? yes no

(if yes, have all exterior changes or changes governed by the Landmarks Preservation Commission (LPC) been approved by the LPC? yes no, please explain : _____

Will any outside area or sidewalk café be used for the sale or consumption of alcoholic beverages? (including sidewalk, roof and yard space) no yes : explain existing backyard patio lease and Sidewalk cafe

What is the proposed Occupancy? Not Changing

Does the premise currently have a valid Certificate of Occupancy (C of O) and all appropriate permits?

no yes

If yes, what is the maximum occupancy for the premises? _____

If yes, what is the use group for the premises? _____

If yes, is proposed occupancy permitted? yes no, explain : _____

If your occupancy is 75 or greater, do you plan to apply for Public Assembly permit? yes no

Do you plan to file for changes to the Certificate of Occupancy? yes no
(if yes, please provide copy of application to the NYC DOB)

Will the façade or signage be changed from what currently exist at the premise? no yes

(if yes, please describe: _____

INTERIOR OF PREMISES: NOT CHANGING

What is the total licensed square footage of the premises? APPX 5200

If more than one floor, please specify square footage by floors: 1st – 1175, 2nd 2000

If there is a sidewalk café, rear yard, rooftop, or outside space, what is the square footage of the area?

Rear yard - 2040

If more than one floor, what is the access between floors? Stairs

How many entrances are there? 2 How many exits? 2 How many bathrooms? 3

Plus- Additional Backyard Emergency Exit

Is there access to other parts of the building? no yes, explain: _____

OVERALL SEATING INFORMATION:

Total number of tables? _____ Total table seats? _____

SEATING – 72 first floor, 74 second floor, and up to 90 backyard – all previously approved by SLA 1998, 2000 and 2005.

Total number of bars? 1 Total bar seats? 2

Total number of "other" seats? _____ please explain : _____

Total OVERALL number of seats in Premises : _____

BARS: Not Changing

How many * stand-up bars / bar seats are being applied for on the premises? Bars _____ Seats _____

How many service bars are being applied for on the premises? _____

Any food counters? no yes, describe : _____

For Alterations and Upgrades: not applicable

Please describe all current and existing bars / bar seats and specific changes: _____

* A stand-up bar is any bar or counter (whether seating or not) over which a member of the public can order, pay for and receive food and alcoholic beverages.

PROPOSED METHOD OF OPERATION: Not changing

What type of establishment will this be? (check all that apply)

Bar Bar & Food X Restaurant Club/ Cabaret Hotel Other: _____

What are the Hours of Operation?

Sunday: Monday: Tuesday: Wednesday: Thursday: Friday: Saturday:
___ to ___ ___ to ___ ___ to ___ ___ to ___ ___ to ___ ___ to ___ ___ to ___

Will the business employ a manager? ___ no ___ yes, name / experience if known : _____

Will there be security personnel? ___ no ___ yes(if yes, what nights and how many?) _____

Do you have or plan to install French doors, accordion doors or windows that open? _____ no ___ yes

If yes, please describe : _____

Will you have TV's ? ___ no ___ yes (how many?) _____

Type of MUSIC / ENTERTAINMENT: ___ Live Music ___ Live DJ ___ Juke Box ___ Ipod / CDs ___ none

Expected Volume level: ___ Background (quiet) ___ Entertainment level ___ Amplified Music
(check all that apply)

Do you have or plan to install soundproofing? ___ no ___ yes

IF YES, will you be using a professional sound engineer? _____

Please describe your sound system and sound proofing: _____

Will you be permitting: ___ promoted events ___ scheduled performances ___ outside promoters

___ any events at which a cover fee is charged? ___ private parties

Do you have plans to manage or address vehicular traffic and crowd control on the sidewalk caused by your establishment? ___ no ___ yes (if yes, please attach plans)

Will you be utilizing ___ ropes ___ movable barriers ___ other outside equipment (describe) _____

Are your premises within 200 feet of any school, church or place of worship? X no ___ yes

If there is a school, church or place of worship within 200 feet of your premises or on the same block, please submit a block plot diagram or area map showing its' location in proximity to your applicant premises (no larger than 8 ½ " x 11").

Indicate the distance in feet from the proposed premise:

Name of School / Church: _____

Address: _____ Distance: _____

Name of School / Church: _____

Address: _____ Distance: _____

Name of School / Church: _____

Address: _____ Distance: _____

Please provide contact information for Residents / Community Board and confirm that if complaints are made you will address it immediately.

Contact Person: Nicholas Criscitelli Phone: 212-343-1212

Address: 164 Mulberry Street, NY NY 10013 _____

Email : danicorestaurant@gmail.com

Application submitted on
behalf of the applicant by:



Signature

Print or Type Name John Theodorellis

Title Attorney _____

Thank you for your cooperation. Please return this questionnaire along with the other required documents as soon as you can. This will expedite your application and avoid any unnecessary delays. Use additional pages if necessary.





Community Board 2, Manhattan
SLA Licensing Committee
Carter Booth, Co-Chair
Robert Ely, Co-Chair

This report is for informational purposes only in aid of identifying establishments potentially subject to 500 and 200 foot rules. Distances are approximated using industry standard GIS techniques and do not reflect actual distances between points of entry. The NYS Liquor Authority makes no representation as to the accuracy of the information and disclaims any liability for errors.

| | |
|------------------------------|--|
| Proximity Report For: | |
| Location | 164 Mulberry St, New York, New York, 10013 |
| Geocode | Latitude: 40.71969 Longitude: -73.99706 |
| Report Generated On | 1/5/2023 |

| 8 Closest Liquor Stores | | |
|--|---|-----------------|
| Name | Address | Distance |
| SA VINO ITALIANO INC. Ser #: 1199593 | 200 GRAND ST MOTT & MULBERRY STREETS NEW YORK, NY 10013 | 225 ft |
| GROTTA AZZURRA IMPORTS INC Ser #: 1259856 | 177 MULBERRY ST STORE 1A NEW YORK, NY 10013 | 284 ft |
| EL CORRAL SOHO INC Ser #: 1235206 | 406 BROOME ST, STORE H AKA 199 LAFAYETTE ST & CLEVELAND PL NEW YORK, NY 10013 | 456 ft |
| GRANYETTE WINE & SPIRITS INC Ser #: 1336830 | 184A LAFAYETTE ST NEW YORK, NY 10013 | 567 ft |
| R & S 49 LIQUOR CORP Ser #: 1297191 | 92 ELIZABETH ST NEW YORK, NY 10013 | 591 ft |
| WINE-O INC Ser #: 1262156 | 171 ELIZABETH ST SPRING & KENMARE STREETS NEW YORK, NY 10012 | 761 ft |
| YOUNG NAM KANG Ser #: 1023586 | 52 SPRING STREET NEW YORK, NY 10012 | 856 ft |
| WORLD WINE GROUP INC Ser #: 1335358 | 90 BOWERY ST NEW YORK, NY 10013 | 916 ft |

| Schools within 500 feet | | |
|--------------------------------|----------------|-----------------|
| Name | Address | Distance |
| No Schools within 500 feet | | |

| Churches within 500 feet | |
|--|-----------------|
| Name | Distance |
| Church of The Most Holy Crucifix | 375 ft |
| The Holy Trinity Ukrainian Orthodox Church | 397 ft |
| Society of Buddhist Studies | 472 ft |

| |
|--|
| Pending On Premises Liquor Licenses within 750 feet |
|--|

| Inactive On Premises Liquor Licenses within 750 feet | | Distance |
|--|-------------------------------------|----------|
| Name | Address | Distance |
| JO RACH INC Ser #: 1347006 | 191 GRAND ST NEW YORK, NY 10013 | 193 ft |
| LSMC LLC Ser #: 1345195 | 151 MOTT ST NEW YORK, NY 10013 | 196 ft |
| W LLC Ser #: 1354673 | 390 BROOME ST NEW YORK, NY 10013 | 321 ft |
| DOUBLE J OPERATIONS LLC Ser #: 1349456 | 406 BROOME ST NEW YORK, NY 10013 | 530 ft |
| KING JADE GARDEN INC Ser #: 1349287 | 171 HESTER ST NEW YORK, NY 10013 | 672 ft |

| Active On Premises Liquor Licenses within 750 feet | | |
|--|--|----------|
| Name | Address | Distance |
| 164 MULBERRY STREET CORP Ser #: 1025413 | 164 MULBERRY STREET NEW YORK, NY 10013 | 37 ft |
| 161 MULBERRY RESTAURANT LLC Ser #: 1264498 | 161 MULBERRY ST 186 GRAND ST NEW YORK, NY 10013 | 59 ft |
| CEKAJ CORP Ser #: 1317320 | 165 MULBERRY ST NEW YORK, NY 10013 | 62 ft |
| TT & B RESTAURANT INC Ser #: 1336372 | 171 MULBERRY ST NEW YORK, NY 10013 | 121 ft |
| TOMINO LLC Ser #: 1299428 | 192 GRAND ST NEW YORK, NY 10013 | 134 ft |
| EMMANUEL NY CORP Ser #: 1312826 | 194 GRAND ST NEW YORK, NY 10013 | 150 ft |
| LA MELA RISTORANTE ITALIANO INC Ser #: 1164701 | 167-169 MULBERRY STREET GRAND & BROOME STREET NEW YORK, NY 10013 | 162 ft |
| FERRARA BAKERY & CAFE INC Ser #: 1025285 | 195 GRAND STREET NEW YORK, NY 10013 | 193 ft |
| LUNELLA RISTORANTE INC Ser #: 1115246 | 173 MULBERRY STREET NEW YORK, NY 10013 | 203 ft |
| ELI LILLA INC Ser #: 1333044 | 385 BROOME ST NEW YORK, NY 10013 | 209 ft |
| ST JUDE ENTERPRISES LLC Ser #: 1252546 | 174 MULBERRY ST NEW YORK, NY 10013 | 213 ft |
| JO RACH INC Ser #: 1025308 | 148 MULBERRY STREET NEW YORK, NY 10013 | 246 ft |
| MARGHERITA CORPORATION Ser #: 1314848 | 197 GRAND ST STORE A NEW YORK, NY 10013 | 258 ft |
| 174 GRAND STREET CORP Ser #: 1025414 | 174 GRAND STREET NEW YORK, NY 100133761 | 262 ft |
| ROOT NOLITA LLC Ser #: 1321558 | 173 MOTT ST BASEMENT, AKA 371 BROOME ST NEW YORK, NY 10013 | 275 ft |
| MULBERRY STREET BAR LLC Ser #: 1141555 | 176 1/2 MULBERRY ST GRAND ST & BROOME ST NEW YORK, NY 10013 | 283 ft |
| ROOT NOLITA LLC Ser #: 1312295 | 371 BROOME ST GROUND FLOOR NEW YORK, NY 10013 | 284 ft |

Active On Premises Liquor Licenses within 750 feet

| Name | Address | Distance |
|---|---|----------|
| GROTTA AZZURRA INN INC Ser #: 1105174 | 177 MULBERRY STREET NEW YORK, NY 10013 | 286 ft |
| B E F RESTAURANT INC Ser #: 1340608 | 146 MULBERRY ST NEW YORK, NY 10013 | 296 ft |
| GIGI'S OF MULBERRY INC Ser #: 1336750 | 149 MULBERRY ST NEW YORK, NY 10013 | 302 ft |
| 389 BROOME LLC Ser #: 1266652 | 389 BROOME ST NEW YORK, NY 10013 | 311 ft |
| METZ ZUTTO RAMEN II INC Ser #: 1341659 | 384 BROOME ST NEW YORK, NY 10013 | 333 ft |
| NEW RESTART INC Ser #: 1234518 | 145 147 MULBERRY STREET GRAND & HESTER STREETS NEW YORK, NY 10013 | 336 ft |
| PSSP NY INC Ser #: 1250613 | 143 MULBERRY STREET NEW YORK, NY 10013 | 369 ft |
| SUD 123 INCORPORATED Ser #: 1305656 | 178 MULBERRY ST NEW YORK, NY 10013 | 370 ft |
| BUFFANNA INC Ser #: 1167865 | 141 MULBERRY STREET GRAND & HESTER STREETS NEW YORK, NY 10013 | 403 ft |
| ZIA MARIA LITTLE ITALY INC Ser #: 1310537 | 138 MULBERRY ST NEW YORK, NY 10013 | 416 ft |
| SUGAR BEETS INC Ser #: 1288497 | 239 CENTRE ST NEW YORK, NY 10013 | 427 ft |
| SUPERNATURAL WINE INC & SUPERNATURAL WINES NY LLC Ser #: 1297714 | 247 249 CENTRE ST NEW YORK, NY 10013 | 429 ft |
| 133 MULBERRY OPERATING CORP Ser #: 1317186 | 133 MULBERRY ST NEW YORK, NY 10013 | 445 ft |
| PAESANO REST CORP Ser #: 1182706 | 136 MULBERRY ST GRAND ST & HESTER ST NEW YORK, NY 10013 | 484 ft |
| 128 BILLIARD INC Ser #: 1252940 | 128 ELIZABETH ST BROOME & GRAND STREETS NEW YORK, NY 10013 | 492 ft |
| ASC INC Ser #: 1167636 | 134 MULBERRY ST HESTER & GRAND STREETS NEW YORK, NY 10013 | 524 ft |
| VEM 15 LLC Ser #: 1335738 | 155 GRAND ST AKA 161 LAFAYETTE ST NEW YORK, NY 10013 | 539 ft |
| EASY VICTOR LLC Ser #: 1336366 | 98 KENMARE ST NEW YORK, NY 10012 | 540 ft |
| SANUK LLC Ser #: 1316704 | 52 KENMARE ST AKA 186 MOTT ST NEW YORK, NY 10012 | 549 ft |
| 132 MULBERRY INC Ser #: 1252377 | 132 138 MULBERRY ST NEW YORK, NY 10013 | 563 ft |
| BECCA 161 LAFAYETTE CORP Ser #: 1333565 | 161 LAFAYETTE ST NEW YORK, NY 10013 | 564 ft |
| CHERRY LANE INC Ser #: 1149860 | 349 BROOME ST BOWERY & ELIZABETH NEW YORK, NY 10013 | 568 ft |
| EGG SHOP LES LLC, THE Ser #: 1279953 | 151 ELIZABETH ST A / B - AB - ELIZABETH STREET NEW YORK, NY 10012 | 575 ft |

Active On Premises Liquor Licenses within 750 feet

| Name | Address | Distance |
|---|---|----------|
| 153 ELIZABETH HOTEL LLC Ser #: 1232135 | 153 ELIZABETH ST AKA 40 KENMAR NEW YORK, NY 10012 | 589 ft |
| AKRAM RESTAURANT MANAGEMENT INC Ser #: 1195719 | 129 MULBERRY ST HESTER & GRAND NEW YORK, NY 10013 | 600 ft |
| CAFFE SILVESTRI INC Ser #: 1025258 | 130 MULBERRY STREET AKA 191 HESTER STREET NEW YORK, NY 10013 | 602 ft |
| ORIGINAL PUGLIA INC Ser #: 1262204 | 189 HESTER ST NEW YORK, NY 10013 | 617 ft |
| 114 KENMARE ASSOCIATES LLC Ser #: 1162928 | 106 KENMARE AKA 199 LAFAYETTE 114 KENMARE STREET NEW YORK, NY 10012 | 630 ft |
| MARIE ADRIENNE LLC Ser #: 1301319 | 158 LAFAYETTE NEW YORK, NY 10013 | 641 ft |
| TOKANA CAFE BAR RESTORANT INC Ser #: 1287602 | 163 ELIZABETH ST NEW YORK, NY 10012 | 664 ft |
| ORIGINAL VINCENTS EST 1904 INC Ser #: 1025345 | 119 MOTT STREET NEW YORK, NY 10013 | 671 ft |
| 1 TYGER LLC Ser #: 1330910 | 1 HOWARD ST NEW YORK, NY 10013 | 686 ft |
| CARMINE RESTAURANT INC Ser #: 1028398 | 123 125 MULBERRY STREET NEW YORK, NY 10013 | 687 ft |
| SOHO HUMMUS LLC Ser #: 1306106 | 19 CLEVELAND PL NEW YORK, NY 10012 | 711 ft |
| K & K GRAND CORP Ser #: 1319624 | 141 GRAND ST NEW YORK, NY 10013 | 720 ft |
| MM 130 BOWERY REST CORP Ser #: 1121708 | 130 BOWERY NEW YORK, NY 10013 | 730 ft |
| CAFFE VETRO INC Ser #: 1205046 | 200 MOTT ST KENMARE & SPRING ST NEW YORK, NY 10012 | 735 ft |
| BUONA NOTTE INCORPORATED Ser #: 1025256 | 120 MULBERRY STREET NEW YORK, NY 10013 | 740 ft |
| BOWERY RESTAURANT GROUP LLC Ser #: 1268378 | 146 BOWERY NEW YORK, NY 10013 | 744 ft |
| BL 98 KENMARE NY LLC Ser #: 1316215 | 19 KENMARE ST NEW YORK, NY 10012 | 748 ft |

APPLICATION FOR APPROVAL OF CORPORATE CHANGE

USE THIS FORM for changes in the corporate set up caused by:

1. Appointment of new officer(s)/director(s)/LLC manager(s)/trustee(s)
2. New stockholder(s), changes in stock-holdings, or new LLC members
3. The removal of officer(s)/director(s)/member(s)/stockholder(s)/trustee(s)
4. Death of officer(s)/director(s)/member(s)/stockholder(s)/trustee(s)

DO NOT USE THIS FORM:

1. As an application to appoint a new ABC Officer. (ABC Officer Application)
2. As an application to change from a Partnership to a Corporation/LLC ; from a Corporation/LLC to a Partnership; from a Corporation to an LLC; or from an LLC to a Corporation (New Application)
3. As an application to reflect the death of a Licensee (*sole proprietor or partner*). (Endorsement Application)
4. As an application to reflect court appointments of representative. (Endorsement Application)
5. As an application to reflect the dissolution of Partnership or Addition of Partner. (Endorsement Application)
6. As an application to reflect name changes due to Marriage or Divorce. (Endorsement Application)
7. As an application to change from a Sole Proprietorship to a Corporation/LLC. (Endorsement Application)

The application for Approval of Corporate Change must be completed and accompanied by the appropriate documentation as listed in the instructions portion below as well as a check or money order in the amount of **\$128, payable to the New York State Liquor Authority**.

(The Law does not provide for any refund of corporate change fees.)

Mail application to: New York State Liquor Authority, PO Box 782772, Philadelphia, PA 19178-2772.

INSTRUCTIONS:

- 1) Submit a check or money order to the New York State Liquor Authority in the amount of **\$128.00**
- 2) Complete ALL sections of the application and follow all instructions within the application.
- 3) In Section D, read the contents thoroughly; both the currently authorized principal and the proposed authorized principal must sign and date this section.

Note: If a company or corporation has more than 10 people with an ownership interest, then all officers; all directors; all LLC managers; and the stockholders/LLC members with a 10% or greater owner interest must be listed as principals on the license. All other owners with less than 10% interest must be disclosed in a list which includes their names, addresses, and percentage of ownership. Provide a written affirmation that all of the owners with less than 10% interest are eligible to hold a liquor license and none have statutory disqualifications that would bar them from being licensed. **Not-For-Profit Corporations** must list all principal officers and any director/trustee who is compensated on the license. Trustees/Directors who are not compensated do not need to submit personal questionnaires or fingerprints. However the applicant must submit a list with the name and address of each such individual along with a statement that each such individual is eligible to hold a license.

ALL Corporate Change applications must be accompanied by the following applicable documentation:

- 1) Transfer Agreement or Contract of sale for all changes in stock-holdings or ownership.
- 2) Corporate Minutes, LLC Operating Agreements, resignation letters, or other documentation showing the appointment, removal, or change of any officer, director, trustee, or LLC Manager.
- 3) If there was a Death of a principal submit a copy of the Death Certificate, any Letters of Testamentary/Administration, and a Last Will & Testament, if available.
- 4) A Personal Questionnaire must be submitted for each new person who is to be an officer, director, stockholder, LLC Member, LLC Manager, or trustee as well as proof of citizenship, photo identification, a recent original color photo, and fingerprints. (See the bottom of page 2 for additional fingerprint instructions; Forms are available on our website: www.sla.ny.gov)
- 5) Completed Applicant's Statement for each new principal.
- 6) Financial Documents showing the source of funds used in all ownership transfers as stated in Form 180-021B.
- 7) Complete a Holding Corporation Stipulation if any owner is a holding company or holding corporation.
- 8) Complete a Trust Stipulation if any owner is a Trust.
- 9) Standardized notice form for providing 30-day advanced notice to a Community Board within the City of New York *

*Section 110-b states that all on premise licensees located within the City of New York must notify the local community board of their intent to file an application for substantial corporate change. The standardized form must be sent via: certified mail, return receipt requested; by overnight delivery with proof of mailing; or personal service upon the offices of the community board **not less than thirty days before filing** this application.. '*Substantial corporate change*' means a change in 1) eighty percent (80%) or more of the license principals or 2) an existing stockholder or member obtaining a cumulative of eighty percent (80%) or more ownership interest in said company.

APPLICATION FOR APPROVAL OF CORPORATE CHANGE

This form is to be used by a corporate licensee to apply for permission to make a corporate change involving (1) change of officers or directors, LLC Members, etc., or (2) where there are fewer than 10 stockholders, any change in stock-holdings, or (3) where there are 10 or more stockholders, any change involving 10% or more of the stock or any change in stock-holdings which would increase the holdings of any one stockholder to 10% or more of the stock.

Such change cannot become effective under the Alcoholic Beverage Control Law until permission has been granted by the State Liquor Authority. Therefore, it is recommended that any change be made conditional upon approval by the State Liquor Authority.

Section A

Serial Number County Telephone #

Full Name of Licensee as listed on the License

Trade Name (DBA) as listed on the License Certificate

Complete Address of Licensed Premises including Zip

Post Office/Mailing Address, if different than premises

FEIN# Business Website

Business Email Address (required)

Name of Contact Attorney Representative Contact

Office Address

City State Zip Code

Telephone Number of Office (Include Area Code)

E-mail Address (if available)

Submit a completed Notice of Appearance

Section B

Change Requested: Check all that apply

- New stockholding(s)/stockholder(s). The removal of officer(s)/director(s)/member(s).
- Appointment of new officer(s)/director(s)/member(s). Death of officer(s)/director(s)/member(s)/stockholder(s).

1. How was the interest acquired in the Corporation/LLC?

2. Are there any other licenses held in New York under this corporation/LLC? If yes, list all serial numbers.

Section D

The licensee represents that there have been no changes other than those set forth herein, in any of the facts required to be set forth in the application for license, and agrees that any application filed by it or by any of its officers, directors or stockholders, for any license or permit under the Alcoholic Beverage Control Law, and the occupation record submitted herewith, shall be deemed and made a part hereof and considered by the Authority in acting upon this Application for Approval of Corporate Change.

I/We, the Applicant(s) also certify that all papers filed in support of this application or any application filed under the Alcoholic Beverage Control Law by any person having an interest, direct or indirect, either in the business to be licensed or any license or permit shall be deemed a part hereof and considered by the State Liquor Authority in acting upon this application.

I/We understand that the information I/we submit will be relied on by the State Liquor Authority in acting on this application. I/ we understand that any false statements or misrepresentations shall constitute sufficient cause for the disapproval of the applications and/or revocation, cancellation or non-renewal of any license which is issued or affected as a result of such application.

I/We verify that all of the above statements are true. If any of the above information changes prior to receipt of the license or approval of the corporate change, I/we will notify the Authority by registered or certified mail within 48 hours. If any changes occur after the issuance of the license or approval applied for, I/we understand that failure to give the required notice may constitute a violation of Section 110 of the Alcoholic Beverage Control Law and/or Rule 36.1(j) of the State Liquor Authority and will result in proceedings to revoke, cancel or suspend such license.

I/We, the Applicant(s) certify that there are no financial transactions involved concerning the license applied for EXCEPT as described herein.

I/We acknowledge that the licensed premises is bound by the Method of Operation previously approved by the New York State Liquor Authority.

Nicholas Criscitelli
(Print Name)

certifies that he is

President and Secretary and Director
(Title)

of the above named licensee; that he knows the contents of the above application and the statements and answers therein; that the same are true of his own knowledge that he has been authorized by order of the Board of Directors of said licensee to make the statements and answers therein in behalf of said licensee with the same force and effort as if said licensee made such statements and answers itself.

Dated

(Signature of Currently Authorized Officer)

Angela Criscitelli
(Print Name)

certifies that he is to be

Vice President, Director Manager
(Title)

of the above named licensee; that he knows the contents of the above application and the statements and answers therein; that the same are true of his own knowledge.

Dated

(Signature of Proposed Authorized Officer)

| | | |
|-------------------------|----------------------|----------------------|
| OFFICE USE ONLY: | | |
| <input type="text"/> | <input type="text"/> | <input type="text"/> |
| Approved or Disapproved | License Board Member | Dated |

CORPORATE CHANGE ATTACHMENT - 164 MULBERRY STREET CORP.

This is a family owned restaurant business in Little Italy licensed since 1995.

The restaurant owner Nicholas Criscitelli is transferring 50% of his 100% interest to his wife Angela Criscitelli who will also manage the restaurant.

CURRENT:

NICHOLAS CRISCITELLI, PRESIDENT, SECRETARY, DIRECTOR 100% SHAREHOLDER/OWNER

PROPOSED: 50% transfer to Angela Criscitelli, wife of Nicholas Criscitelli.

After Transfer:

Nicholas Criscitelli 50% shareholder – President, Director, Secretary,

Angela Criscitelli 50% shareholder, Vice President, Director, Manager

JAN 9 2023

LAW OFFICES OF
ARNOLD N. KRISS
123 WILLIAM STREET • 15TH FLOOR
NEW YORK, N.Y. 10038-3804
WEBSITE: LAWKRISS.COM

ARNOLD N. KRISS
E-MAIL: AKRISS@LAWKRISS.COM

TELEPHONE (212) 577-2000
FAX NO. (212) 577-2138

MARY F. DONOVAN, OF COUNSEL*
*ADMITTED IN NY & NJ

January 5, 2023

JOHN C. THEODORELLIS, OF COUNSEL

VIA Federal Express

Attn: Eva Mai
Community Assistant
Community Board 2
3 Washington Square Village, #1A
New York, New York 10012

**Re: SLA License – Corporate Change
164 Mulberry Street Corp. d/b/a Da Nico
Existing Italian Restaurant – Licensed Since 1995
Corporate Change transfer of 50% to owner's wife**

Dear Ms. Mai:

Attached please find the SLA standardized 30 day advanced notice form, CB2 Application, and copy of the Corporate Change Application that will be filed with the SLA.

The restaurant is 100% owned by Nicholas Criscitelli. This is a corporate change transferring 50% ownership to Angela Criscitelli, his wife, who will also be Vice President, Director and a Manager. In addition to Angela, the restaurant will continue to be run by her husband Nicholas Criscitelli who has been on the license for more than 20 years.

This restaurant has been in Little Italy has been in existence for more than 27 years. If there is anything else necessary and required at this time, please let me know.

Thank you,


John C. Theodorellis

Attachments