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## COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

[www.manhattancb2.org](http://www.manhattancb2.org)

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Greenwich Village ♦ Little Italy ♦ SoHo ♦ NoHo ♦ Hudson Square ♦ Chinatown ♦ Gansevoort Market

March 25, 2025

Director  
Licensing Issuance Division  
NY State Liquor Authority 163 W. 125th Street  
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on March 20, 2025, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **365 Thai Inc dba Moon and Back 117 W 10th St 10011 (OP–Restaurant)**

- i. Whereas**, the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Committee #2 to present an application to the NYS Liquor Authority for an On-Premises Restaurant Liquor License to operate a full-service Thai restaurant located in a residentially zoned area in a 3-story building (ca. 1850) located on West 10<sup>th</sup> Street between Greenwich Avenue and 6<sup>th</sup> Avenue for a roughly 2,000 sq. ft. premise (1,200 ft ground floor and 800 sq. ft. in the basement with no patron use of the basement) with 10 tables and 24 table seats, no stand up bar for a total of 24 interior seats, there is an enclosed rear yard garden of approximately 400 sq. feet with an additional 11 outdoor tables and 40 seats for a total combined seated occupancy of 64 persons; there is one entrance, one exit, and one bathroom; a Letter of No Objection from 2016 exists in conjunction with use for eating and drinking; and
- ii. Whereas**, the hours of operation will be Sundays through Saturdays from 12 PM to 11 PM (7 days a week); music will be recorded quiet background only consisting of music from iPod/CDs/streaming services; there will be no dancing, DJs, live music, promoted events, no scheduled performances or cover fees, no velvet ropes, and no movable barriers; no security personnel or doormen; there is no sidewalk café, roadbed dining or use of any other exterior space included with this application; and
- iii. Whereas** the location had most recently operated with an On-Premises Restaurant Liquor License and similar method of operation from approximately 2021 through 2024 under the name of Sabiangboon8 Inc dba Pinto Garden (Lic. ID # 0340-21-117268, exp. 10/31/25) and prior to that operated similarly as a restaurant with a Restaurant Wine license; and

iv. **Whereas**, the Applicant has executed and had notarized a Stipulations Agreement with Community Board 2, Manhattan that they agreed to submit to the NYSLA and agreed would be incorporated into the “method of operation” of the On-Premises Restaurant Liquor License and those stipulations are as follows:

1. Premises will be operated and advertised as full-service Thai restaurant with the kitchen open and full menu items available until closing every night.
2. Hours of operation will be 12 PM to 11 PM Sundays through Saturdays (7 days a week). All patrons will be cleared and no patrons will remain after stated closing time.
3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. Will operate my backyard garden for dining purposes only, there will be no music, no speakers, no private parties, no bars and will have mitigation enclosure, rear yard will open no earlier than 12 PM and close no later than 10 PM every day/night (all patrons and staff will be cleared at this hour, area closed and lights turned off).
5. There will be no sidewalk café and/or roadbed seating.
6. Will play recorded background music at conversational levels only, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
7. Will not have televisions.
8. Will have one bar with no seats.
9. Will close all doors and windows at all times, allowing only for patron ingress and egress.
10. Will not have patron occupancy/service to any portion of the basement of licensed premises.
11. Will not install or have French doors, operable windows or open facades.
12. Will not make changes to the existing façade except to change signage or awning.
13. Will comply with NYC Department of Buildings Regulations and will keep current at all times required Permits and Certificates
14. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
15. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products
16. Will not have dancing, DJ’s, live music, promoted events, any event where a cover fee is charged or any scheduled performances, velvet ropes or metal barricades, security personnel or doormen.
17. Will not add more principals as presented to CB2 with greater than 20% share of business prior to submission of original application to the NYSLA.
18. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.

vi. **Whereas**, this application being subject to the 500 Foot Rule requiring the Applicant to demonstrate that the public interest would be served by the granting of the On-Premises Liquor License at this location, there being **65 active licensed premises** within 750 ft. and 7 pending licenses according to LAMP; the Applicant having met with the West 10<sup>th</sup> Street Block Association and #10 Patchin Place and receiving their support, the Applicant’s closing hours and the agreed upon stipulations being reasonable, the public interest being established albeit subject to the Applicant and Licensee abiding by those agreed upon stipulations and not extending the hours; and

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the application for a On-Premises Restaurant Liquor License in the name of **365 Thai Inc dba**

**Moon and Back 117 W 10th St 10011 unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” of the NYSLA Liquor License in order to create public interest for the issuance of this liquor license.

**Vote:** Unanimous, 41 Board Members in favor.

We respectfully request that your agency take action consistent with the positions expressed in the above.

Sincerely,



Donna Raftery, Chair  
SLA Licensing 1 and 2 Committees  
Community Board #2, Manhattan



Susan Kent, Chair  
Community Board #2, Manhattan

SK/em

cc: Hon. Daniel Goldman, Congressman  
Hon. Brad Hoylman-Sigal, NY State Senator  
Hon. Brian Kavanagh, NY State Senator  
Hon. Deborah J. Glick, NY State Assembly  
Hon. Grace Lee, State Assembly Member  
Hon. Brad Lander, NYC Comptroller  
Hon. Michael Levine, Man. Borough President  
Hon. Erik Bottcher, NYC Council Speaker  
Hon. Christopher Marte, NYC Council Member  
Hon. Carlina Rivera, NYC Council Member  
Thomas Donohue, Deputy Commissioner of Licensing, NY State Liquor Authority



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**Community Board 2 Liquor License Stipulations**

**The original signed and notarized form must be returned to the CB2 office by Friday, March 15, 2025. If not returned 24 hours prior to CB2s full board meeting, the application will be denied.**

I, **Angsuwan Kigprayoon** as a qualified representative of **365 Thai Inc dba Moon and Back** located at **117 W 10<sup>th</sup> Street, New York, NY 10011** agree to the following stipulations:

**Application Type:**  OP Restaurant  RW  TW  Alteration  Other:

Premise will be advertised and operated as a Thai restaurant.

Hours of operation:

Sunday:	12 PM	to	11 PM	Thursday:	12 PM	to	11 PM
Monday:	12 PM	to	11 PM	Friday:	12 PM	to	11 PM
Tuesday:	12 PM	to	11 PM	Saturday:	12 PM	to	11 PM
Wednesday:	12 PM	to	11 PM				

(Premises will open no later than stated opening time and **NO** patrons will remain after stated closing time.)

- Will operate a full-service Thai restaurant with the kitchen open and full menu items available until closing every night.
  - Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
  - Will not operate a backyard garden or any other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating.
  - Will operate my backyard garden for dining purposes only, there will be no music, no speakers, no private parties, no bars and will have mitigation enclosure, rear yard will open no earlier than 12 PM and close no later than 10 PM every day/night (all patrons and staff will be cleared at this hour, area closed and lights turned off).
  - There will be no sidewalk café and/or roadbed seating.
  - Will play recorded background music at conversational levels only, inclusive of any private parties or events on the interior only. No music will be audible in any adjacent residences at any time.
  - Will not have televisions.
  - Will have one bar with no seats.
  - Will close all doors and windows at all times, allowing only for patron ingress and egress.
  - Will not have patron occupancy/service to any portion of the basement of licensed premises.
  - Will not install or have French doors, operable windows or open facades.
  - Will not make changes to the existing façade except to change signage or awning.
  - Will comply with NYC Department of Buildings Regulations and will keep current at all times required Permits and Certificates.
  - Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
  - There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
- Will not have:  Dancing  DJs  Live Music  Promoted Events  Any event where cover fee is charged  
 Scheduled Performances  Velvet ropes or metal barricades  Security Personnel/Doorman
- Will not add more principals as presented to CB2 with greater than 20% share of business prior to submission of original application to the NYSLA.
  - Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.

Residents may contact the Manager/Owner at the following phone number. Any complaints will be addressed immediately

Name: Nara Phone Number: (917) 215-9308

Signed <u>Angsuwan</u>	Print Name <u>Angsuwan Kigprayoon</u>	Dated <u>03/14/2025</u>
Sworn to this <u>14th</u> day of <u>March</u> 2025		 ELLEN LEE Notary Public, State of New York No. 01LE6109987

CB2 and Applicant/Licensee request that the SLA add these stipulations to the method of operation. Commission Expires May 24, 2028