



COMMUNITY BOARD NO. 2, MANHATTAN

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April 23, 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 April 17, 2025, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

57 Grand Street Cafe Corp dba Toad Hall 57 Grand St 10013 (OP–Restaurant) (Alteration: DONYC-Roadway)

- i. **Whereas**, the Applicant will submit an application to the NYS Liquor Authority for an Alteration to the existing On-Premises Liquor License (Lic. ID #0340-23-131643) to add roadway seating consisting of 20 seats as part of the Dining Out NYC program to their licensed premises; and
- ii. **Whereas**, the application is for six (6) tables and 20 seats in the roadbed on Grand Street, the roadbed being separated from the curb by a bike lane and safety zone; and
- iii. **Whereas**, the Applicant came before CB2 Man. in January/2017 for an on-premises tavern liquor license to move his then-existing Tavern at 62 Grand Street across the street to its current location at 57 Grand Street with a 4 AM closing time, the location being previously unlicensed, the full board of CB2, Man. unanimously recommending denial of the license for the reasons outlined in the [January/2017 resolution](#); the NYSLA having granted the on-premises tavern license over CB2, Man.'s objections; and
- iv. **Whereas**, the Applicant did not have any prior seating at the location under the old DCWP sidewalk program, the location previously being prohibited by zoning regulations from having outdoor seating and having only added outdoor seating during the Covid-19 pandemic emergency program, the Applicant not having filed for an expansion of the licensed premises under the NYSLA June 30/2022 guidance regarding Chapter 165 of 2022 stating that all licensees wishing to incorporate the municipal property into their licensed premises must notify the municipality; CB2, Man. is requesting all Applicants who had no prior outdoor dining seating and/or which were prohibited from having outdoor dining and therefore having no stipulations with CB2 regarding outdoor seating either under the old sidewalk café program

or the new DOT Dining Out NYC program to agree to a closing of 10 PM nightly initially in order to get the Applicant open quickly under the new program with the opportunity to return for later hours after the new Outdoor Dining NYC applications have been processed and its impacts on the community can be evaluated, many areas of CB2 having significant new outdoor seating and associated impacts, with nothing precluding the Applicant from returning for later hours in the future; and

- v. **Whereas**, the instant application also includes the necessity of an FDNY waiver to the 15' emergency lane requirement of NYC DOT's Dining Out NYC rules, these waivers creating serious life safety concerns for the impacted residents, with CB2, Man. having heard from numerous block associations that they are adamantly opposed to any roadbed seating which requires an FDNY waiver; and
- vi. **Whereas**, despite these concerns, CB2's original opposition to the application and additionally that this a bar with 4 AM closing with people predominantly drinking as opposed to a restaurant, the impacts of which are significantly more impactful for surrounding residents, the Applicant was presented a stipulation agreement for the requested 20 seats in the roadbed with closing hours of 10 PM each night which the Applicant would not agree to sign; and

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends denial of the application of the Alteration Application for Municipal Expansion for **57 Grand Street Cafe Corp dba Toad Hall 57 Grand St 10013**; and

THEREFORE BE IT FURTHER RESOLVED that should this application be considered by the NYSLA, CB2, Manhattan respectfully requests that the following stipulations be attached and incorporated into the existing method of operation of their On-Premises Liquor License in addition to any other existing stipulations, with those supplementary stipulations as follows:

1. Dining Out NYC roadway seating will substantially conform to submitted diagram and have no more than 6 tables and 20 seats on Grand Street between West Broadway and Wooster Street.
2. Hours of operation for the Dining Out NYC roadway seating will be from 11 AM to 10 PM Sundays through Saturdays (7 days a week). No patrons will remain outside after stated closing time and all tables and chairs will be secured.
3. All outdoor patrons will be seated and any waitstaff will serve only from within the Dining Out NYC sidewalk café and/or Dining Out NYC roadway café boundaries. There will be no waitstaff service over any barriers or outside the areas indicated as patron areas on submitted diagrams.
4. There will be no host stands, bus or service stations on the sidewalk or in the roadbed.
5. There will be no exterior music, speakers, TVs or any other sound reproduction devices in the outdoor area.
6. There will be no speakers or TVs inside the premises pointing outside through any doors or windows.
7. Will follow all rules and regulations of the Dining Out NYC program including clear path requirements.
8. All other stipulations agreed to and executed with Community Board 2, Man. remain in effect.

Vote: Unanimous, 35 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



Valerie De La Rosa, Chair
Community Board #2, Manhattan

VDLR/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