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COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

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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:

New York Water Tours Inc dba Enchanted 353 West Street, Pier 40 10014 (New OP–Vessel/Boat/Ship) (Class Change)

- i. **Whereas**, the Applicant appeared before Community Board 2, Manhattan's SLA Licensing Committee #2 to present an application to the NYS Liquor Authority for two new Vessel Wine licenses for two ships – Oasis and Enchanted – considered together by Community Board 2 given the consistent nature of each application outside of the unique characteristics of each vessel, to operate chartered Hudson River cruises originating from and docked at Pier 40 in Hudson River Park on the West side of Manhattan at West Houston Street and West Street; and
- ii. **Whereas**, there will be no changes in the method of operation, the Applicant's hours of operation are Saturdays and Sundays from 12 PM to 10 PM and Mondays through Fridays from 7 PM to 10 PM; there will be open air decks; music will include DJs, live music and music from iPod/CD's/streaming services at background levels; and
- iii. **Whereas**, the Applicant appeared before CB2, Man. in [October/2024](#) for the original Vessel Wine license at which time CB2, Man. unanimously recommended approval of the liquor license; at the time complaints were shared by members of CB2, Man. in regards to the volume of music played on vessels operated by past licensees and the disturbance this caused to the surrounding residential buildings and to other users of Hudson River Park, the Applicant having been operating since Fall/2024 with CB2 having received no complaints regarding their operations and members of CB2 stating they have not had any issues; and
- iv. **Whereas**, the Applicant has executed and has 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 Vessel Liquor License, with those stipulations as follows:

1. The licensed vessel will be operated as a sightseeing, event and dinner boat rental business on open waters with passenger embark/disembark at Pier 40.
 2. Will not advertise as a party boat rental or have booze cruises.
 3. The hours of operation will be Saturdays and Sundays from 12 PM to 10 PM and Mondays through Fridays from 7 PM to 10 PM.
 4. When docked and/or during embarking or disembarking of passengers from Pier 40, will play quiet ambient recorded background music only, inclusive of any private parties or events. No music will be audible in any adjacent residences anytime.
 5. All vessels will cease playing music within .5 nautical mile of shoreline and/or pier 40 (for all vessel approaching/leaving Pier 40 for purposes of dockage or berthing vessels at Pier 40).
 6. Owner will provide dedicated, updated and shared contact number for members of the Community and Community Board 2 to contact the cruise line directly should there be noise complaints or other problems.
 7. All noise complaints will be immediately shared with all managers and staff to prevent unreasonable noise intrusions to residents living nearby.
 8. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
 9. Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.
 10. Will not change any principals prior to submission of original application to NYSLA.
- v. **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 **6 active licensed premises** within 750 ft. and 5 pending licenses according to LAMP; the Applicant’s having operated since Fall/2024 without known complaints and in contrast to prior licensees at the location, the method of operation 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 CB2, Manhattan recommends **denial** of the On-Premises Vessel Liquor License for **New York Water Tours Inc dba Enchanted 353 West Street, Pier 40 10014** **unless** the statements the applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the applicant above are incorporated into the “Method of Operation” on the NYSLA Liquor License in order to create public interest for the issuance of this liquor license.

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



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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, April 11, 2024.
If not returned 24 hours prior to CB2s full board meeting, the application will be denied.

I, **Asen Kostadinov**, as a qualified representative of **New York Water Tours Inc dba Enchanted** located at Pier 40, 353 West St. New York, New York 10014 agree to the following stipulations:

Application Type: ☒ OP Vessel ☐ RW ☐ TW ☐ Alteration ☐ Other:

☒ Premise will be advertised and operated as a dinner and event cruise vessel.

☒ Hours of operation:

Sunday:	12 PM	to	10 PM	Thursday:	7 PM	to	10 PM
Monday:	7 PM	to	10 PM	Friday:	7 PM	to	10 PM
Tuesday:	7 PM	to	10 PM	Saturday:	12 PM	to	10 PM
Wednesday:	7 PM	to	10 PM				

☒ Will operate a sightseeing, event and dinner boat rental business on open waters with passenger embark/disembark at Pier 40. Will not advertise as a party boat rental or have booze cruises.

☒ When docked and/or during embarking or disembarking of passengers from Pier 40, will play quiet ambient recorded background music only, inclusive of any private parties or events. No music will be audible in any adjacent residences anytime.

☒ All vessels will cease playing music at entertainment levels within .5 nautical mile of shoreline and/or at Pier 40 (for all vessels approaching/leaving Pier 40 for purposes of dockage or berthing vessels at Pier 40).

☒ Owner will provide dedicated contact number for members of the Community and Community Board 2 to contact the cruise line directly should there be noise complaints or other problems.

☒ All noise complaints will be immediately shared with all managers and staff to prevent unreasonable noise intrusions to residents living nearby.

☒ Will not have unlimited drink or unlimited food and drink specials. Will not have "boozy brunches." No pitchers of beer.

☒ Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.

☒ Will not change any principals prior to submission of original application to NYSLA.

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

Name: Andrew Cohen Phone Number: 908-873-9964

 Signed _____	<u>Asen Kostadinov</u> Print Name _____
Sworn to this <u>10th</u> day of <u>April</u> 2025	 _____ Notary Public

CB2 and Applicant/Licensee request that the SLA add these stipulations to the method of operation/conditions of license.

