



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:

The Broome Street Bar, Inc 361 363 W Broadway aka 499 Broome St 10013 (OP–Restaurant)
(Alteration: DONYC–Sidewalk, 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 #0340-23-131292) to add a sidewalk café and roadway seating consisting of 80 seats in total as part of the Dining Out NYC program to their licensed premises; and
- ii. **Whereas**, the application is for 20 tables and 40 seats on the sidewalk on West Broadway and an additional 20 tables and 40 seats in the roadbed adjacent to the curb on West Broadway; the Applicant stating that there are 52 interior seats and a limitation of 74 person occupancy on the interior; and
- iii. **Whereas**, the premises first opened in the early 70's, the Applicant came before CB2 Man. in [April/2015](#) as a principal for a Corporate Change application to the On-Premises Restaurant liquor license due to the death of the founding principal; and
- iv. **Whereas**, the licensed premises was expressly prohibited through the zoning code from having any outdoor seating on the sidewalk, did not have any outdoor seating under the old DCWP sidewalk café program or any stipulations in place regarding the emergency pandemic era dining program or use of the new Dining Out NYC 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 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 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 in which previously having had no outdoor dining now having multiple establishments on a single block with significant outdoor seating with many residential units above, there being nothing precluding the Applicant from returning for later hours in the future after those impacts are clear; and

- v. **Whereas**, despite the extensive amount of outdoor seating, the Applicant was presented a stipulation agreement for the requested 80 seats outside with closing hours of 10 PM each night, the Applicant bringing about 23 people to support their application while stating that they were long-standing members of the community and needed to operate in the roadbed and on the sidewalk more than doubling their total capacity of the existing bar with an additional 80 seats outside until midnight each night in order for their business to survive, the area not being posted to alert residents of the community of the instant application, the impacts to surrounding residents of the Dining Out NYC program being untested with multiple applications for outdoor seating in the immediate area coming before CB2 and the premises only having 52 interior seats and a maximum occupancy of 74 persons inside; and

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application of the Alteration Application for Municipal Expansion for **The Broome Street Bar, Inc 361 363 W Broadway aka 499 Broome 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 sidewalk café will substantially conform to submitted diagram and have no more than 20 tables and 40 seats on the southeast corner West Broadway and Broome Street.
2. Dining Out NYC roadway seating will substantially conform to submitted diagram and have no more than 20 tables and 40 seats on the southeast corner West Broadway and Broome Street.
3. 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.
4. All outdoor patrons will be seated table service only 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.
5. There will be no host stands, bus or service stations on the sidewalk or in the roadbed.
6. There will be no exterior music, speakers, TVs or any other sound reproduction devices in the outdoor area.
7. There will be no speakers or TVs inside the premises pointing outside through any doors or windows.
8. Will follow all rules and regulations of the Dining Out NYC program including clear path requirements.
9. 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