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## COMMUNITY BOARD NO. 2, MANHATTAN

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May 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 May 22, 2025, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**Den Noho LLC dba Bandits 44 Bedford St 10014 (OP-Tavern) (Alteration: DONYC-Sidewalk, Roadway) (Lic ID # 0370-23-139295)**

- 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 #0370-23-139295) to add both a sidewalk café and roadway café consisting of 14 seats in total as part of the Dining Out NYC program to their licensed premises; and
- ii. **Whereas**, the Applicant failed to appear before CB2's SLA Licensing Committee but submitted a diagram showing one (1) table and two (2) seats on the sidewalk on Leroy Street and two (2) tables and 12 seats in the roadbed of Leroy Street; and
- iii. **Whereas**, the Applicant had appeared for their on-premises tavern liquor license to operate a late night bar/tavern at the location (closing 2 AM Sundays to Wednesdays, 4 AM Thursdays to Saturdays) in [July/2020](#), during the Covid-19 pandemic and after the temporary Open Restaurants program for outdoor dining had launched, the premises having previously operated similarly with an on-premises license since 2005 under the name of Daddy-O's, the Applicant planning to install operable windows which, combined with the late night hours, was very concerning to neighboring residents, the streets being narrow with the premises abutting a residential district and surrounded by residents, there being another late night bar directly across the street; in order to establish public interest for the issuing of the license the Applicant stipulated to close all doors and windows at 9 PM and to not operate any outdoor area for commercial purposes or to have a sidewalk café in the future; and
- iv. **Whereas**, upon opening in May/2021, when indoor seating was permitted at 100% occupancy, and in derogation of the executed stipulation agreement, the Applicant proceeded to install roadway and seating on both Bedford and Leroy Streets; CB2, Man. receiving many complaints from neighboring residents about late night noise from patrons and staff on the exterior with doors and windows being left open past 9 PM, the Applicant being asked to re-appear, and did, before CB2, Man.'s SLA licensing committee in [July/2021](#), the Applicant was presented with supplemental stipulations that the

existing outdoor dining would end when the emergency executive orders 126 and/or 128 were rescinded with specified closing hours, the Applicant agreeing in principle to execute the supplemental stipulations but never did so, the Applicant to date has not filed for a Change in Method of Operation to remove the executed stipulation prohibiting outdoor seating as required by NYSLA guidance dated June 30, 2022 and the current updated NYSLA guidance; and

- v. **Whereas**, to obtain its 2021 liquor license, a license which required a demonstration of public interest to operate until 4am within a residential neighborhood, with residents living immediately adjacent to, over and across the street from this licensed location, the applicants fully agreed, in person and by stipulation agreement with its residential neighbors and with this Community Board to not operate at any time on the exterior, and to maintain any and all noise emitting from the interior of the licensed establishment; and
- vi. **Whereas**, immediately nearby residents appeared to speak in opposition to any outdoor seating at the location stating the ongoing problems with late night noise due to patrons and staff congregating on the sidewalks, the Applicant has recently installed both sidewalk and roadway seating on Leroy street that is non-compliant with the Dining Out NYC program, the roadway seating being in a “No Standing Anytime” zone which is not permitted, additionally the roadway barrier is a simple metal barricade, is not filled with anything let alone the required “minimum of 150 pounds per linear foot” as stated in the Dining Out NYC rules and poses a significant safety concern for patrons, particularly being located on the far corner of an intersection with oncoming traffic, the sidewalk seating being too close to ventilation grates and not leaving the required minimum clear path; and
- vii. **Whereas**, the public interest standard should not be allowed to be circumvented by this application; and,

**THEREFORE BE IT RESOLVED** that Community Board 2, Manhattan recommends **denial** of the Alteration Application for Municipal Expansion for **Den Noho LLC dba Bandits 44 Bedford St 10014**; and

**THEREFORE BE IT FURTHER RESOLVED** that should this application be considered by the NYSLA, CB2, Manhattan respectfully requests that this item be calendared to appear before the Full Board of the NYSLA.

**Vote:** Unanimous, 43 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 Kavanaugh, 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