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## COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

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May 27, 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:

**Michael G Fanelli Inc dba Fanellis 94 Prince St 10012 (OP-Tavern) (Alteration: DONYC-Roadway) (Lic. ID # 0370-24-102406)**

- i. Whereas**, the Applicant will submit an application to the NYS Liquor Authority for an Alteration to the existing On-Premises Liquor License to add roadway seating consisting of **36 seats** as part of the Dining Out NYC program to their licensed premises; and
- ii. Whereas**, the premises has operated as Fanelli's at this location since around 1922 and is the second oldest tavern in New York, the current owner's father having purchased the building in 1982, the premises not having any outdoor seating prior to the pandemic when both sidewalk and roadbed seating was added on both Prince and Mercer Streets; the outdoor seating, in addition to social media postings of the iconic establishment, has led to much congestion of patrons on the sidewalk, despite the staff's efforts to encourage people to move along; the Applicant originally proposed sidewalk seating in addition to roadway seating believing the elevated part of the sidewalk was within the property line which it is not, the sidewalk seating being removed from the instant application; the Applicant having met with neighboring residents and the local bock association (Broadway Residents Coalition) and has worked with them to adjust the outdoor seating in order to mitigate the congestion on the corner of Prince and Mercer Streets, both parties affirming that they will continue to work together as needed; and
- iii. Whereas**, the Applicant has executed and has had notarized a supplementary Stipulations Agreement with CB2, Man. to address the new Dining Out NYC program seating that they agreed to submit to the NYSLA and agreed would 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 18 tables and 36 seats on Mercer Street between Prince and Spring Streets.
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 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 actively manage the sidewalk area to keep it clear of standing patrons.
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.

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends denial of the application for the alteration to the existing On-Premises Liquor License for **Michael G Fanelli Inc dba Fanellis 94 Prince St 10012**, to add seating under the Dining Out NYC program unless the statements the Applicant has presented are accurate and complete, and that those conditions and supplementary stipulations agreed to by the Applicant above are added to the existing NYSLA Liquor License.

**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 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 Addendum to Existing Liquor License Stipulations:
Alteration to include use of Municipal Property for Dining Out NYC Sidewalk or Roadway Cafe

The original signed and notarized form must be returned to the CB2 office by Wednesday, May 7, 2025.
If not returned 24 hours prior to CB2s full board meeting, the application will be denied.

I, Sasha Noe as a qualified representative of Michael G Fanelli Inc dba Fanellis
located at: 94 Prince Street, New York, NY 10012
agrees to the following stipulations:

Currently held Liquor License Class: Lic. ID #0370-24-102406

[X] On Premise Liquor [ ] Restaurant Wine [ ] Tavern Wine [ ] Other

Alteration to License to add:

[ ] Dining Out NYC Sidewalk Cafe [X] Dining Out NYC Roadway

Roadway cafe will substantially conform to submitted diagram and have no more than:

- 18 tables and 36 seats on Mercer Street

Hours of operation for Dining Out NYC sidewalk and roadway seating:\*

Sunday: 11 AM to 10 PM Thursday: 11 AM to 10 PM
Monday: 11 AM to 10 PM Friday: 11 AM to 10 PM
Tuesday: 11 AM to 10 PM Saturday: 11 AM to 10 PM
Wednesday: 11 AM to 10 PM

\*No patrons will remain outside after stated closing time and all tables and chairs will be secured.

- [X] All outdoor patrons will be seated and any waitstaff will serve only from within the Dining Out NYC roadway cafe boundaries. There will be no waitstaff service over any barriers or outside the areas indicated as patron areas on submitted diagrams.
[X] There will be no host stands, bus or service stations on the sidewalk or in the roadbed.
[X] There will be no exterior music, speakers, TVs or any other sound reproduction devices in the outdoor area.
[X] There will be no speakers or TVs inside the premises pointing outside through any doors or windows.
[X] Will actively manage the sidewalk area to keep it clear of standing patrons.
[X] Will follow all rules and regulations of the Dining Out NYC program including clear path requirements.
[X] All other stipulations agreed to and executed with Community Board 2, Man. remain in effect.

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

Name: Phone Number:

Signed: [Signature] Print Name: SASHA NOE Dated: 5/16/25
Sworn to this 16th day of May 2025 [Signature] Notary Public

Notary Public - State of New York
Shahchia N Payne
No. 01PA0003051
Qualified in Kings County
My Commission Expires March 20, 2027

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