

Valerie De La Rosa, *Chair*
Eugene Yoo, *First Vice Chair*
Donna Raftery, *Second Vice Chair*



Antony Wong, *Treasurer*
Emma Smith, *Secretary*
Brian Pape, *Assistant Secretary*
Mark Diller, *District Manager*

COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

www.manhattancb2.org

P: 212-979-2272 F: 212-254-5102 E: info@manhattancb2.org

Greenwich Village ♦ Little Italy ♦ SoHo ♦ NoHo ♦ Hudson Square ♦ Chinatown ♦ Gansevoort Market

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:

Windy Gates Soho Inc dba Balthazar 80 82 Spring St 10012 (OP–Restaurant) (Alteration: DONYC–Roadway) (Lic. ID # 0340-22-106845)

- 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 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 Spring Street between Broadway and Crosby Streets
 2. Hours of operation for the Dining Out NYC roadway seating will be from 10 AM to 10 PM Sundays and 8 AM to 10 PM Mondays through Saturdays. 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 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.

THEREFORE BE IT RESOLVED that CB2, Man. recommends **denial** of the application for the alteration to the existing On-Premises Liquor License for **Windy Gates Soho Inc dba Balthazar 80 82 Spring 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



COMMUNITY BOARD NO. 2, MANHATTAN
3 WASHINGTON SQUARE VILLAGE
NEW YORK, NY 10012-1899

www.manhattancb2.org
P: 212-979-2272 F: 212-254-5102 E: info@manhattancb2.org
Greenwich Village • Little Italy • SoHo • NoHo • Hudson Square • Chinatown • Gansevoort Market

**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, **Erin Wendt** as a qualified representative of **Windy Gates Soho Inc dba Balthazar**
located at: **80 82 Spring Street, New York, NY 10012**
agrees to the following stipulations:

Currently held Liquor License Class: Lic. ID # 0340-22-106845
 On Premise Liquor Restaurant Wine Tavern Wine Other _____

Alteration to License to add:
 Dining Out NYC Sidewalk Cafe Dining Out NYC Roadway

Roadway café will substantially conform to submitted diagram and have no more than:
• 18 tables and 36 seats on Spring Street

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

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

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

- 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.
- There will be no host stands, bus or service stations on the sidewalk or in the roadbed.
- There will be no exterior music, speakers, TVs or any other sound reproduction devices in the outdoor area.
- There will be no speakers or TVs inside the premises pointing outside through any doors or windows.
- Will follow all rules and regulations of the Dining Out NYC program including clear path requirements.
- 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: Keith McNally Phone Number: 212-965-1414

<p>Signed <u><i>Erin Wendt</i></u> Sworn to this <u>14th</u> day of <u>May</u> 2025</p>	<p>Print Name <u>Erin Wendt</u></p>	<p>Dated <u>5.14.2025</u> ANNA V POSELENOVA NOTARY PUBLIC, STATE OF NEW YORK Registration No. 01PO6343197 Qualified in Kings County Commission Expires 06/30/2028</p>
---	-------------------------------------	---

CB2 and Applicant/Licensee request that the SLA add these stipulations to the method