

COMMUNITY BOARD 2 APPLICATION FOR A STATE LIQUOR AUTHORITY LICENSE

**FOR EXISTING LICENSEES –  
ALTERATION TO ADD CONTIGUOUS OR NONCONTIGUOUS MUNICIPAL PUBLIC SPACE**

Form to be Completed and Returned with 30-Day Notice

Name/email of Principal/Contact: Jody Williams [REDACTED]  
Name/email of Representative: Michael Kelly KELLYMLK136@Gmail.Com  
Applicant/Premises Name: FIFTY Merchants LLC  
DBA Name: The Commerce Inn  
Address of Premises (include zip code): 50 Commerce St N.Y. 10014  
Cross Streets of Premises: Barrow + Commerce STS.  
License ID #: 0340-22-112446  
☒ On Premise Liquor ☐ Restaurant Wine ☐ Tavern Wine ☐ Other \_\_\_\_\_

RECEIVED BY  
COMMUNITY BOARD 2, MANHATTAN

SEP 11 2025

**Sidewalk Café** will have no more than (If premises is located on a corner please indicate for both streets):

3 tables and 6 seats on Commerce Street  
\_\_\_\_\_ tables and \_\_\_\_\_ seats on \_\_\_\_\_ Street

Will applicant agree to close sidewalk café area by 10 PM every night? Yes ☐ No ☐

Will open sidewalk café area at \_\_\_\_\_

**Roadbed / Open Streets** will have no more than (If premises is located on a corner please indicate for both streets):

\_\_\_\_\_ tables and \_\_\_\_\_ seats on \_\_\_\_\_ Street  
\_\_\_\_\_ tables and \_\_\_\_\_ seats on \_\_\_\_\_ Street

Is roadbed in a floating parking lane separated from the curb by a bike path? Yes ☐ No ☐

Does DOT Dining Out NYC application include an FDNY waiver? Yes ☐ No ☐

Will applicant agree to close roadbed seating by 10 PM every night? Yes ☐ No ☐

Will open roadbed seating area at \_\_\_\_\_

**For all Applicants:**

Will agree there will be no host stands, bus or service stations on the sidewalk or in the roadbed? Yes ☒ No ☐

Will agree there will be no exterior music, speakers or TVs? Yes ☒ No ☐

Will agree that all patrons in any sidewalk café or roadbed will be seated? Yes ☒ No ☐



## SECTION 2: Required Clearances

- Please provide distances from the following objects.
- Only provide a distance if the listed object is within 15 feet of your proposed setup.
- Leave box blank if not applicable.
- Refer to the [Sidewalk Guide](#) in the Dining Out NYC website for more information regarding clearances.

Elements with minimum 15 feet clearance from sidewalk cafe:

☐ S01- Subway Stair: Open End \_\_\_\_\_ feet

Elements with minimum 10 feet clearance from sidewalk cafe:

☐ S02- Subway Elevator Entrance \_\_\_\_\_ feet ☐ S04- MTA Curb Cut \_\_\_\_\_ feet  
☐ S03- Exhaust Duct \_\_\_\_\_ feet ☐ S05- FDNY Curb Cut \_\_\_\_\_ feet

Elements with minimum 8 feet clearance from sidewalk cafe:

☐ S06- Street Tree Bed \_\_\_\_\_ feet ☐ S13- Newsstand \_\_\_\_\_ feet  
☐ S07- Mailbox \_\_\_\_\_ feet ☐ S14- Streetlight \_\_\_\_\_ feet  
☐ S08- LinkNYC Kiosk \_\_\_\_\_ feet ☐ S15- Bus Stop Pole \_\_\_\_\_ feet  
☐ S09- Wayfinding Kiosk \_\_\_\_\_ feet ☐ S16- Fire Hydrant \_\_\_\_\_ feet  
☐ S10- E-charging Station \_\_\_\_\_ feet ☐ S17- Bus Stop Shelter \_\_\_\_\_ feet  
☐ S11- Parking Meter \_\_\_\_\_ feet ☐ S18- Traffic Signal \_\_\_\_\_ feet

☐ S12- Select Bus Service Fare Machine \_\_\_\_\_ feet

Elements with minimum 5 feet clearance from sidewalk cafe:

☐ S19- CitiBike/Bike Share Station \_\_\_\_\_ feet ☐ S24- Emergency Exit Hatch \_\_\_\_\_ feet  
☐ S20- Bike Corral \_\_\_\_\_ feet ☐ S25- Subway Stair: Closed End \_\_\_\_\_ feet  
☐ S21- Micromobility Station \_\_\_\_\_ feet ☐ S26- Subway Elevator: Non-Entry \_\_\_\_\_ feet  
☐ S22- Primary Building Entrance \_\_\_\_\_ feet ☐ S27- Siamese Connection \_\_\_\_\_ feet  
☐ S23- Curb Out \_\_\_\_\_ feet

Elements with minimum 3 feet clearance from sidewalk cafe:

☐ S28- Elevated Train Infrastructure \_\_\_\_\_ feet  
☐ S29- Transformer Vault \_\_\_\_\_ feet

Elements with minimum 1 foot 6 inches clearance from sidewalk cafe elements:

☐ S30- Vent Infrastructure \_\_\_\_\_ inches



## SECTION 3: Material Requirements

- Please indicate which of the following materials will be part of your sidewalk cafe by checking the box next to the category. If applicable, please confirm the materials comply with the Dining Out NYC requirements by checking the box next to the associated requirement.
- Refer to the [Sidewalk Guide](#) in the Dining Out NYC website for more information regarding materials.

Materials Checklist:

[Required](#)

### ☒ Perimeter Demarcation

- ☒ Perimeter demarcation must be clear and visible by using a lightweight and removable self-supporting base wall, railing, planter, fence, or stanchion and rope.
- ☒ Maximum height is 2 feet 6 inches (excluding planting(s)).
- ☒ Not affixed to the sidewalk

[Optional: Only check the material categories you intend to use in your sidewalk cafe.](#)

### ☒ Furnishings

- ☒ Lightweight and easily movable.
- ☒ Not affixed to the sidewalk

### ☐ Awnings (Physically attached to the building)

- ☐ Minimum 8 feet height from the ground and does not exceed 10 feet height.
- ☐ Easily removable, comprised of fire-grade and wind resistant materials.
- ☐ Does not extend beyond the perimeter of the sidewalk cafe.
- ☐ Complies with the New York City Building Code and the requirements of the Landmarks Preservation Commission, as applicable.

### ☒ Overhead Coverings/ Umbrellas

- ☒ Minimum 7 feet height from the ground and does not exceed 10 feet height.
- ☒ Easily removable, comprised of fire-grade and wind resistant materials.
- ☒ Does not extend beyond the perimeter of the sidewalk cafe.
- ☒ The umbrella/overhead covering has a weighted base and any supports are not affixed to the sidewalk.
- ☒ Any support structures are of sufficient size and strength, made of durable materials, and free of defects.

### ☐ Lighting and Electrical Connections

- ☐ Any lighting is outdoor rated, properly secured, and lightweight.
- ☐ Connection is directly connected to ground floor restaurant's power source and within the perimeter of the cafe.
- ☐ Does not extend beyond the perimeter of the sidewalk cafe.
- ☐ Does not exceed 10 feet in height.
- ☐ Not attached to any City property, including street trees.
- ☐ Electrical work complies with the applicable requirements set forth in the DOT's rules and the New York City Electrical Code.

☐ Please check this box if you are submitting additional documents for review. Documents may include technical drawings prepared by a licensed professional.







