

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: \_\_\_\_\_

Name/email of Representative: \_\_\_\_\_

Applicant/Premises Name: \_\_\_\_\_

DBA Name: \_\_\_\_\_

Address of Premises (include zip code): \_\_\_\_\_

Cross Streets of Premises: \_\_\_\_\_

License ID #: \_\_\_\_\_

On Premise Liquor  Restaurant Wine  Tavern Wine  Other \_\_\_\_\_

**Sidewalk Café** 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

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 1: Site Plan

- This Site Plan form is required to be uploaded in the "Sidewalk Site Plan" field of your online application.
- Refer to the [How to Apply](#) page in the Dining Out NYC website for more information about the application process.

### Identify Clear Path Requirements:

Clear path requirement for your sidewalk cafe can be found by identifying your corridor type on the DOT's Pedestrian Mobility Plan [Pedestrian Demand Map](#).

- C1- Global Corridor (12 feet Clear Path)
- C2- Regional Corridor (10 feet Clear Path)
- C3- Neighborhood Corridor, Community Connector, or Baseline Street (8 feet Clear Path)

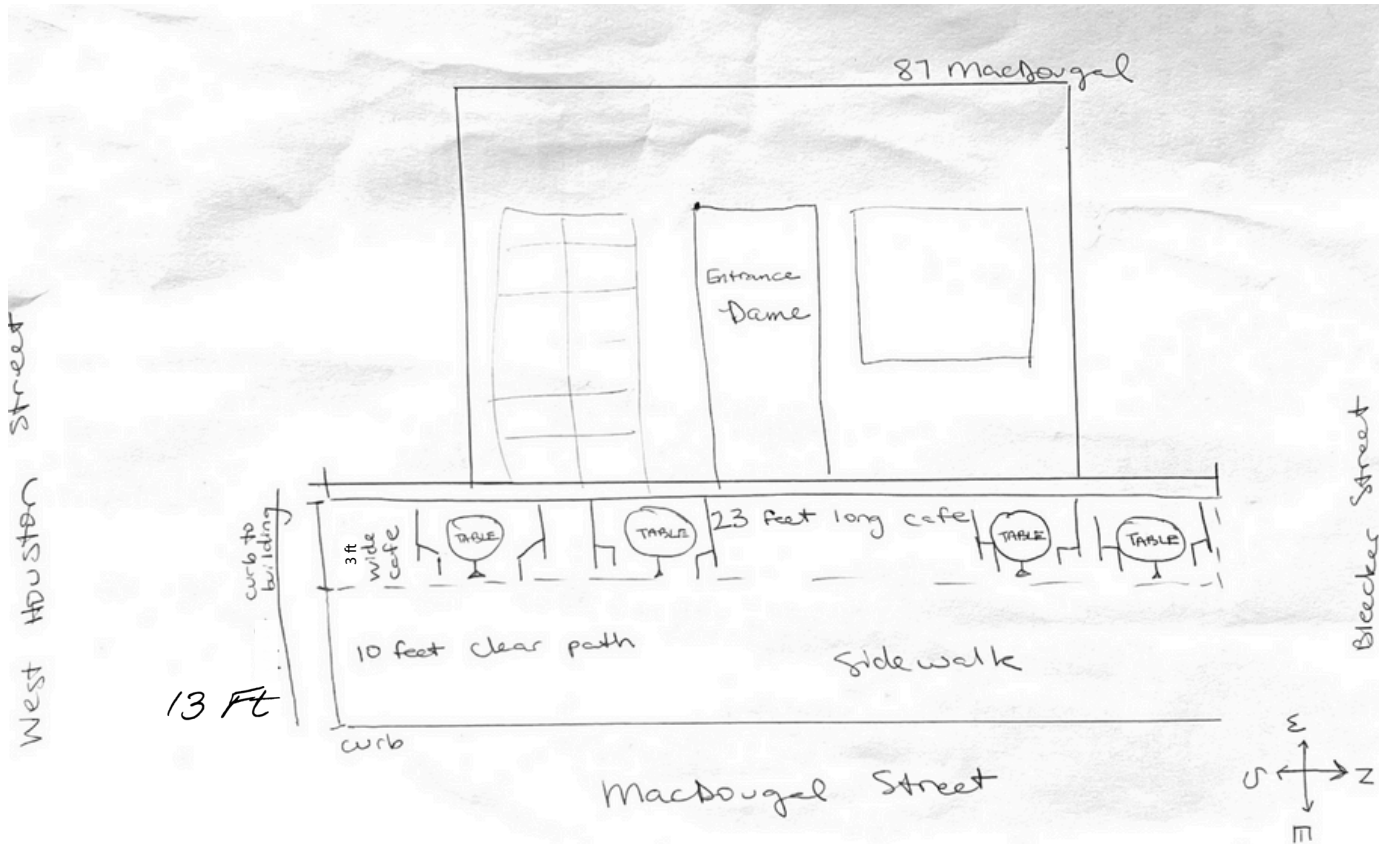
### Setup Area Identification :

- Please check this box if you plan to have outdoor dining located partially within private property. If you are uncertain, please request records from your property owner/manager.
- Please check this box if all or part of your sidewalk cafe is in a sidewalk widening area, developed pursuant to the NYC Zoning Resolution. If so, indicate the property line in the site plan drawing below.

## Sidewalk Cafe Site Plan Form

Applicant Name: Pesh LLC  
 Restaurant Name: Dame  
 FSEP Number: 50109648

Use the space below to draw or upload your Site Plan representing your cafe perimeters, furniture, and clearances.



13 Ft

Length of sidewalk cafe: 23 feet

Width of sidewalk cafe: 3 feet

### Drawing Requirements

- Food service establishment frontage shown by:**
  - Line representing the establishment's space facing the sidewalk
  - Length
  - Labels
- Private Property shown as:**
  - Dashed line
- Street names:**
  - Labels on each street
- Sidewalk shown as:**
  - Line representing street curb
  - Width measured from building line to curb line
- Building entrances shown as:**
  - Label
- Cafe perimeter shown as:**
  - Lines indicating perimeter
  - Length and width
- Set-up furniture (tables, chairs, etc.) shown as:**
  - Lines or symbols at approximate location within setup
- Elements (in Section 2 of this form) within 15 feet of cafe perimeter, shown as:**
  - Lines or symbols
  - Distance from cafe perimeter
  - Labels
- Utility coverings (water/gas valves, and pull boxes) shown as:**
  - Symbols representing the location within the setup

North arrow

## 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.
- Refer to the [Setup Guides](#) 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- SBS 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 Cut \_\_\_\_\_ feet

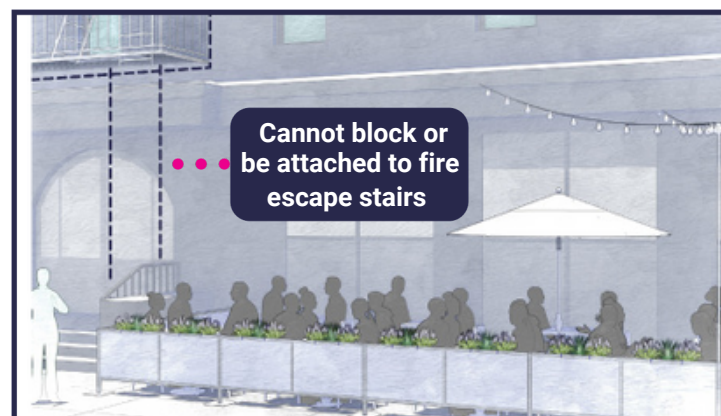
### Elements with minimum 3 feet clearance from sidewalk cafe:

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

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

S30- Vent Infrastructure: utility ventpoles, vent grates, subway grates \_\_\_\_\_ inches       S31- Manholes \_\_\_\_\_ inches

Check this box if none of the objects listed above are within 15 feet of the proposed setup.



## 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 [Setup Guides](#) in the Dining Out NYC website for more information regarding materials.

### Materials Checklist:

#### \*Required\*

#### **Perimeter Demarcation (All of the following must be met)**

- 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 (if using, the first two below must be met)**

- Lightweight and easily movable.
- Not affixed to the sidewalk.
- Check here if you plan to place tables/chairs on top of a cellar or basement door. If so, please complete the [Cellar or Basement Door Certification](#)

#### **Awnings Physically Attached to the Building (if using, all of the following must be met)**

- 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. Please note that this may require additional permits from DOB, and/or approval from the Landmarks Preservation Commission (LPC) as applicable.

#### **Overhead Coverings/ Umbrellas (if using, all of the following must be met)**

- 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 (if using, all of the following must be met)**

- 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 DOT's rules and the New York City Electrical Code. Please note that this may require additional permits from DOB or FDNY, and/or approval from the Landmarks Preservation Commission (LPC) as applicable.



*Dame*

*Dame*

87

*Dame*



COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

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Community Board 2 Liquor License Stipulations

The original signed and notarized form must be returned to the CB2 office by Friday, November 13, 2020.

Ed Szymanski and Patricia Howard, as qualified representatives of PESH LLC d/b/a Dame located at 87 MacDougal St. aka 87-89 MacDougal Street, New York, New York 10012 agree to the following stipulations:

Application Type: [X] OP Restaurant/Tavern [ ] RW [ ] TW [ ] Alteration [ ] Other:

[X] Premise will be advertised and operated as a full service restaurant.

[X] Hours of operation:

Table with 4 columns: Day, Start Time, End Time, Day, Start Time, End Time. Rows: Sunday, Monday, Tuesday, Wednesday, Thursday, Friday, Saturday. All times are 12 PM to 12 AM.

(Premises will open no later than stated opening time and NO patrons will remain after stated closing time.)

- [X] Will operate full service restaurant, serving seasonal seafood dishes inspired by English culinary techniques with the kitchen open and full menu items available until 1 hour before closing every night.
[X] Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
[X] Will not have televisions.
[X] Will not operate a backyard garden or any outdoor area for commercial purposes (not including licensed sidewalk café).
[X] Sidewalk Café is not included in this application.
[X] Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences anytime.
[X] Will close all doors & windows at 10 p.m. every night.
[X] Will not make changes to the existing façade except to remove wood paneling and restore it to its original facade.
[X] Will comply with NYC Department of Buildings Regulations & keep current at all times required Permits & Certificates.
[X] Will not have unlimited drink or unlimited food & drink specials. Will not have "boozy brunches". No pitchers of beer.
[X] There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of wine products.
[X] Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.

Will not have: [X] Dancing [X] DJs [X] Live Music [X] Promoted Events [X] Any event where cover fee is charged
[X] Scheduled Performances [X] Velvet ropes or metal barricades [X] Security Personnel/Doorman.

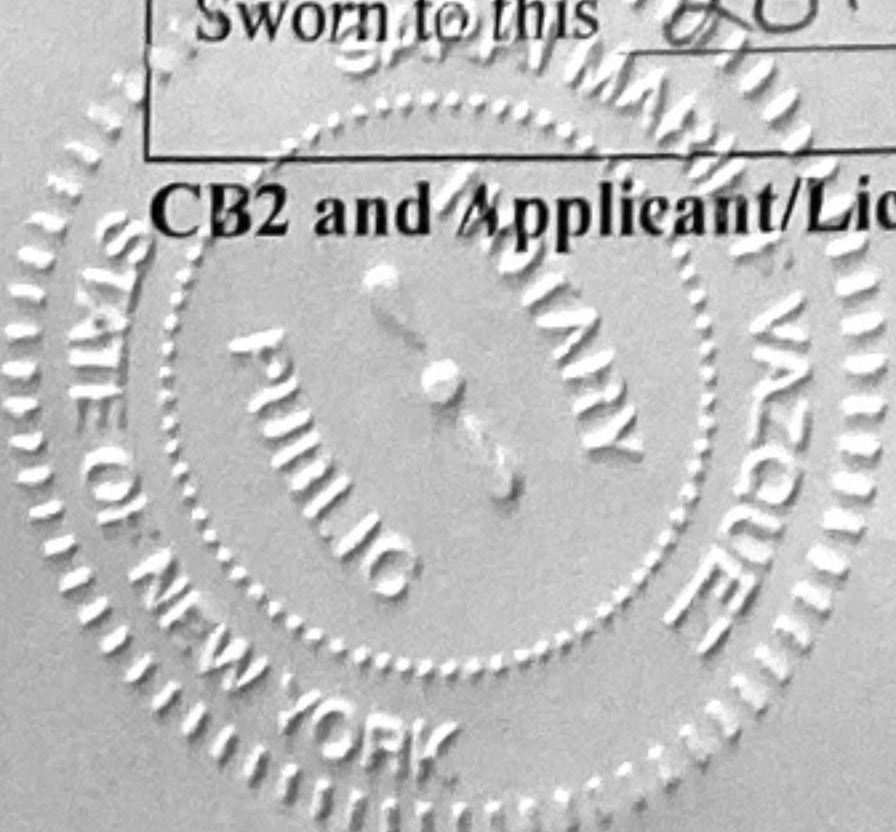
[X] Any future sidewalk or roadbed seating will end no later than 11 PM every night (all patrons will be cleared by this hour and area closed); no speakers or music played outdoors and no speakers positioned to face outside.

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

Name: Patricia Howard Phone Number: [Redacted]

Signed: Patricia Howard Print Name: Patricia Howard Dated: 11/20/2020
Sworn to this 20th day of November 2020 Notary Public

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



SARAI MARIE F VAZQUEZ
Notary Public - State of New York
NO. 01VA6178036
Qualified in New York County
My Commission Expires Nov 19, 2023