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COMMUNITY BOARD NO. 2, MANHATTAN

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April 28, 2026

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 April 23, 2026, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

NADC New York LLC dba NADC Burger 25 Cleveland Pl 10012 (WBC–Tavern)

- i. Whereas**, the Applicant and their Attorney appeared before Community Board 2, Manhattan's (CB2M) SLA Licensing Committee #1 to present an application to the NYS Liquor Authority (NYSLA) for a Tavern Wine license to operate a fast-casual burger place on the ground floor and rear yard of a four (4)-story mixed-use, tenement-style building (c. 1900) on Cleveland Place between Kenmare and Lafayette Streets (Block #481/Lot #13); the premises to be licensed has operable windows extending across the entirety of the front façade; the building falling within NYC's Special Little Italy District; and
- ii. Whereas**, the interior ground floor premises is approximately 3,695 sq. ft. with approximately 1,300 sq. ft. on the ground floor 1,070 sq. ft. in the cellar and 1,325 sq. ft. in the open back yard, the cellar being connected via an interior stairway and exterior sidewalk hatch with no patron use of the cellar; there will be 8 tables with 16 seats and one bar with no seats in the interior for a total interior patron occupancy of 16 persons and 20 tables and 44 seats in the unenclosed back yard for a total patron seated patron occupancy of 60 persons for the licensed premises; there is one (1) entry serving as patron ingress and egress and two (2) patron bathrooms; there are existing operable windows that open out to the sidewalk; and
- iii. Whereas**, the Applicant's hours of operation will be 10 AM to 12 AM Sundays through Saturdays (7 days a week); the back yard will close at 10 PM nightly and there will be no speakers, TVs or amplification in the rear yard; music will be recorded background music only from iPods/CDs/streaming services; all doors will be closed at 10 PM nightly; there will be one (1) TV operating in closed caption mode, no dancing, no DJ's, no promoted events, no live music, no private parties, no scheduled performances or cover fees, no velvet ropes or movable barriers or security personnel/doormen; and

- iv. **Whereas**, the Applicant has been operating at the location for approximately ten months without the service of alcohol and appeared before CB2M in [March/2026](#) for this application, at the time requesting closing hours of 2 AM nightly with the back yard having four speakers and closing at midnight every night, the back yard being surrounded by residential units, the Applicant showing no Certificate of Occupancy or Letter of No Objection permitting use of the rear yard with life safety concerns being raised about egress for the residential tenants of the building as well as surrounding buildings with the rear yard showing no clearly marked emergency egress, a number of residents submitted letters and came to speak in opposition to the use of the rear yard both in March/2026 and this month, CB2M having received approximately 18 letters in opposition to the application including from the Board of Managers of Spring Condominium, one of the buildings that abuts the rear yard; and
- v. **Whereas**, the Applicant provided DOB documentation showing the permitted use of the rear yard with emergency egress being provided to residential tenants through the 2nd floor fire escape to adjoining buildings, the interior hours being reduced to midnight nightly on the interior and 10 PM for the rear yard, with the Applicant agreeing to remove the speakers from the back yard after again hearing the residents' opposition to the application, those residents having apartments directly looking out to the rear yard who will be negatively impacted from the sound of up to 44 patrons eating and drinking outside their windows in a "donut" that acts like an amplifier for voices for 12 hours a day as the rear yard is surrounded on all sides by residential units; and
- vi. **Whereas**, the premises to be licensed has most recently been licensed with a Restaurant Wine license from approximately 2022 to 2024 under Areppas 3 LLC dba Areppas (Lic ID # 0240-22-101601, exp 2/29/2024) with no use of the back yard and from 2017 to 2019 under The Pokespot Cleveland Pl LLC dba The Pokespot (Lic ID # 0240-17-109062, exp 3/31/2026); and
- vii. **Whereas**, there already are a significant number of licensed establishments in both CB2M and in the immediate area, there being **91 active licensed premises** and an additional 3 pending licenses within 750 feet of the premises proposed to be licensed according to LAMP, there remains significant opposition to the application from surrounding residents primarily due to the use of the back yard surrounded by residential units and the hours being later than what is posted on their locations in other cities around the country, this application being for the service of Beer and Wine only and thus not subject to the public interest standard of the 500 Foot Rule, the Applicant having reduced the hours of operation on both the interior and exterior and removed the use of speakers from the rear yard; and
- viii. **Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with CB2M that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the new Tavern Wine license, with those stipulations as follows:
1. Will be advertised and operated as a fast-casual burger shop with the kitchen open and full menu items available until closing every night.
 2. The hours of operation will be 10 AM to 12 AM Sundays through Saturdays (7 days a week). All patrons will be cleared and no patrons will remain after stated closing time.

3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. Will not operate any outdoor area for commercial purposes except for seating in the backyard consisting of not more than 20 tables and 44 seats. All outdoor patrons will be seated.
5. Backyard seating will close no later than 10 PM nightly. All tables and chairs will be secured at this hour and no patrons will remain in the backyard. There will be no host stands, bus or service stations in the rear yard. No exterior music, speakers or TVs or speakers from the interior position to face out into the rear yard. There will be no smoking by staff or patrons in the rear yard.
6. Use of the rear yard by staff is prohibited outside the hours of 10 AM to 10 PM, with the exception of setup and breakdown activities.
7. There will be no roadbed or sidewalk seating.
8. There will be no private parties.
9. There will be no alcohol-related happy hours after 9 PM.
10. Will play recorded background music at conversational levels only, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
11. Will have not more than one (1) television no larger than 55". There will be no projectors and TV will operate in "closed caption" mode only without sound.
12. Will close all doors and windows at 9 PM every night, allowing only for patron ingress and egress.
13. Will not have patron occupancy/service to any portion of the cellar of licensed premises.
14. Will not make changes to the existing façade except to change signage or awning.
15. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
16. Will not have unlimited drink or unlimited food and drink specials. No pitchers of beer.
17. Will not have: dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades or security personnel/doorman.
18. Will not add more principals as presented to CB2M with greater than 20% share of business prior to submission of original application to the NYSLA.
19. Will appear before CB2M prior to submitting any changes to any stipulation agreed to herein.

THEREFORE BE IT RESOLVED that CB2M recommends **denial** of the application for a new Restaurant Wine liquor license for **NADC New York LLC dba NADC Burger 25 Cleveland Pl 10012** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the "method of operation" of the NYSLA liquor license.

Vote: Unanimous, 35 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. Brian Kavanagh, NY State Senator
Hon. Deborah J. Glick, NY State Assembly
Hon. Grace Lee, State Assembly Member
Hon. Michael Levine, NYC Comptroller
Hon. Brad Hoylman-Sigal, Man. Borough President
Hon. Erik Bottcher, NYC Council Member
Hon. Christopher Marte, NYC Council Member
Hon. Harvey Epstein, NYC Council Member
Thomas Donohue, Deputy Commissioner of Licensing, NY State Liquor Authority



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Community Board 2 Liquor License Stipulations

The original signed and notarized form must be returned to the CB2 office by Monday, April 20 2026. If not returned 24 hours prior to CB2s full board meeting, the application will be denied.

I, Gavin Humes as a qualified representative of NADC New York LLC dba NADC Burger located at 25 Cleveland Place, New York, NY 10012 agree to the following stipulations:

Application Type: OP Restaurant/Tavern RW TW Alteration Other:

Premise will be advertised and operated as a fast-casual burger place.

Hours of operation:

Sunday: 10 AM	to	12 AM	Thursday: 10 AM	to	12 AM
Monday: 10 AM	to	12 AM	Friday: 10 AM	to	12 AM
Tuesday: 10 AM	to	12 AM	Saturday: 10 AM	to	12 AM
Wednesday: 10 AM	to	12 AM			

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

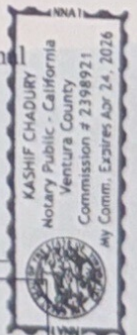
- Will operate with less than a full service kitchen but will serve the full food menu during all hours of operation.
 - Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
 - Will not operate any outdoor area for commercial purposes except for seating in the backyard consisting of not more than 20 tables and 44 seats. All outdoor patrons will be seated.
 - Backyard seating will close no later than 10 PM nightly. All tables and chairs will be secured at this hour and no patrons will remain in the backyard. There will be no host stands, bus or service stations in the rear yard. No exterior music, speakers or TVs or speakers from the interior position to face out into the rear yard. There will be no smoking by staff or patrons in the rear yard.
 - Use of the rear yard by staff is prohibited outside the hours of 10 AM to 10 PM, with the exception of setup and breakdown activities.
 - There will be no roadbed or sidewalk seating.
 - There will be no private parties.
 - There will be no alcohol-related happy hours after 9 PM.
 - Will play recorded background music at conversational levels only. No music will be audible in any adjacent residences at any time.
 - Will have not more than one (1) television no larger than 55". There will be no projectors and TV will operate in "closed caption" mode only without sound.
 - Will close all doors and windows at 9 PM every night, allowing only for patron ingress and egress.
 - Will not have patron occupancy/service to any portion of the cellar of licensed premises.
 - Will not make changes to the existing façade except to change signage or awning.
 - Will comply with NYC Department of Buildings Regulations and will keep current at all times required Permits and Certificates.
 - Will not have unlimited drink or unlimited food and drink specials. No pitchers of beer.
- Will not have: Dancing DJs Live Music Promoted Events Any event where cover fee is charged
 Scheduled Performances Velvet ropes or metal barricades Security Personnel/Doorman.
- Will not add more principals as presented to CB2 with greater than 20% share of business prior to submission of original application to the NYSLA.
 - Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.

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

Name: Gavin Humes Phone Number: 805-760-6444

Signed: [Signature] Print Name: Gavin Humes Dated: 4/17/26

Sworn to this 17 day of April 2026 [Signature] Notary Public



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