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## COMMUNITY BOARD NO. 2, MANHATTAN

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### COMMUNITY BOARD 2 APPLICATION FOR A STATE LIQUOR AUTHORITY LICENSE

#### For Existing Licensees –

#### Alteration to add Contiguous or Noncontiguous Municipal Public Space

#### Instructions

For current licensees applying to add Municipal Public Space to their licensed premises, please supply the following **along with or immediately following submission of the 30-day Notice to Municipalities.**

The 30-day Notice can be found in the [Alteration for Adding or Removing Contiguous and/or Noncontiguous Municipal Public Space Application](#) located on the NYSLA website.

#### For Sidewalk:

- Submit the attached addendum along with the diagram included with your DOT Dining Out NYC application. The diagram should indicate restaurant frontage (*length*), length and width of set up area(s) inclusive of barriers, location of tables and chairs, service aisle area and sidewalk width.  
(Note: Restaurant staff must serve patrons from **within** the sidewalk café.)

#### For Roadway:

- Submit the attached addendum along with the diagram included with your DOT Dining Out NYC application. The diagram should indicate restaurant frontage (*length*), roadbed seating area (*length and width of set up area(s) inclusive of barriers*), location of tables and chairs and service aisle area.  
(Note: Restaurant staff must serve patrons from **within** the roadbed dining area.)

#### For Open Streets:

- Submit the attached addendum along with a diagram of the roadway seating area (*length and width of set up area*) including location of tables and chairs in the roadway. Diagram should include the restaurant frontage. Also include the full roadbed width including the midpoint measurement and the 15' emergency vehicle lane.

#### For Roadway and Sidewalk:

- Submit photos of the premises where the sidewalk café and/or roadbed will be located. Required photos show one frontal, one left and one right side view of proposed sidewalk café and/or roadbed.
  - For sidewalk café and/or roadbed, photos must show complete sidewalk and/or roadway area including views to curb and neighboring properties.

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: Carlos Suarez - [REDACTED]

Name/email of Representative: Kelly Dungan - [REDACTED]

Applicant/Premises Name: 24 5th Avenue LLC

DBA Name: Claudette

Address of Premises (include zip code): 24 5th Ave, New York NY 10011

Cross Streets of Premises: E. 9th St

License ID #: 0340-22-103472

☒ 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):

11 tables and 26 seats on 5th Ave 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 5pm weekdays, 11am weekends

**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:

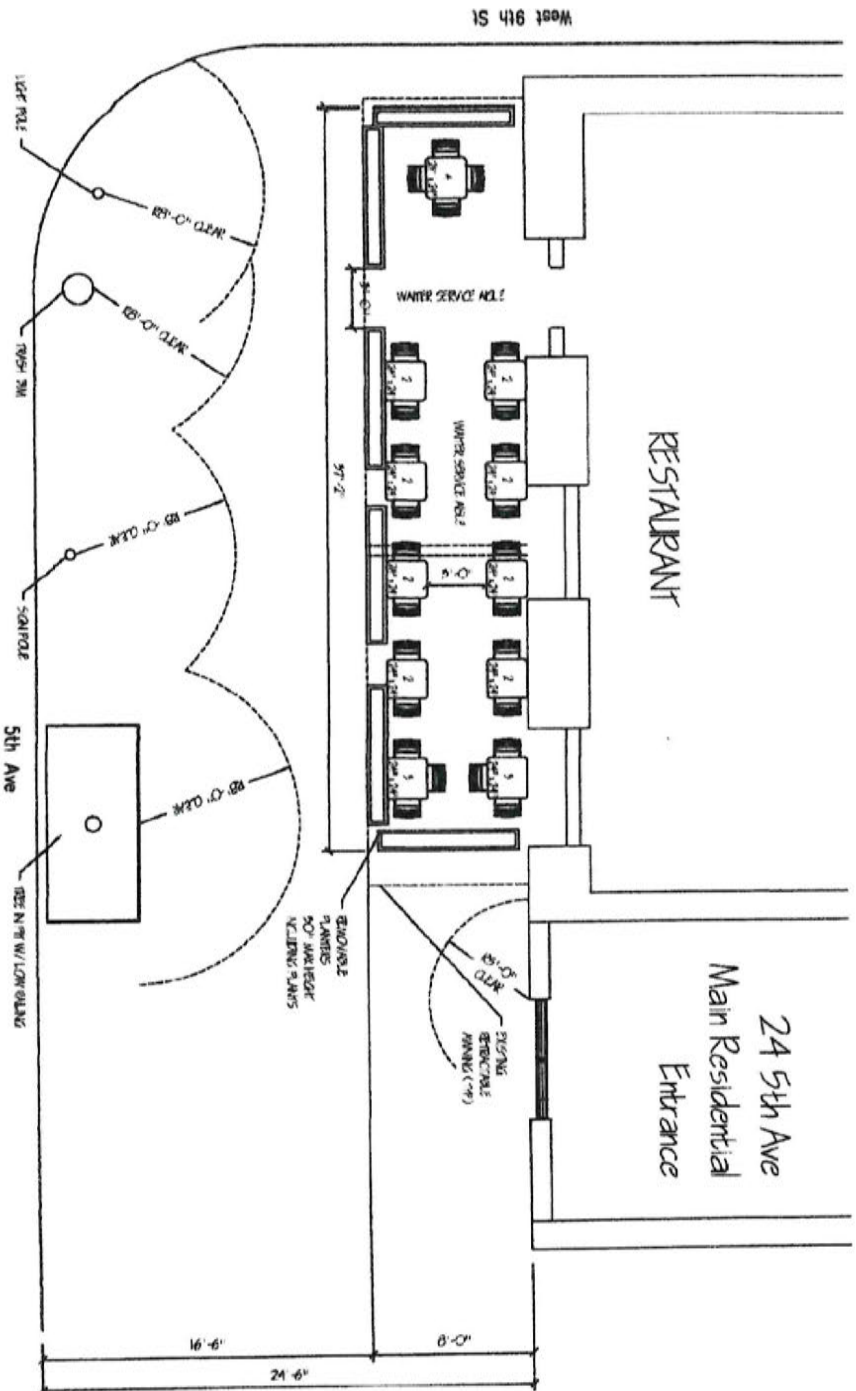
- ☐ C1 - Global Corridor (12 feet Clear Path)
- ☐ C2 - Regional Corridor (10 feet Clear Path)
- ☒ C3 - Neighborhood Corridor, Community Connector, or Baseline Street (8 feet Clear Path)

Pedestrian Demand Map.

### 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.

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



## Sidewalk Cafe Site Plan Form

Applicant Name:

24 5TH AVE LLC

Restaurant Name:

Claudette

FSEP Number:

50009606

### 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- FDNV 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- Staircase 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 vent poles, vent \_\_\_\_\_ inches ☐ S31- Manholes \_\_\_\_\_ inches

grates, subway grates

☐ 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 plantings).

☐ 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.

24 5th Avenue LLC dba Claudette

Description of proposed alteration - adding sidewalk cafe to liquor license. Diagrams attached.

The premises will be expanded to include an outdoor dining area located directly adjacent to the licensed premises along 5th Avenue.. The space consists of sidewalk seating situated immediately outside the restaurant frontage, contiguous to the existing premises. The outdoor area will contain tables and chairs as shown on the attached diagram and will be used for seated dining service.





Kelly Dungan &lt;kelly@casanela.com&gt;

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**Conditional Approval for Claudette Sidewalk Application 20240808010001**

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**Outdoor Dining Invoices** <outdoordininginvoices@dot.nyc.gov>

Mon, Jul 21, 2025 at 9:49 AM

To: "kellymlk136@gmail.com" &lt;kellymlk136@gmail.com&gt;, "kellymlk136@GMAIL.COM" &lt;kellymlk136@gmail.com&gt;, "kelly@casanela.com" &lt;kelly@casanela.com&gt;

Cc: Outdoor Dining Invoices &lt;outdoordininginvoices@dot.nyc.gov&gt;

Dear Claudette Operator or Representative,

Congratulations! The review of your sidewalk cafe is now complete and your application for a sidewalk cafe is conditionally approved. You may operate your sidewalk cafe immediately.

**The New York City Department of Transportation (DOT) will issue your Dining Out NYC license and revocable consent upon receipt of the following items. You must submit these items to DOT within 30 days of receipt of this letter or your conditional approval will be automatically rescinded.**

**1. Insurance Documentation**

Please send DOT the required proof of insurance documents prior to or with the signed and notarized revocable consent agreement. Specifically, please refer to section 19(b)(vi) of the agreement which provides the acceptable documentation of proof of insurance that should be submitted. The required Certification by Insurance Broker or Agent is attached as Exhibit D of the agreement.

For a summary of insurance requirements and a sample Certificate of Insurance, please refer to DOT's Dining Out NYC Website ([link enclosed here](#)).

**2. Revocable Consent Agreement (Document will be sent to you by a DOT employee)**

Please sign the revocable consent agreement and have it notarized. Once signed, please send DOT a PDF of the signed and notarized agreement for DOT's signature.

**3. Security Fee**

A security fee of \$1,500 must be deposited with the New York City Comptroller. Please refer to section 15 of the revocable consent agreement for security fee details.

DOT will send you an invoice for the security fee soon, which can be paid by a check or money order. The security fee check or money order must be made out to the "City of New York Comptroller's Office."

**4. Annual Revocable Consent Fees**

An annual revocable consent fee must be paid every year of your four-year term. Please refer to section 3 of the revocable consent agreement for annual revocable consent fee details, including the annual revocable consent fees applicable to your roadway cafe.

DOT will send you an invoice for the first annual payment soon, which can either be paid online or by a check or money order. The annual revocable consent fee check or money order must be made out to the "New York City Department of Transportation."

**Next Steps**

The issuance of your license will be delayed if all requested documentation and any payment is NOT received. Upon receipt of the documents and payment, DOT will submit the revocable consent agreement to the New York City Comptroller for registration.

Once your revocable consent agreement is registered with the NYC Comptroller, we will send you an email with your fully executed agreement and will issue your Dining Out NYC license.

-Dining Out Team

[Outdoordininginvoices@dot.nyc.gov](mailto:Outdoordininginvoices@dot.nyc.gov)