

Lorelei Salas Commissioner

42 Broadway New York, NY 10004

**Dial 311** (212-NEW-YORK)

nyc.gov/consumers

February 21, 2019

Susan Stetzer 59 East 4th Street New York, NY 10003

## REQUEST FOR COMMUNITY BOARD RECOMMENDATION

Dear Susan Stetzer

The Department of Consumer Affairs (DCA) has received a petition from the below business applicant.

BUSINESS NAME: EPSTEIN'S BAR, LLC

D/B/A NAME: EPSTEIN'S BAR, LLC

ADDRESS: 82 STANTON ST NEW YORK, NY 10002

BOROUGH/STATE/ZIP: Manhattan/NY/10002

**APPLICATION #: 1734-2019-ASWC** 

TYPE: UNENCLOSED

**MAXIMUM # OF TABLES: 11** 

**MAXIMUM # OF CHAIRS: 22** 

**BUSINESS CONTACT:** 

PHONE NUMBER: 2124732010

EMAIL: KELLYMLK136@GMAIL.COM

Pursuant to Section 20-226(c) of the NYC Administrative Code, the Community Board has 45 days to review a sidewalk café petition. **DCA must receive your recommendations on this petition no later than April 07, 2019.** You may use the enclosed Recommendation Form to submit your recommendation.

\*1734-2019-ASWC\*

## Sidewalk Café Recommendation Form

NYC Department of Consumer Affairs

TO:

FROM: Susan Stetzer

Re:	Business Name: EPST Business Address: 82		K, NY 10002
4			*
The Cl	3#: 103 recommends the f	following	
		BJECTION" to the stated u	se.
	We have the foll	owing "OBJECTIONS" to the	ne stated use.
			* y
			þ.
		4	
	Signature		Print Name
	Title	Date	Email

Date



Email

Title 6 of the Rules of the City of New York Section §2-44(a) explains additional Community Board action:

When a petitioner agrees to revise a petition or plan to resolve objections raised by the Community Board, any such agreed revisions, along with new blueprints showing the revised plan, must be submitted by the petitioner to the Department in writing, and signed by both the applicant and the chairperson of the Community Board, not later than forty-five (45) days after the Community Board receives the petition and plans. Such agreed revisions shall be incorporated into; and be deemed to modify, the original petition in accordance with its terms. The Department may then hold a public hearing based on the petition as so modified. If such written agreements to modify an original petition to address objections raised are not received within the time specified, the Department shall hold any such public hearing based on the original petition and the objections to it that have been raised.

#### Please return your recommendation DCA in ONE of the following ways:

Email to: sidewalkcafe@dca.nyc.gov

• Fax to: +1 646 500 5832

Mail to: Department of Consumer Affairs

Attn: Sidewalk Café Unit

42 Broadway

New York, NY 10004

If you have any questions, please contact us at +1 212 487 4213 or sidewalkcafe@dca.nyc.gov. Thank you for your time.

Regards,

DCA Sidewalk Café Unit



\*1734-2019-ASWC\*



# **BASIC LICENSE APPLICATION**

Please print.

Section 1 – All app	plicants						
What is your Business'	What is your Business's legal structure?						
□ Business/General Partnership □ Corporation □ Non-Profit □ Limited Liability Company □ S-Corporation □ Limited Liability Partnership □ Sole Proprietorship							
If your Business's legal If your Business's legal	structure is structure is	Sole Propri NOT Sole F	eto Prop	orship, complete Sections 1, 2, and 4. prietorship, complete Sections 1, 3, and 4.			
Business Informat	tion						
Eps'	teins	Bar	iled	with the New York State Secretary of State or County Clerk.)			
	ou provide mus Epste	t be exactly as	7	ed with the New York State Secretary of State or County Clerk.)			
Premises Address (Build	ding Number, Si	reet Name, A	. 1				
	1	82	T	anton St			
City	State	ZIP Code		Country/Region Borough:			
MY	NY	10003	Ç	☐ Bronx ☐ Queens ☐ Brooklyn ☐ Staten Island ☐ Manhattan ☐ Outside of NYC			
E-mail (By providing your e-mail add (DCA), and you affirm that th	dress, you conse e e-mail listed is	s a reliable for	n of				
Phone 1 (Primary)	Phone 2 (A	Iternate)	<u>, L</u>	LYMLK136@gmail.Com  Text Telephone (TTY Phone) Fax			
(212)473-2010	()			(914) 632-6034			
(Required for sole proprietorships with paid employees, corporations, and partnerships)			New York State Sales Tax Identification Number or Certificate of Authority Application Confirmation Number (You must complete this section if "Sales Tax Identification Number" is a requirement on your license application checklist.)				
			Au the	ne Sales Tax Identification Number is the 9, 10, or 11-digit number on your ew York State Department of Taxation and Finance Certificate of uthority. If you have not received your Certificate of Authority, please enter e 6-digit confirmation number you received when you successfully ubmitted the application for a Certificate of Authority.			

### **Contact Mailing Information**

If you want DCA correspondence addressed and mailed to a contact other than the business name and address provided on page 1, please complete the information below.

First Name	Middle Nan	∩e (optional)	Last Nam	е
Michael	=		Ke	elly
Title/Position (Check one box only.)	☐ Chairman			□ ∀reasurer
	□ Director			☐ Trustee
	☐ Officer		6	☐ Vice President
	☐ President			Other (Please specify.)
	☐ Secretary			Authorized Representative
Mailing Address (Building Number, Street	et Name, Apartm	ent/Suite/Othe	r)	
136 Wave	1/4 -	Rd		
City	State	ZIP Code	Co	ountry/Region
Scarsdale	M	105	83	

Providing Social Security Number or Individual Taxpayer Identification Number in Sections 2 and 3 is voluntary. The City requests this information under the NYC Charter and Administrative Code. This information will or may be used to allow the City of New York to maintain and update City databases, to carry out the powers and duties of the Department, and for other purposes necessary to promote the general welfare.

#### Section 2 - Sole Proprietorship

Last Name	Suffix		st Name	Middle Name (optional)			
	(Jr., Sr.,	Esq.) (optional)					
Social Security Number	or Individual Ta	xpayer Identification N	lumber				
Home Address (Building Number, Street Name, Apartment/Suite/Other)							
City	State	ZIP Code	Country/Region				

#### Section 3 – General Partners, Corporate Officers, Shareholders, and Members

You must provide information on *all* general partners and *all* corporate officers and *each* shareholder owning 10% or more of the business applying for a license. Note: Limited Liability Companies must provide information on *all* members. Non-Profits must provide information on *all* officers and *all* Board of Directors members. **Attach additional sheets if necessary**.

Important: If the partner or shareholder is a business (rather than an individual), DCA will verify active status prior to license issuance. Corporations, Limited Partnerships, Limited Liability Companies, or Limited Liability Partnerships must register and remain active with the New York State Department of State. If you file your application in person, DCA can print a copy of the partner's or shareholder's Certificate of Incorporation and/or Certificate of Authority to Conduct Business in New York from the New York State Department of State's website.

#### See page 3.

Basic License Application, 06/24/2013

## General Partners, Corporate Officers, Shareholders, and Members

#### Individual #1

Last Name		Suffix				st Name			Middle Name
Auguston		( Jr., S	r., Esq.) (opt	ional)	l V.	Richa	1.		(optional)
Hurigemma, Jr					1	TICKA	<u> </u>		
Title/Position (Check one box only.)		☐ Cha ☐ Dire					∐ fre   □ Tru	easurer	
								ustee e President	
		☐ Pres					₽ Otl		
		□ Sec					40.	yrie	mber
Social Security Number or				% of	Owi	nership	-		
Individual Taxpayer Identification	Numbe	r				$\bigcirc$	101		
050-76-6039						71	0/0	C	
Home Address (Building Number, S	Street Na	me, Apa	rtment/Suite/	Other)		1/	<u> </u>		
	17	6			-	80%			
City , S	tate		I ZIP Code	21,	(		(D. )		
The True Is	late I U	٨	1			Country/	Region	l	
		1	100	003					
Individual #0									
Individual #2									
Last Name		Suffix			Fir	st Name			Middle Name
Acheatel		( Jr., S	r., Esq.) (opt	ional)		Joshi	) (4		(optional)
Title/Position (Check one box only.)		□ Cha	irmon			103110			
Title/1 Ostilot1 (Check one box only.)		□ Dire					□ Tru	easurer	
		☐ Offic						e President	
		☐ Pres	sident				AT Oth		_
		☐ Seci	retary	,				1/0/6	ember
Social Security Number or Individual Taxpayer Identification	Numba			% of	Owr	nership			
	Numbe	ı				1 000	•		
605-10-19114						111/0	Š		
Home Address (Building Number, S	treet Na	me, Apa	rtment/Suite/	Other)		100			
63	6	9	th S	+	1	tot :	2R		
	tate		ZIP Code			Country/	Region		
I M	M			503		Oournity,	ricgion		
(0)	10 1								
Business #1									
Business Name									
Employer Identification Number (E	=INI\				-			0/ -10	
Employer Identification Number (EIN) % of Ownership									
Mailing Address (Building Number	Ctro et M			/011					
Mailing Address (Building Number,	Street No	ame, Ap	anment/ Suit	e/Other)	)				
City	State		ZIP Code	Cour	+40.4/	Dagion	D		
Only	State	4	ir Code	Cour	ıtry/i	Region	Boro	ugn:	
							□ Br		☐ Queens
29								ooklyn	☐ Staten Island
							I □ Ma	anhattan	☐ Outside of NYC

# General Partners, Corporate Officers, Shareholders, and Members

### Individual #1

Last Name						
	Suffix			First Name		Middle Name
McManus	( Jr.,	Sr., Esq.) (op	tional)	Eril		(optional)
Title/Position (Check one box only.)	I El Ch	airman		C1(1		
Title i Gallon (Grieck One box Only.)	Dire				☐ Treasurer	
	Off				☐ Trustee	
		sident			☐ Vice Presider	
		cretary			Æ Other ∧∧ ↔	ember
Social Security Number or	1 = 00.	or otally	% of	Ownership		CV(1
Individual Taxpayer Identification N	lumber		/ / 01	Ownership	100	
					10%	
					10/0	
Home Address (Building Number, Str	eet Name, Ap	artment/Suite	Other)			
10310	ROCA		1	Bch	2	
City Sta	ite Co	ZIP Code	4			
Racks a Rock Sta	1	ZIP Code	4	Country	/Region	
Rockaway Park Sta	10	116	4			
		000 1000	1			
Individual #2						
Last Name	Suffix			First Name		T
		Gr., Esq.) (opt	ional)	i iist Name		Middle Name
	( 57., 5	, <u>204.</u> , (op.	ional)			(optional)
Title/Position (Check one box only.)	☐ Cha	irman			☐ Treasurer	
	□ Dire				☐ Treasurer	
	☐ Offic	cer			☐ Vice Presiden	•
	☐ Pres	sident			☐ Other	ı
0	☐ Sec	retary				
Social Security Number or			% of (	Ownership		
Individual Taxpayer Identification No	umber					
		2				
Home Address (Building Number, Stre	et Name Ana	rtmont/Cuito	(Othor)			
	or rumo, npa	rimeni/Oune/	Olliel)			
0.1						
City Stat	е	ZIP Code		Country/	Region	
		7				
Business #1						
Business Name						
business riame						
Employer Identification Number (EIN	IV.					
	• <i>)</i>				% of Own	ərship
Mailing Address (Building Number, Str.	eet Name, Apa	artment/ Suit	e/Other)			
City	State Z	IP Code	Count	ry/Region	Borough:	
	1		- 50110	,ogion	J	
	1				☐ Bronx	☐ Queens
					☐ Brooklyn	☐ Staten Island
					☐ Manhattan	☐ Outside of NYC

#### Business #2

Dus	siness #2							
Busi	ness Name	1						
Emp	Employer Identification Number (EIN) % of Ownership							
Mail	ing Address (Building Number,	Street Name,	Apartment/ Suit	e/Other)		14		
City		State	ZIP Code	Country/Region	Boroug	gh:		
					☐ Bron ☐ Broo ☐ Man	klyn	☐ Queens ☐ Staten Island ☐ Outside of NYC	
Sec	ction 4: Applicant Ba	ckground	d Questio	ns – All applica	nts	9 ]		
prop	ase answer the questions b prietorships, general partne nbers, officers, Board of Di	rs, corpora	te officers, s	hareholders owning	10% or	more of	company stock,	
mea time	Some background questions inquire about criminal and/or civil charges. A conviction does not, by itself, mean you will not get a license. Factors such as the nature and seriousness of the offense, the amount of time that has passed since the conviction, and your age at the time of the conviction will be considered. However, your license may be denied if you fail to disclose a conviction in response to the questions.							
1. Has this individual ever been licensed by the New York City Department of Consumer Affairs (DCA)? ☐ Yes ☑ No If Yes, provide the following information:				<b>⊠</b> No				
			DCA License Business/Ind					
2.	Has this individual ever had revoked?	a DCA licen	se denied, sus	spended, or	☐ Yes	<b>₽</b> No		
	If Yes, provide the following	information:						
			DCA License Business/Ind				1	
3. Has this individual ever been a principal (officer, shareholder, partner, member) of a DCA-licensed business?  If Yes, provide the following information:				holder, partner,	□ Yes	<b>⊠</b> No		
			DCA License Business/Ind					
4. Is this individual related by blood or marriage to either a current or past DCA licensee or principal of a DCA-licensed business? ☐ Yes If Yes, provide the following information:				No No				
			Relationship					
			Relative First		-			
			Relative Midd Relative Last					
			Relative Suff		1			
			DCA License	,				
				ividual Name				

# If you answer Yes for Questions 5 to 10, please include the requested description and attach all relevant documents to this application.

**NOTE**: Description should include the date of conviction, the nature of the incident, persons involved, and the outcome. Please include convictions for which you might have been imprisoned or fined even if, in fact, you only had to perform community service or were put on probation. You may omit parking violations and offenses that resulted in a finding of juvenile delinquency, youthful offender, wayward minor, or person in need of supervision.

5.	Has this individual ever pled guilty or been found guilty of a crime, offense, or violation?  If Yes, please describe the crime, offense, or violation.	□ Yes	<b>Æ</b> No
6.	Is there any criminal charge pending against this individual?  If Yes, please describe the circumstances of the arrest.	□ Yes	<b>資</b> No
7.	Is there any civil charge (including administrative charge) pending against this individual?  If Yes, please describe the charge(s).	□ Yes	No
			E
8.	Does this individual/individual's business owe fines or restitution?  If Yes, please describe all obligations (fines or restitution) not satisfied in full.	□ Yes	No No
9.	Has any court rendered a judgment against this individual/individual's business?  If Yes, please describe the court judgment.	□ Yes	<b>⊠</b> No

een paid in full for 30	days or more?		The trial flow	□ Yes	<b>≿</b> No	
1	een paid in full for 30	een paid in full for 30 days or more? Yes, please describe the judgment.	een paid in full for 30 days or more?		een paid in full for 30 days or more? ☐ Yes	een paid in full for 30 days or more?

PREPARER'S STATEMENT - Please check the box if the statement applies to you.

I am not the license applicant. I am an authorized representative for the license applicant, and I will submit a Granting Authority to Act Affirmation completed by the license applicant.

### AFFIRMATION - Please read and sign below.

I am authorized to complete and submit this application and all attachments (together, the "Application"). I have reviewed the entire Application. To the best of my knowledge, this Application is true, correct, and complete.

If any of the information in this Application changes, the applicant must inform the Department of Consumer Affairs of those changes. I also understand that the applicant must comply with all relevant laws and rules if granted a license to operate.

I understand that the Department of Consumer Affairs has not yet considered this Application. The applicant will not operate the business until receipt of an actual license document from the Department of Consumer Affairs or until / unless the Department of Consumer Affairs has given written permission to operate while this Application is pending. This affirmation shall be deemed executed in the City and State of New York and shall be governed by and construed in accordance with the laws of the State of New York (notwithstanding New York choice of law or conflict of law principles) and the laws of the United States.

I affirm that these statements are true and correct.

PENALTY FOR FALSE STATEMENTS: It is against the law to make a statement in this Application that you know is false. If you make a statement that you know is false, you may be punished.

Under Sections 210.45 and 175.30 of the New York Penal Law, you may be:

- fined up to \$1000 and / or
- sent to jail for up to one year

Under Section 175.35 of the New York Penal Law, you may be punished if you:

- make a statement that you know is false and / or
- make the statement because you intend to mislead the Department of Consumer Affairs

Under Section 175.35 of the New York Penal Law, you may be:

- fined up to \$5000 or
- fined an amount that is twice the amount of money you received by making the false statement and /
- sent to Jail for up to 4 years

The Department of Consumer Affairs may also punish you for making a false statement on this Application. These punishments may include:

- fines or penalties of up to \$500 for each false statement
- permanent loss (revocation) of your license

By signing below, I understand and agree that:

I am swearing or affirming that I have told the truth on this Application.

Signature JUS hun

Print Full Name

If you are not registered to vote, would you like to register here today?

Whether you apply to register to vote or not, it will not affect the assistance DCA will provide to you. If you

wish, we will help you in filling out the voter registration application.



LICENSING CENTER
42 Broadway, 5th floor
New York, NY 10004
Monday-Friday: 9:00 a.m.-5:00 p.m.
Wednesday: 8:30 a.m.-5:00 p.m.
www.nyc.gov/consumers

# SIDEWALK CAFÉ COMPLIANCE CHECKLIST

Applicants must answer a series of questions to demonstrate that the café meets City requirements. Please answer all questions and sign the Checklist.

	8	
1.	Is there a minimum of 12 feet of sidewalk space for entire length of the property?	the <b>≥</b> Yes □ No
2.	Will your café be at an address zoned for the type of sidewalk café you plan to operate?	Yes □ No
If yo appl	u answered "No" to question 1 or 2, you cannot apication process.	ply for a Sidewalk Café license and must stop the
3.	Sidewalk Café Business Name:	Epstein's Bar LLC
4.	Sidewalk Café Type: Check all that apply.	□ Enclosed □ Small Unenclosed ► Unenclosed
5.	Application Type:	A New
	z.	□ Renewal
		☐ <b>Assignment</b> (Consent assigned by previous owner more than 90 days before expiration date)
		□ Modification (Changes to an existing consent)
6.	Maximum number of tables in your café:	
7.	Maximum number of chairs in your café:	<u></u>
8.	Block Number:	417
9.	Lot Number:	70
10.	Community Board Number:	3
11.	Will your café be on the same level as the adjoining sidewalk? (Unenclosed and Small unenclosed only)	Yes □ No

12.	ls your café in a historic district or in or adjacent to a landmarked building or district?	□ Yes ⊅No
	a. If Yes, have you applied to the Landmarks Preservation Commission (LPC) for approval to operate your café?	□ Yes □ No
	i. If Yes, have you received approval from LPC to operate your cafe?	□ Yes □ No
Side	ewalk Café Business Information	
13.	Sidewalk Café Business Address:	82 Stanton St NY, M 10002
14.	Is there an alternate entrance to your sidewalk café with a different address than your business address?	□ Yes × No
	If Yes, please enter address:	
Side	walk Café Architect or Engineer Information	1
15.	Full Name of Architect or Engineer:	James Tauby
16.	Business Name of Architect or Engineer:	RML Consulting
17.	Address:	70 Mt Vernon Ave #8D
		Patchague, M (1772
18.	Telephone Number:	631-275-5746
19.	Fax Number (optional):	
20.	E-mail Address:	
		Joshua Acheatel
Sidew	alk Café Applicant's Signature	Print Name
100		
1	Yanging Member	1/29/19
Title (	if any)	Date



LICENSING CENTER
42 Broadway, 5th floor
New York, NY 10004
Monday-Friday: 9:00 a.m.-5:00 p.m.
Wednesday: 8:30 a.m.-5:00 p.m.
www.nyc.gov/consumers

## PETITION FOR CONSENT TO USE SIDEWALK SPACE

Applicants for a Sidewalk Café license must petition the City of New York for permission to use public sidewalk space for the construction, maintenance, and operation of the proposed sidewalk café.

Please select the statement that describes you:	I am a new applicant for a Sidewalk Café license and will submit:		
	<ul> <li>Scale drawings to outline the placement of the proposed sidewalk café AND</li> </ul>		
	Proof of consent from the landlord, owner, lessee, or management of the premises for the operation of a sidewalk café		
	☐ I am a current license holder submitting an application to renew my Sidewalk Café license. My DCA license number is:		
Name of Petitioner:	Joshua Acheatel		
Business Title:	Member		
Legal Name of Business:	Epstein's Bar LLC		
Business's Trade or Doing-			
Business-As (DBA) Name, if			
applicable:	Epstein's Bar		
Business's State of Incorporation, if applicable:	· M		
Business Address:	82 Stanton St M. M 10002		
	M, M 10002		

On behalf of the business applying for a Sidewalk Café license from the Department of Consumer Affairs (DCA), I seek permission to use a portion of the public sidewalk in front of the business premises to operate a sidewalk café.

I understand that a DCA Sidewalk Café license does not give my business any right, title, or interest in any part of the sidewalk space approved for use.

I agree to hold harmless the City of New York, its officers and employees, for any loss or damage arising from the use of the public sidewalk or the discontinuance of use resulting from an order, demand, or notice of any governmental agency with jurisdiction.

I understand that DCA and/or any government agency with jurisdiction may revoke my consent to use public sidewalk space at any time for any reason whatsoever. Consent can be revoked for failure to comply with any terms and conditions of the consent or any agreements between my business and the City of New York or for violation of any of the rules and regulations enforced by DCA. I understand there will be no refund of any fees or compensation paid to the City of New York.

I agree to promptly remove any property placed on the sidewalk space or reimburse the City of New York for the cost of moving my business' property upon receipt of any written notice, demand, or order to vacate the sidewalk space from a governmental agency with jurisdiction.

1/21/11

I have read and agree with the terms and conditions outlined above.

I understand that falsification of any statement made herein is an offense punishable by fine or imprisonment or both.

Updated 05/06/2013



42 Broadway New York, NY 10004

Dia! 311 (212-NEW-YORK)

nyc.gov/consumers

# ZERO TOLERANCE POLICY AFFIRMATION

Applicants for a Sidewalk Café license must affirm that they will adopt a zero tolerance policy.

Legal Name of Business:	Epstein's Bar LLC
Business's Trade or Doing-Business-As (DBA) Name, if applicable:	Epstein's Bar
Business Address:	82 Stanton St
	M, M 10002

Effective immediately, my business shall adopt a "zero tolerance" policy, which will prohibit any of my business's key persons, employees, or agents from improperly offering anything of value (including, but not limited to, money, meals, gifts, gratuities, or transportation) to any public employee or official of the City, political subdivision, or governmental entity with which we conduct business. Any key person, employee, or agent of my business found to have violated this policy will be subject to disciplinary action by my business including, if the circumstances warrant, termination of employment, except to the extent prohibited by a lawful collective bargaining agreement.

Joshu Ahead
Prini Name

12111

Date









