



December 24, 2019

Lorelei Salas
Commissioner

42 Broadway
New York, NY 10004

Dial 311
(212-NEW-YORK)

nyc.gov/consumers

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: UKI FREEDOM LLC
D/B/A NAME: BRASSERIE SAINT MARC
ADDRESS: 136 2ND AVE NEW YORK, NY 10003-8308
BOROUGH/STATE/ZIP: Manhattan/NY/10003-8308
APPLICATION #: 13867-2019-ASWC
TYPE: UNENCLOSED
MAXIMUM # OF TABLES: 23
MAXIMUM # OF CHAIRS: 46
BUSINESS CONTACT:
PHONE NUMBER: 2125483959
EMAIL: UKIFREEDOMLLC@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 February 07, 2020.** You may use the enclosed Recommendation Form to submit your recommendation.



13867-2019-ASWC

Sidewalk Café Recommendation Form

TO: NYC Department of Consumer Affairs

FROM: Susan Stetzer

Re: License/Application #: 13867-2019-ASWC
Business Name: UKI FREEDOM LLC
Business Address: 136 2ND AVE NEW YORK, NY 10003-8308

The CB#: 103 recommends the following:

_____ We have "NO OBJECTION" to the stated use.

_____ We have the following "OBJECTIONS" to the stated use.

Signature

Print Name

Title

Date

Email



13867-2019-ASWC

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



13867-2019-ASWC



BASIC LICENSE APPLICATION

Please print.

Section 1 – All applicants

What is your Business's legal structure?

- | | |
|---|--|
| <input type="checkbox"/> Business/General Partnership | <input type="checkbox"/> Limited Partnership |
| <input type="checkbox"/> Corporation | <input type="checkbox"/> Non-Profit |
| <input checked="" type="checkbox"/> Limited Liability Company | <input type="checkbox"/> S-Corporation |
| <input type="checkbox"/> Limited Liability Partnership | <input type="checkbox"/> Sole Proprietorship |

If your Business's legal structure is Sole Proprietorship or if your Business has an individual general partner, complete Sections 1, 2, and 4.

If your Business's legal structure is NOT Sole Proprietorship and your Business does not have an individual general partner, complete Sections 1, 3, and 4.

Business Information

Business Name (The Business Name that you provide must be exactly as filed with the New York State Secretary of State or County Clerk.) UKI FREEDOM LLC			
Doing-Business-As (DBA)/Trade Name (The DBA/Trade Name that you provide must be exactly as filed with the New York State Secretary of State or County Clerk.) BRASSERIE SAINT MARC			
Premises Address (Building Number, Street Name, Apartment/Suite/Other) 136 2ND AVENUE			
City NEW YORK	State NY	ZIP Code 10003	Country/Region MANHATTAN
E-mail (By providing your e-mail address, you consent to receive communications electronically from the Department of Consumer Affairs (DCA), and you affirm that the e-mail listed is a reliable form of communication for you.) ukifreedomllc@gmail.com			
Phone 1 (Primary) (212) 548-3959	Phone 2 (Alternate) ()	Text Telephone (TTY Phone)	Fax ()
Employer Identification Number (EIN) (Required for sole proprietorships with paid employees, corporations, and partnerships) <div style="border: 1px solid black; padding: 2px; display: inline-block;"> 8 1 - 1 2 4 8 2 6 7 </div>		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.) The Sales Tax Identification Number is the 9, 10, or 11-digit number on your New York State Department of Taxation and Finance Certificate of Authority. If you have not received your Certificate of Authority, please enter the 6-digit confirmation number you received when you submitted the application for a Certificate of Authority. <div style="border: 1px solid black; padding: 2px; display: inline-block;"> 8 1 1 2 4 8 2 6 7 - - </div> or <div style="border: 1px solid black; padding: 2px; display: inline-block;"> 8 1 1 2 4 8 2 6 7 </div>	

Business General Partners, Corporate Officers, Shareholders, and Members**Individual #1**

Last Name LEBEDOWICZ	Suffix (Jr., Sr., Esq.) (optional)	First Name GREG	Middle Name (optional) B
Title/Position (Check one box only.) MEMBER	<input type="checkbox"/> Chairman <input type="checkbox"/> Director <input type="checkbox"/> Officer <input type="checkbox"/> President <input type="checkbox"/> Secretary	<input type="checkbox"/> Treasurer <input type="checkbox"/> Trustee <input type="checkbox"/> Vice President <input checked="" type="checkbox"/> Other MEMBER	
Social Security Number or Individual Taxpayer Identification Number [] [] [] - [] [] [] [] [] []		% of Ownership 100%	
Home Address (Building Number, Street Name, Apartment/Suite/Other) 154 N 7TH STREET, APT 202			
City BROOKLYN	State NY	ZIP Code 11249	Country/Region KINGS

Individual #2

Last Name	Suffix (Jr., Sr., Esq.) (optional)	First Name	Middle Name (optional)
Title/Position (Check one box only.)	<input type="checkbox"/> Chairman <input type="checkbox"/> Director <input type="checkbox"/> Officer <input type="checkbox"/> President <input type="checkbox"/> Secretary	<input type="checkbox"/> Treasurer <input type="checkbox"/> Trustee <input type="checkbox"/> Vice President <input type="checkbox"/> Other	
Social Security Number or Individual Taxpayer Identification Number [] [] [] - [] [] [] [] [] []		% of Ownership	
Home Address (Building Number, Street Name, Apartment/Suite/Other)			
City	State	ZIP Code	Country/Region

Business #1

Business Name				
Employer Identification Number (EIN) [] [] - [] [] [] [] [] []			% of Ownership	
Mailing Address (Building Number, Street Name, Apartment/ Suite/Other)				
City	State	ZIP Code	Country/Region	Borough: <input type="checkbox"/> Bronx <input type="checkbox"/> Brooklyn <input type="checkbox"/> Manhattan <input type="checkbox"/> Queens <input type="checkbox"/> Staten Island <input type="checkbox"/> Outside of NYC

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.

Note: The applicant must sign all required documents.

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 / or
- 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 of License Applicant

MEMBER

Title/Position (if any)

GREG B. LEBEDOWICZ

Print Full Name

12/18/2019

Date

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

☐ YES ☒ NO

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.



**Department of
Consumer Affairs**

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.

1. Is there a minimum of 12 feet of sidewalk space for the entire length of the property? ☒ Yes ☐ No
2. Will your café be at an address zoned for the type of sidewalk café you plan to operate? ☒ Yes ☐ No

If you answered "No" to question 1 or 2, you cannot apply for a Sidewalk Café license and must stop the application process.

3. Sidewalk Café Business Name: UKI FREEDOM LLC
BRASSERIE SAINT MARC
4. Sidewalk Café Type: ☐ Enclosed ☐ Small Unenclosed ☒ Unenclosed
Check all that apply.
5. Application Type: ☒ New
☐ Renewal
☐ Assignment (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: 23
7. Maximum number of chairs in your café: 46
8. Block Number: 1007
9. Lot Number: 118
10. Community Board Number: 3 manhattan
11. Will your café be on the same level as the adjoining sidewalk? (*Unenclosed and Small unenclosed only*) ☒ Yes ☐ No

12. Is 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 café? ☐ Yes ☐ No

Sidewalk Café Business Information

13. Sidewalk Café Business Address: 136 2nd AVENUE
NEW YORK, NEW YORK 10003

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: _____

Sidewalk Café Architect or Engineer Information

15. Full Name of Architect or Engineer: ANTHONY GURBALL

16. Business Name of Architect or Engineer: DRAFTMASTER ENGINEERING P.C.

17. Address: 35-38 41st STREET
LONG ISLAND CITY, NY 10001

18. Telephone Number: (718) 433-2550

19. Fax Number (optional): (718) 706-6119

20. E-mail Address: draftmaster@verizon.net


 Sidewalk Café Applicant's Signature

GREG B. LEBEDOWICZ
 Print Name

Member _____
 Title (if any) _____

12/18/19
 Date



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42 Broadway, 5th floor
New York, NY 10004
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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:	<input checked="" type="checkbox"/> I am a new applicant for a Sidewalk Café license and will submit: <ul style="list-style-type: none"> • Scale drawings to outline the placement of the proposed sidewalk café AND • Proof of consent from the landlord, owner, lessee, or management of the premises for the operation of a sidewalk café <input type="checkbox"/> I am a current license holder submitting an application to renew my Sidewalk Café license. My DCA license number is: _____
Name of Petitioner:	
Business Title:	Greg . Lebedowicz
Legal Name of Business:	Member
Business's Trade or Doing-Business-As (DBA) Name, if applicable:	UKI FREEDOM LLC
Business's State of Incorporation, if applicable:	BRASSERIE SAINT MARC
Business Address:	136 2nd Avenue New York, N.Y. 10003

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.

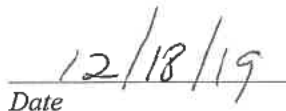
I understand that DCA and/or any government agency with jurisdiction may revoke my consent to use public sidewalk space at any time for any reason whatsoever. Consent can be revoked for failure to comply with any terms and conditions of the consent or any agreements between my business and the City of 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.

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.


Signature


Date



42 Broadway
5th Floor
New York, NY 10004

Dial 311
(212-NEW-YORK)

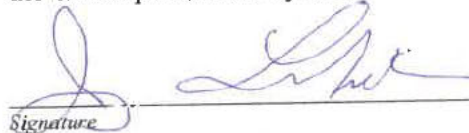
nyc.gov/consumers

ZERO TOLERANCE POLICY AFFIRMATION

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

Legal Name of Business:	UKI FREEDOM LLC
Business's Trade or Doing-Business-As (DBA) Name, if applicable:	BRASSERIE SAINT MARC
Business Address:	136 2ND AVENUE NEW YORK, NY 10003

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.


Signature

MEMBER

Title (if any)

GREG B. LEBEDOWICZ

Print Name

12/18/2019

Date





