

THE CITY OF NEW YORK  
 MANHATTAN COMMUNITY BOARD 3  
 59 East 4th Street - New York, NY 10003  
 Phone (212) 533-5300  
 www.cb3manhattan.org - mn03@cb.nyc.gov

Alysha Lewis-Coleman, Board Chair

Susan Stetzer, District Manager

**Community Board 3 Liquor License Application Questionnaire**

Please bring the following items to the meeting:

**NOTE: ALL ITEMS MUST BE SUBMITTED FOR APPLICATION TO BE CONSIDERED.**

- Photographs of the inside and outside of the premise.
- Schematics, floor plans or architectural drawings of the inside of the premise.
- A proposed food and or drink menu.
- Petition in support of proposed business or change in business with signatures from residential tenants at location and in buildings adjacent to, across the street from and behind proposed location. Petition must give proposed hours and method of operation. For example: restaurant, sports bar, combination restaurant/bar. (petition provided)
- Notice of proposed business to block or tenant association if one exists. You can find community groups and contact information on the CB 3 website:
- Proof of conspicuous posting of notices at the site for 7 days prior to the meeting (please include newspaper with date in photo or a timestamped photo).

Check which you are applying for:

- new liquor license
- alteration of an existing liquor license
- corporate change

Check if either of these apply:

- sale of assets
- upgrade (change of class) of an existing liquor license

Today's Date: May 20, 2021

If applying for sale of assets, you must bring letter from current owner confirming that you are buying business or have the seller come with you to the meeting.

Is location currently licensed?  Yes  No Type of license: \_\_\_\_\_

If alteration, describe nature of alteration: \_\_\_\_\_

Previous or current use of the location: Alegre Restaurant

Corporation and trade name of current license: \_\_\_\_\_

**APPLICANT:**

Premise address: 146 Orchard Street

Cross streets: Bln Allen Essex Sts

Name of applicant and all principals: Atlantic Bar Group LLC

Jonathan Frankel, Brendan Byrnes, Kevin Byrnes

Trade name (DBA): Mary's

**PREMISE:**

Type of building and number of floors: 6 story brick

Will any outside area or sidewalk cafe be used for the sale or consumption of alcoholic beverages?  
(includes roof & yard)  Yes  No If Yes, describe and show on diagram: COVID TEMPORARY USE

Does premise have a valid Certificate of Occupancy and all appropriate permits, including for any back or side yard use?  Yes  No What is maximum NUMBER of people permitted? 74

Do you plan to apply for Public Assembly permit?  Yes  No  
What is the zoning designation (check zoning using map: \_\_\_\_\_ - please  
give specific zoning designation, such as R8 or C2): C4-4A

**PROPOSED METHOD OF OPERATION:**

Will any other business besides food or alcohol service be conducted at premise?  Yes  No  
If yes, please describe what type: \_\_\_\_\_

What are the proposed days/hours of operation? (Specify days and hours each day and hours of outdoor space) 11AM-4AM 7 days per week

Number of tables? 16 Total number of seats? 48

How many stand-up bars/ bar seats are located on the premise? one/16  
(A **stand up bar** is any bar or counter (whether with seating or not) over which a patron can order, pay for and receive an alcoholic beverage)

Describe all bars (length, shape and location): Approx 53' L shaped, Left side

Does premise have a full kitchen  Yes  No?

Does it have a food preparation area?  Yes  No (If any, show on diagram)

Is food available for sale?  Yes  No If yes, describe type of food and submit a menu

What are the hours kitchen will be open? 11 am - 1 am, but food will be available during

Will a manager or principal always be on site?  Yes  No If yes, which? 211 hours of operation

How many employees will there be? 15-18

Do you have or plan to install  French doors  accordion doors or  windows?

Will there be TVs/monitors?  Yes  No (If Yes, how many?) 3

Will premise have music?  Yes  No

If Yes, what type of music?  Live musician  DJ  Juke box  Tapes/CDs/iPod

If other type, please describe \_\_\_\_\_

What will be the music volume?  Background (quiet)  Entertainment level

Please describe your sound system: Ipod general with small speakers

Will you host any promoted events, scheduled performances or any event at which a cover fee is charged? If Yes, what type of events or performances are proposed and how often? No

How do you plan to manage vehicular traffic and crowds on the sidewalk caused by your establishment?

Please attach plans. (Please do not answer "we do not anticipate congestion.") Security will insure that vehicular traffic does not queue up in front of the premises and that crowds do not form on the sidewalk

Will there be security personnel?  Yes  No (If Yes, how many and when) \_\_\_\_\_

How do you plan to manage noise inside and outside your business so neighbors will not be affected?

Please attach plans. Management and staff will insure that the interior of these premises never exceeds ambient background level and security will insure that patrons entering and exiting the

Do you have sound proofing installed?  Yes  No

If not, do you plan to install sound-proofing?  Yes  No

restaurant do not linger and are not loud, the respect for our neighbors is paramount.

#### APPLICANT HISTORY:

Has this corporation or any principal been licensed previously?  Yes  No

If yes, please indicate name of establishment: Synthetic Biologics LLC

Address: 247 Fifth Ave B'klyn NY Community Board # 6 BK

Dates of operation: 2017 - Present

Has any principal had work experience similar to the proposed business?  Yes  No If Yes, please attach explanation of experience or resume. SEE ABOVE

Does any principal have other businesses in this area?  Yes  No If Yes, please give trade name and describe type of business \_\_\_\_\_

Has any principal had SLA reports or action within the past 3 years?  Yes  No If Yes, attach list of violations and dates of violations and outcomes, if any.

Attach a separate diagram that indicates the location (name and address) and total number of establishments selling/serving beer, wine (B/W) or liquor (OP) for 2 blocks in each direction. Please indicate whether establishments have On-Premise (OP) licenses. Please label streets and avenues and identify your location. Use letters to indicate Bar, Restaurant, etc. The diagram must be submitted with the questionnaire to the Community Board before the meeting.

**LOCATION:**

How many licensed establishments are within 1 block? Please see attached

How many On-Premise (OP) liquor licenses are within 500 feet? "

Is premise within 200 feet of any school or place of worship?  Yes  No

**COMMUNITY OUTREACH:**

Please see the Community Board website to find block associations or tenant associations in the immediate vicinity of your location for community outreach. Applicants are encouraged to reach out to community groups. Also use provided petitions, which clearly state the name, address, license for which you are applying, and the hours and method of operation of your establishment at the top of each page. (Attach additional sheets of paper as necessary).

*We are including the following questions to be able to prepare stipulations and have the meeting be faster and more efficient. Please answer per your business plan; do not plan to negotiate at the meeting.*

1. My license type is:  beer & cider  wine, beer & cider  liquor, wine, beer & cider

2.  I will operate a full-service restaurant, specifically a (type of restaurant)

American comfort food restaurant, or

I will operate a \_\_\_\_\_

with a kitchen open and serving food during all hours of operation OR  with less than a full-service kitchen but serving food during all hours of operation OR  Other

3. My hours of operation will be:

Mon 11 AM - 4 AM; Tue 11 AM - 4 AM; Wed 11 AM - 4 AM; Thu 11 AM - 4 AM; Fri 11 AM - 4 AM; Sat 11 AM - 4 AM; Sun 11 AM - 4 AM. (I understand opening is "no later than" specified opening hour, and all patrons are to be cleared from business at specified closing hour.)

4.  I will not use outdoor space for commercial use OR

My sidewalk café hours will be COVID SEATING CLOSING AT MIDNIGHT

5.  I will employ a doorman/security personnel: 6 pm - close, Fridays; Saturdays

6.  I will install soundproofing, Currently exists

7.  I will close any front or rear façade doors and windows at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances, or during unamplified live performances or televised sports.

I will have a closed fixed façade with no open doors or windows except my entrance door will close by 10:00 P.M. or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances, or during unamplified live performances or televised sports.

- 8. I will not have  DJs,  live music,  promoted events,  any event at which a cover fee is charged,  scheduled performances,  more than \_\_\_\_\_ DJs per \_\_\_\_\_,  more than \_\_\_\_\_ private parties per \_\_\_\_\_, 3 number of TVs.
- 9.  I will play ambient recorded background music only.
- 10.  I will not apply for an alteration to the method of operation or for any physical alterations of any nature without first coming before CB 3.
- 11.  I will not seek a change in class to a full on-premises liquor license without first obtaining approval from CB 3.
- 12.  I will not participate in pub crawls or have party buses come to my establishment.
- 13.  I will not have unlimited drink specials, including boozy brunches, with food.
- 14.  I will not have a happy hour or drink specials with or without time restrictions OR  I will have happy hour and it will end by 7pm.
- 15.  I will not have wait lines outside.  I will have a staff person responsible for ensuring no loitering, noise or crowds outside.
- 16.  I will conspicuously post this stipulation form beside my liquor license inside of my business.
- 17.  Residents may contact the manager/owner at the number below. Any complaints will be addressed immediately. I will revisit the above-stated method of operation if necessary in order to minimize my establishment's impact on my neighbors.

Name: Brendan Byrnes  
 Phone Number: (919) 270-7405



146

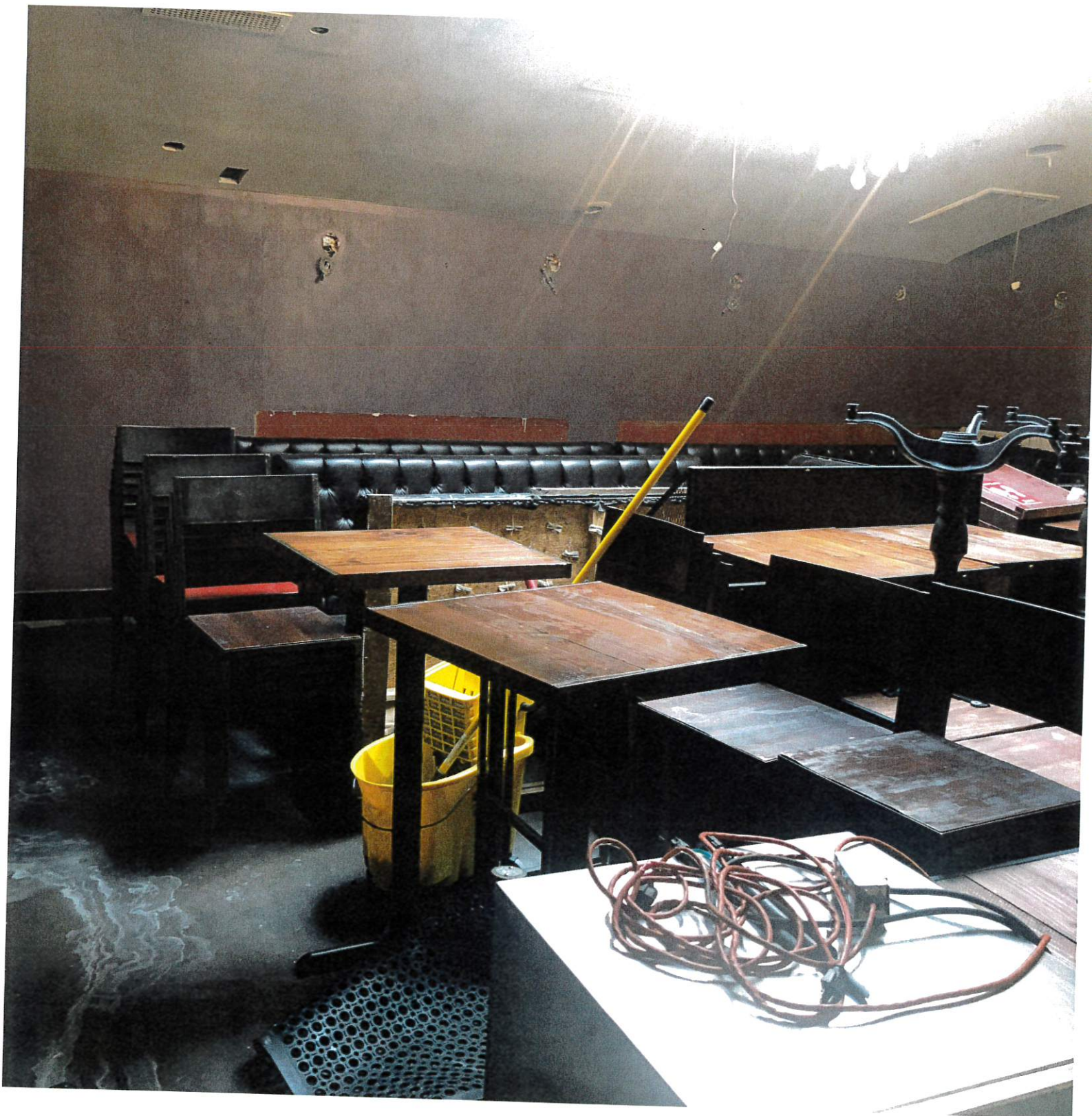
146

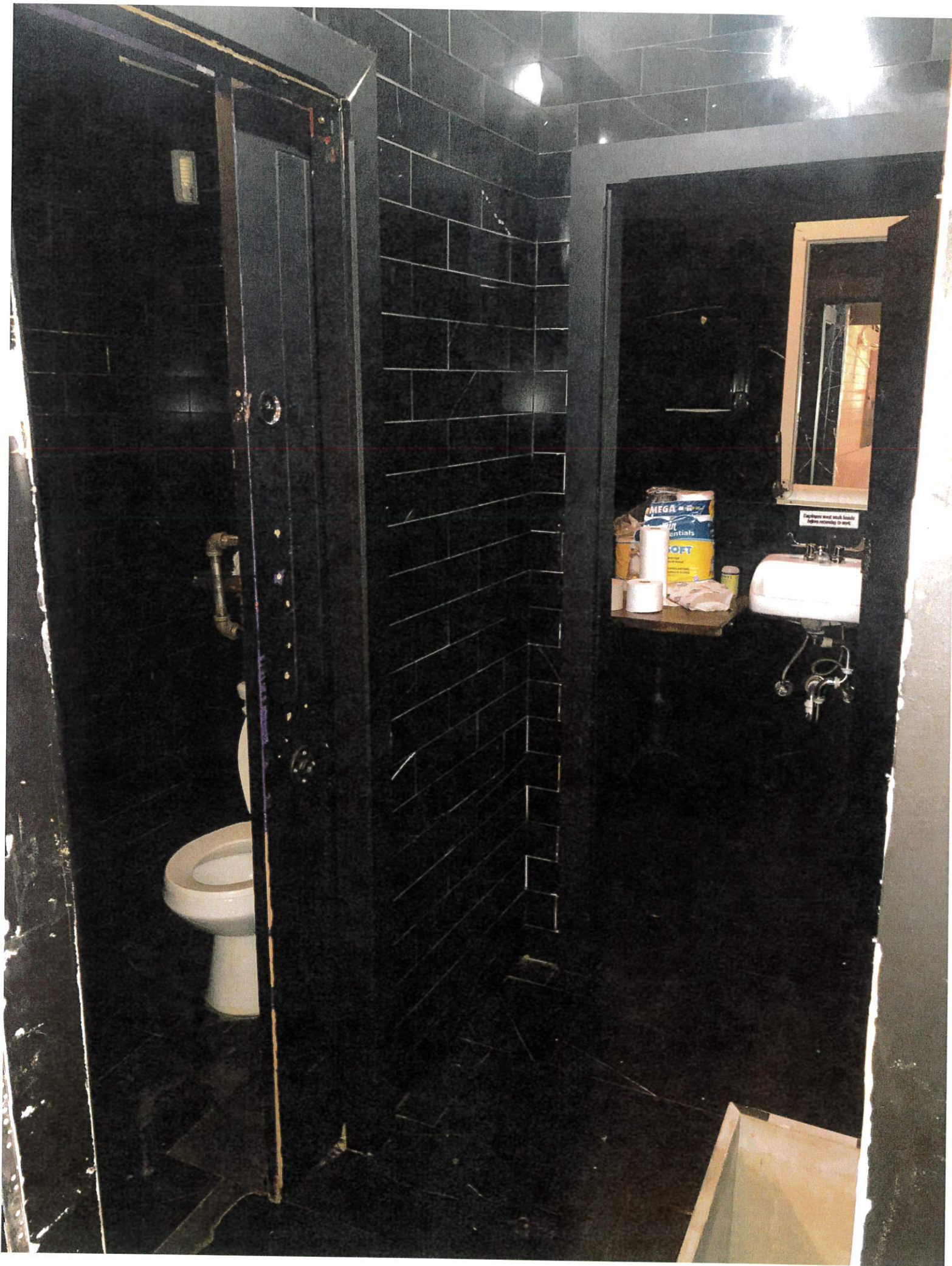
ORBI  
ORBI













Employees must wash hands  
before returning to work











Collective is that I is the same as you  
and when the unrepentant speaks  
I too is listening,  
I've seen the dogs away, smokes (smoke)  
in his teeth... I want to be forward, all  
of a love in the center of the earth  
which the nerve seen but have faith in





# Landess-Simon, Inc.

Legal & Commercial Photography

45 Lawlins Park  
Wyckoff, NJ 07481  
Phone: (201) 848-5652  
E-mail: landess@att.net  
landessphotographers.com

Re: 146 Orchard Street

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1. Cheese Grille - 188 Allen Street - (498')
2. SET L.E.S. - 127 Ludlow Street - (282')
3. Serajina - 98 Rivington Street - (191')
4. Ludlow House - 139 Ludlow Street - (182')
5. Pizza Beach (Lower East) - 167 Orchard Street - (286')
6. Hair of the Dog - 168-170 Orchard Street - (292')
7. Kind Regards - 152 Ludlow Street - (299')
8. Iggy's - 132 Ludlow Street - (225')
9. Verlaine - 110 Rivington Street - (370')
10. Pretty Ricky's - 126 Ludlow Street - (268')
11. Hotel on Rivington - 107 Rivington Street - (343')
12. El Sombrero - 108 Stanton Street - (434')
13. Sauce - 78-84 Rivington Street - (153')
14. Sonny Boy - 65 Rivington Street - (346')
15. Lucky Jack's - 127-129 Orchard Street - (368')
16. Russ & Daughters - 127 Orchard Street - (389')
17. 82 Stanton - 82 Stanton Street - (386')
18. Copper & Oak - 157 Allen Street - (282')
19. No Fun - 161 Ludlow Street - (448')
20. The John Lamb @ Sago Hotel - 119 Orchard Street AKA 120 Allen Street - (491')
21. Kaikagetsu - 162 Orchard Street - (184')
22. Mehanata - 113 Ludlow Street - (405')
23. Wildair - 142 Orchard Street - (201')
24. Contra - 138 Orchard Street - (245')
25. The Orchard Room - 120 Orchard Street - (449')
26. The Whiskey Ward - 121 Essex Street - (453')
27. Ms. Yoo - 163 Allen Street - (307')
28. Son of Essex - 133 Essex Street - (407')
29. Mazaar - 137 Essex Street - (410')
30. Tijuana Picnic - 151 Essex Street - (466')
31. Piano's - 158 Ludlow Street - (363')
32. San Loco - 105 Stanton St. AKA 111 Stanton Street - (435')

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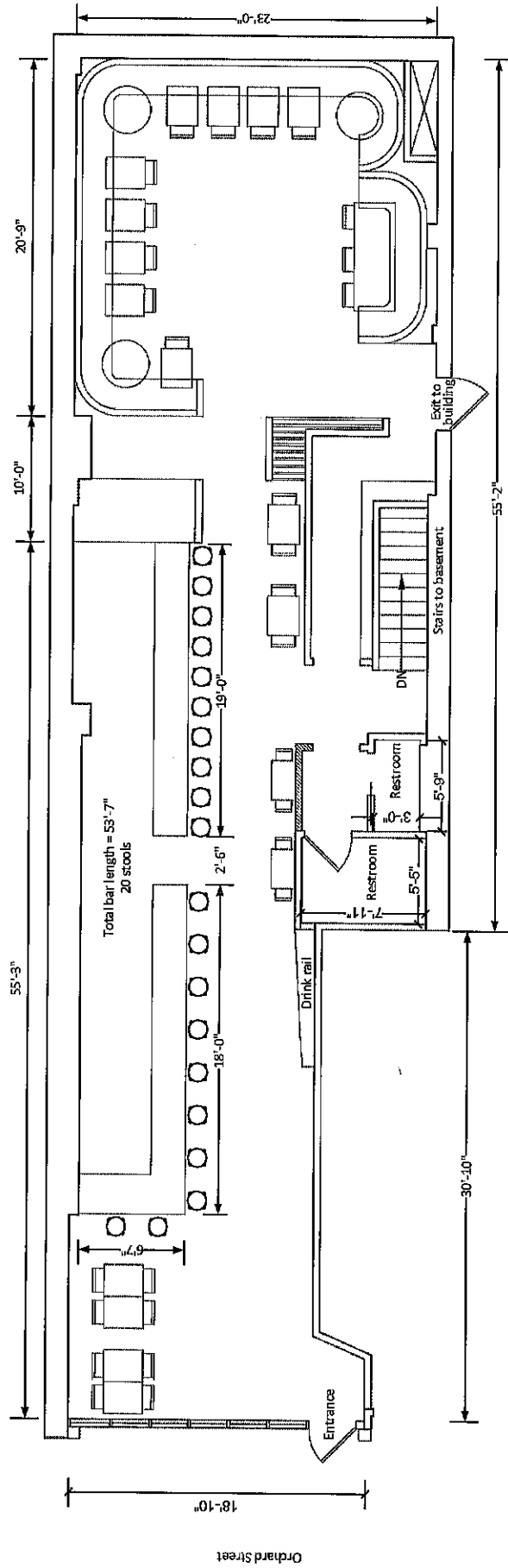
33. The Skinny Bar - 174 Orchard Street - (409')
34. Sakamai - 157 Ludlow Street - (295')
35. The Slipper Room - 167 Orchard St. 2nd Fl. - (325')
36. Arlene's Grocery - 95 Stanton Street - (321')
37. Local 138 - 181 Orchard Street - (499')
38. Lamon Lagok - 143 Orchard Street - (199')
39. Good Thanks Cafe - 131 Orchard Street - (341')

Lower East (Pizza Beach) 167 Orchard St.
Nail Salon ↓
Orchard St. Hotel (wine, beer)
Luggage store
↑
Clothing
Vacant
Gallery
Clothing
Clothing
Vacant
Clothing
Tailor
Hat store
Pizzeria

Orchard Street

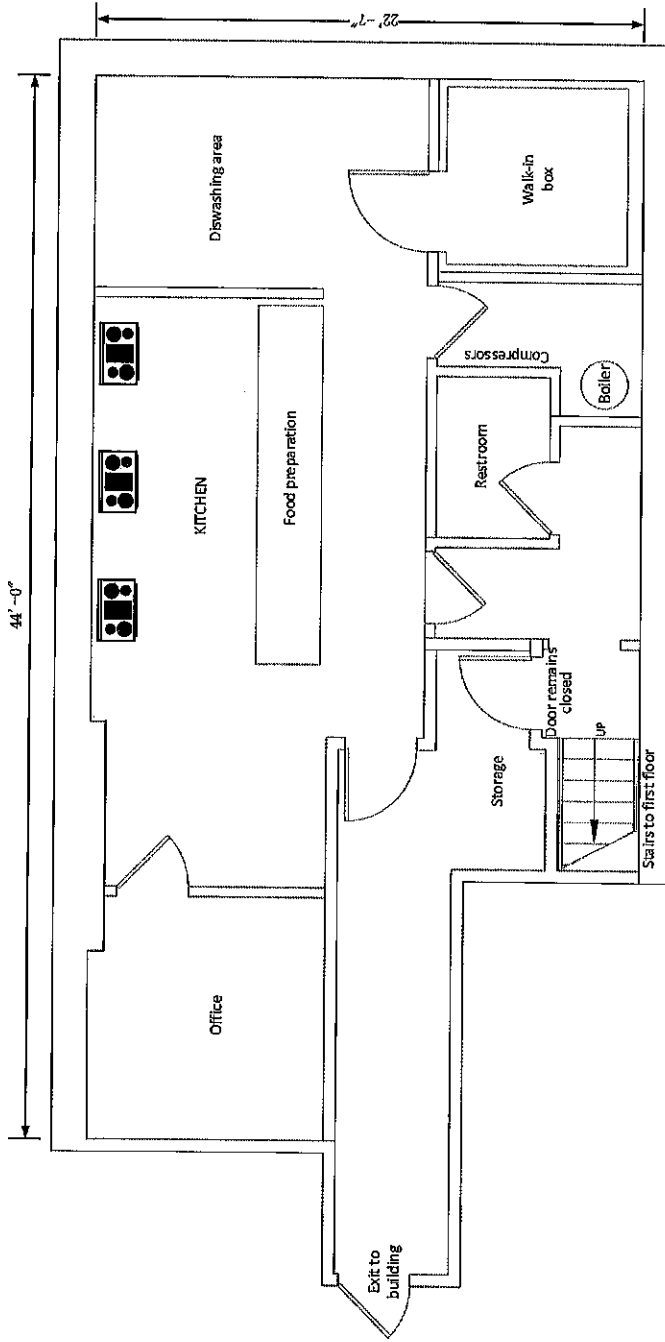
BLOCK PLOT  
 146 Orchard Street  
 New York, NY  
 May 15, 2021  
 NOT TO SCALE

Stanton Street
Hair of the Dog 168-170 Orchard St.
Vape Store
Cleaners
Bakery
Kaikagetsu 162 Orchard St.
Groceries
Desserts
Hemp store
Bakery
Gallery
Vacant
Tzaverna (wine, beer)
Karaoke Boho (wine, beer)
Vacant
Residential
Vacant
Residential
Tattoos
APPLICANT
Clothing
Residential
Trapizzino (wine, beer)
Rivington Street



INTERIOR DIAGRAM – 1<sup>st</sup> Floor  
 (Proposed)  
 146 Orchard Street  
 New York, NY  
 May 27, 2021  
 NOT TO SCALE

21 tables/46 seats



INTERIOR DIAGRAM – Basement  
 146 Orchard Street  
 New York, NY  
 May 27, 2021

NOT TO SCALE

**Mary's  
Restaurant  
Menu**

## Snacks

**Farm Eggs \$5**

Pickled or Deviled

**Smoked Eggplant Dip \$6**

Seasonal Crudités & House Crackers

**Crispy Polenta Fries \$8**

Baked Ricotta & Smoked Tomato Coulis

**Rueben Potstickers \$9**

Katz's Pastrami, Housemade Kraut, Emmentaler Cheese, Sambal 1000 Island

**Hush Puppy Basket \$8**

Fermented Peppers & House Churned Butter

**Pimento Cheese & Pickles \$13**

AKA- The Granma Platter

## Shared Plates

**Shrimp & Grits \$16**

Head on Gulf Shrimp, Smoked Pork Belly, Heirloom Corn

**Smokehouse Cobb \$15**

Local Greens, Smoked Dipalo Farms Turkey, All the Fixin's, Buttermilk Herb

**Spare Rib Basket \$18**

Local Pasture Raised Pork, Cane Vinegar Mustard Lacquer, Sweet Potato

**Fried Chicken Basket \$19**

Brined, Smoked, and Fried Sullivan County Farms Chicken Strips, B&B Pickles, Trio of Dips

## The Main Event

### **Wild Mushroom Gnocchi \$24**

Butternut Squash, Brussels Sprouts, Arugula, Shaved Provolone Picante

### **Hoppin' John \$25**

Cast Iron Upstate Trout, Black Eyed Peas, Collard Greens, Cornbread

### **Steak Frites \$29**

Happy Valley Meat Co. Tri-Tip, Confit Potato, Creamed Kale, Watercress

### **The Smoked Herbivore \$19**

Smoked GreenMarket Vegetables, Farro, Sprouts, Green Goddess

### **BBQ Chicken Platter \$24**

½ Bone In Smoked Chicken, Stewed Okra, Mac & Chz, Alabama White Sauce

### **Smoked Prime Rib \$32**

16oz Dry Aged Ribeye, Crispy Potato Gratin, Grilled Broccolini, Natural Jus

### **Mary's Smash Burger \$21**

Dry Aged Happy Valley Meat Co., Aged Cabot Cheddar, Vidalia Onion Bacon Jam,  
Sesame Seed Bun w/ Tater Tots



## 146 Orchard St

Jonathan Frankel <jfrankel@gmail.com>

19 May 2021 at 14:52

To: Diem Boyd <diemlesdwellers@gmail.com>, Diem <diem@lesdwellers.org>

Cc: Brendan Byrnes <brendan.byrnes@gmail.com>, Kevin Byrnes <kevin.j.byrnes@gmail.com>, Frank Palillo <fwpalillo@gmail.com>

Hey Diem,

Just wanted to follow-up here to see if you might be free at some point this week or next to hop on a call, or to meet somewhere in the neighborhood in person, so we can introduce ourselves.

Hope the week's treating you well. Look forward to hearing from you.

Jonathan, Brendan & Kevin

On Fri, May 14, 2021 at 9:38 AM Jonathan Frankel < > wrote:  
Thank you for the intro Frank.

Diem, would you be free one day next week for us to take you out for a coffee or lunch? We'd love to have the opportunity to meet, to let you know what we have in mind for Mary's, and to get your thoughts. All three of us are fully vaccinated as of mid-March.

Look forward to hearing from you.

Happy Friday,  
Jonathan, Brendan and Kevin

On Thu, May 13, 2021 at 7:13 PM Frank Palillo < > wrote:  
Yes

Be well all, and play nice

gimme oysters and beer, for dinner every day of the year...

**PLEASE NOTE THAT EFFECTIVE SEPTEMBER 29TH, MY NEW OFFICE ADDRESS WILL BE**

On May 13, 2021, at 6:33 PM, Diem Boyd < > wrote:

Hope you are well Frank!

Yes, please. Next month on CB3?

On Thu, May 13, 2021 at 5:04 PM Frank Palillo < > wrote:  
Hello I hope you are well; my clients above will soon be opening Mary's at the above location and I thought you might like to have a conversation

Be well all