



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

Paul Rangel, Board Chair

Susan Stetzer, District Manager

Community Board 3 Liquor License Stipulations for Administrative Approval

I, Tianxiao Shi, as a qualified representative of Fusion NY Catering Service Inc, located at 71 4th Avenue, New York, NY agree to the following stipulations:

- I will operate a full-service restaurant, specifically a (type of restaurant) Asian Fusion (Chinese & Korean food)
 Kitchen open and serving food every night during all hours of operation.
- My hours of operation will be:
 Mon 11:30 AM - 11 PM ; Tue 11:30 AM - 11 PM ; Wed 11:30 AM - 11 PM ;
 Thu 11:30 AM - 11 PM ; Fri 11:30 AM - 11 PM ; Sat 11:30 AM - 11 PM ; Sun 11:30 AM - 11 PM .

(I understand opening is no later than specified opening hour & all patrons are to be cleared from business at specified closing hour)

- I may apply for sidewalk and/or roadbed dining as allowed by the temporary Open Restaurants program but will close all outdoor dining by 10:00pm all days and not have any music, speakers or tv monitors. I will not have commercial use of backyard, sideyard, or rooftop. Any approved outdoor space will close no later than 10:00 p.m.
- 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. 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.
- I will not have DJs, live music, promoted events, any event at which a cover fee is charged, scheduled performances, more than _____ private parties per _____,
- I will play ambient recorded background music only. 0 number of TVs
- 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.
- I will not seek a change in class to a full on-premises liquor license without first obtaining approval from CB 3.
- I will not apply for an upgrade to a full on-premises liquor license for at least one year after my operations begin.
- I will not participate in pub crawls or have party buses come to my establishment.
- I will not have unlimited drink specials, including boozy brunches, with food.
- I will not have a happy hour or drink specials with or without time limitations OR I will have happy hour and it will end by _____. - **Please indicate one of the above** -
- I will not have wait lines outside. I will have a staff person responsible for ensuring no loitering, noise or crowds outside.
- I will conspicuously post this stipulation form beside my liquor license inside of my business.
- 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: Tianxiao Shi Phone Number: (212) 777-1838

16. I will: _____

I hereby certify that the information provided above is truthful and accurate based upon my personal belief.

Signed Tianxiao Shi

Dated 01/20/2022

Sworn to this 20th day of January 2022

Notary Public ELLEN LEE
 Notary Public, State of New York
 No. 01LE6109987
 Qualified in Queens County
 Commission Expires May 24, 2024



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Community Board 3 Liquor License Application Questionnaire

Today's Date: 1/20/2022

APPLICANT

1. Name of applicant and principle(s): Fusion NY Catering Service Inc, Tianxiao Shi (President)
2. Premise address: 71 4th Ave, New York, NY 10003
3. Cross streets: Corner of E 10th St & 4th Ave
4. Trade name (DBA): DM Restaurant
5. Check which you are applying to: New liquor license Alteration of an existing license Sale of assets
6. If alteration, describe nature of alteration: N/A
7. Is location currently licensed? Yes No
8. Type of license: Restaurant Wine
9. Previous or current use of the location: Newly construction bldg
10. Corporation and trade name of current location: Fusion NY Catering Service Inc DBA DM Restaurant
11. Type of building and number of floors: 10-story Mixed Residential and Commercial
12. Does premise have a valid Certificate of Occupancy and all appropriate permits, including for any back or side yard use? Yes No 12a. What is the permitted occupancy indoors and outdoors? 74 max
13. Do you plan to apply for Public Assembly permit? Yes No
14. What is the zoning designation (check zoning using map: <http://gis.nyc.gov/doitt/nycitymap/> - please give specific zoning designation, such as R8 or C2): C6-2A
15. How many licensed establishments are within 1 block? 14
16. How many On-Premise (OP) liquor licenses are within 500 feet? 6
17. Is premise within 200 feet of any school or place of worship? Yes No

PROPOSED METHOD OF OPERATION

18. Describe your method of operation: Full service restaurant
19. Will any other business besides food or alcohol service be conducted at premise? Yes No
20. If yes, please describe what type: N/A
21. What are the proposed days / hours of operation (specify days / hours each day and hours of outdoor space if applicable): N/A
22. Total number of table: 15 23. Total number of seats: 38
24. How many stand-up bars / bar seats are located on the premise? 1
 (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.)

25. Describe all bars (length, shape, and location): 7' x 6.7'
26. Does premise have a full kitchen? Yes No
27. What are the hours kitchen will be open? 11am to 11pm, 7 days
28. What type of food is available for sale? Asian fusion (both Chinese & Korean food)
29. Will a manager or principal always be on site? Yes No If yes, which? Principal
30. How many employees will there be? 10
31. Do you have or plan to install? French doors accordion doors windows NO
32. Will there be TVs / monitors? Yes No If Yes, how many? _____
33. Will premise have music? Yes No 33a. If Yes, what type of music? Live Music Jukebox
 DJ Tapes / CDs / iPod
34. If other type, please describe: N/A
35. What will be the music volume? Background (quiet) Entertainment level
36. Please describe your sound system: _____
37. Will you host any promoted events, scheduled performances or any event at which a cover fee is charged?
 Yes No
38. If Yes, what type of events or performances are proposed and how often? N/A
39. How do you plan to manage vehicular traffic and crowds on the sidewalk caused by your establishment? _____
40. Will there be security personnel? Yes No 40a. If Yes, how many and when? _____
41. How do you plan to manage noise inside and outside your business so neighbors will not be affected? _____
42. Do you have sound proofing installed? Yes No
43. If not, do you plan to install sound-proofing? Yes No

APPLICANT HISTORY

44. Has this corporation or any principal been licensed previously? Yes No If yes, please indicate name of establishment(s): _____
45. Address: _____ 45a. Community Board _____
46. Dates of operation: _____
47. Has any principal had work experience similar to the proposed business? Yes No If yes, explanation of experience or resume.
48. Does any principal have other business in the area? Yes No If yes, give trade name and describe type of business: _____
49. 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.

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.