



OFFICE USE ONLY		
<input type="radio"/> Original	<input type="radio"/> Amended	Date _____

Standardized **NOTICE FORM** for Providing **30-Day Advance Notice** to a **Local Municipality or Community Board**

1. Date Notice Sent: **03/08/2024** 1a. Delivered by: **FedEx with Tracking and Delivery Receipt**

2. Select the type of Application that will be filed with the Authority for an On-Premises Alcoholic Beverage License:

For premises outside the City of New York:

☐ New Application ☐ Removal ☐ Class Change

For premises in the City of New York:

☐ New Application ☒ New Application and Temporary Retail Permit ☐ Renewal ☐ Alteration ☐ Removal

☐ Class Change ☐ Method of Operation ☐ Corporate Change

For **New** and Temporary Retail Permit applicants, answer each question below using all information known to date

For **Renewal** applicants, answer all questions

For **Alteration** applicants, attach a complete written description and diagrams depicting the proposed alteration(s)

For **Corporate Change** applicants, attach a list of the current and proposed corporate principals

For **Removal** applicants, attach a statement of your current and proposed addresses with the reason(s) for the relocation

For **Class Change** applicants, attach a statement detailing your current license type and your proposed license type

For **Method of Operation Change** applicants, although not required, if you choose to submit, attach an explanation detailing those changes

Please include all documents as noted above. Failure to do so may result in disapproval of the application.

This 30-Day Advance Notice is Being Provided to the Clerk of the Following Local Municipality or Community Board:

3. Name of Municipality or Community Board: **Manhattan Community Board 3**

Applicant/Licensee Information:

4. Licensee Serial Number (if applicable): **Pending** Expiration Date (if applicable): _____

5. Applicant or Licensee Name: **HEAVEN'S COOKIES, LLC**

6. Trade Name (if any): **SAUCED GROCER**

7. Street Address of Establishment: **47 SECOND AVE**

8. City, Town or Village: **New York**, NY Zip Code: **10003**

9. Business Telephone Number of applicant/ Licensee: **(718)308-1083**

10. Business E-mail of Applicant/Licensee: **damien@fourhappymen.com**

11. Type(s) of alcohol sold or to be sold: ☐ Beer & cider ☒ Wine, Beer & Cider ☐ Liquor, Wine, Beer & Cider

12. Extent of Food Service: ☒ Full Food menu; full kitchen run by a chef/cook ☐ Menu meets legal minimum food requirements; food prep area required

13. Type of Establishment: **Restaurant (full kitchen and full menu required)**

☐ Seasonal Establishment ☐ Juke Box ☒ Disc Jockey ☒ Recorded Music ☐ Karaoke

14. Method of Operation: (check all that apply) ☐ Live Music (give details i.e., rock bands, acoustic, jazz, etc.): _____

☐ Patron Dancing ☐ Employee Dancing ☐ Exotic Dancing ☐ Topless Entertainment

☐ Video/Arcade Games ☐ Third Party Promoters ☐ Security Personnel

☐ Other (specify): _____

15. Licensed Outdoor Area: ☐ None ☐ Patio or Deck ☐ Rooftop ☐ Garden/Grounds ☐ Freestanding Covered Structure
(check all that apply) ☐ Sidewalk Cafe ☒ Other (specify): **Rear yard**

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16. List the floor(s) of the building that the establishment is located on: **Ground Floor and Basement**
17. List the room number(s) the establishment is located in within the building, if appropriate: _____
18. Is the premises located within 500 feet of three or more on-premises liquor establishments? ☒ Yes ☐ No
19. Will the license holder or a manager be physically present within the establishment during all hours of operation? ☒ Yes ☐ No
20. If this is a transfer application (an existing licensed business is being purchased) provide the name and serial number of the licensee:
- | | |
|-------|---------------|
| _____ | _____ |
| Name | Serial Number |
21. Does the applicant or licensee own the building in which the establishment is located? ☐ Yes (if YES, SKIP 23-26) ☒ No

Owner of the Building In Which the Licensed Establishment is Located

22. Building Owner's Full Name: **HOLLISWOOD2AVE, LLC**
23. Building Owner's Street Address: **1 Rockefeller Center, 11th Floor**
24. City, Town or Village: **New York** State: **NY** Zip Code: **10020**
25. Business Telephone Number of Building Owner: **(347)203-8548**

Representative or Attorney Representing the Applicant in Connection with the Application for a License to Traffic in Alcohol at the Establishment Identified in this Notice

26. Representative/Attorney's Full Name: **Shimpei Kawasaki, Esq.**
27. Representative/Attorney's Street Address: **101 Hudson St. 21st Fl. STE 2178**
28. City, Town or Village: **Jersey City** State: **NJ** Zip Code: **07302**
29. Business Telephone Number of Representative/Attorney: **(917)546-9255**
30. Business E-mail Address of Representative/Attorney: **licensing@kawasakilaw.com**

I am the applicant or licensee holder or a principal of the legal entity that holds or is applying for the license. Representations in this form are in conformity with representations made in submitted documents relied upon by the Authority when granting the license. I understand that representations made in this form will also be relied upon, and that false representations may result in disapproval of the application or revocation of the license.

By my signature, I affirm - under **Penalty of Perjury** - that the representations made in this form are true.

31. Printed Principal Name: **JON DAMIEN DEL RIO** Title: **LLC Member**

Principal Signature: _____



March 8, 2024

Manhattan Community Board No.3
59 E 4th Street,
New York, NY 10003

**RE: Amendment to the On-Premises Restaurant-Wine License
(RW- 341) Application**

Applicant: HEAVEN'S COOKIES, LLC (d/b/a/ SAUCED GROCER)

Address: 47 SECOND AVE, New York, NY 10003

NYS Application ID: NA-0240-23-147212

Serial Number: Pending

Dear Manhattan Community Board 3,

The applicant, HEAVEN'S COOKIES, LLC (the "Applicant"), wishes to amend its New Application of On-Premises Restaurant-Wine License (RW- 341) which was received by the New York Liquor Authority on September 21st, 2023 to include seating structures in their rear yard of the Applicant's premises.

Applicant had earlier met with the Community Board and agreed to the stipulations enclosed, refraining from using outdoor space for commercial purposes due to the absence of a valid certificate of occupancy at the time of the meeting. Since then, Applicant has secured a temporary certificate of occupancy, allowing the use of the rear yard in conjunction with their restaurant business.

Accordingly, Applicant seeks this Community Board's consent to incorporate the use of rear yard into its SLA application.

In support of this letter, Applicants encloses the following:

1. SLA 30 Day Advance Notice;
2. The new diagram; and
3. Certificate of Occupancy;

If you have any questions, please do not hesitate to contact the undersigned.

Thank you for your attention to this matter.



Sincerely,

Kawasaki Law Office PLLC
101 Hudson St. 21st Fl. STE 2178
Jersey City, NJ 07302
Email: shimpei@kawasakilaw.com
Phone: 917-546-9255
Fax: 917-722-2462

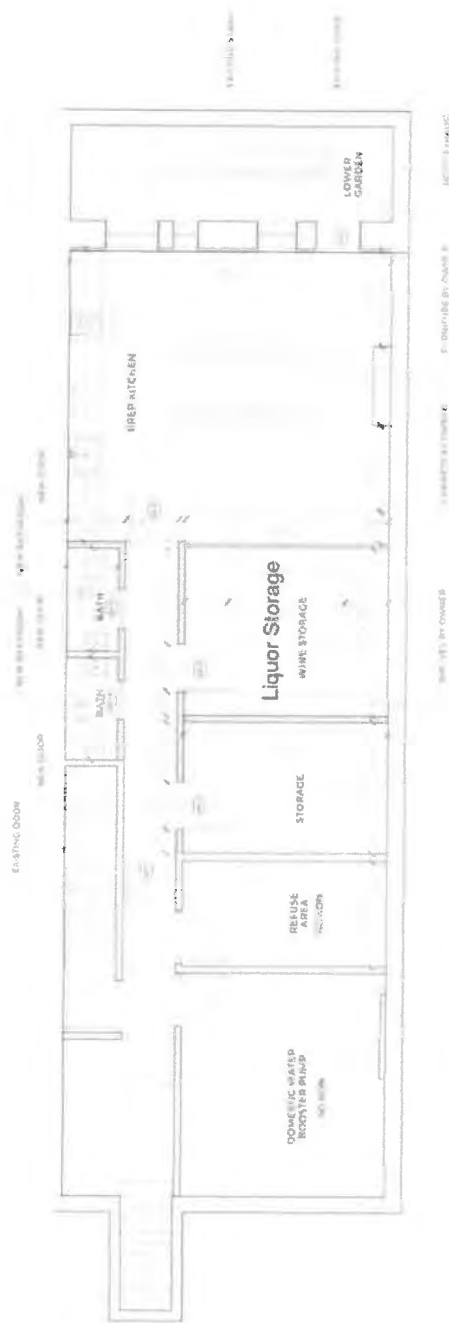
Shimpei Kawasaki, Esq.

Encl.

Heaven's Cookies LLC
47 Second Ave. New York, NY
Diagram



Backyard





Certificate of Occupancy

CO Number: 1077715-0000001

This certifies that the premises described herein conforms substantially to the approved plans and specifications and to the requirements of all applicable laws, rules and regulations for the uses and occupancies specified. No change of use or occupancy shall be made unless a new Certificate of Occupancy is issued. This document or a copy shall be available for inspection at the building at all reasonable times.

A.	Borough: MANHATTAN	Block Number: 458	Full Building Certificate Type:
	Address: 47 SECOND AVENUE	Lot Number(s): 27	Temporary
	Building Identification Number(BIN): 1077715	Additional Lot Number(s):	Date issued: 09/11/2023
	Application Type: Alteration CO		
This building is subject to this Building Code: Prior to 1968			
This Certificate of Occupancy is associated with job# M00520206-11			
B.	Construction Classification: 3 Non-fireproofed Structures (Old Code)		
	Building Occupancy Group classification: RES-Old Code-Residence Buildings		
	Multiple Dwelling Law Classification: Class A-OL-Old Law Tenement		
	No. of stories: 5	Height in feet: 58	No. of dwelling units: 9
C.	Fire Protection Equipment: Fire Alarm System, Sprinkler System		
D.	Parking Spaces and Loading Berths:		
	Open Parking Spaces: 0		
	Enclosed Parking Spaces: 0		
	Total Loading Berths: Not available		
E.	This Certificate is issued with the following legal limitations:		
	Restrictive Declaration: None	Zoning Exhibit: 2021000125885, 2021000125886	
	BSA Calendar Number(s): None	CPC Calendar Number(s): None	
Borough Comments:			

Borough Commissioner

Commissioner

DOCUMENT CONTINUES ON NEXT PAGE



Permissible Use and Occupancy

FLOOR	Occ Group	Max. Persons Permitted	Live Loads (lbs per sq ft)	Zoning Use Group	Dwelling or Rooming Units	Job Reference	Certificate of Occupancy Type	CO Expiration Date
Cellar	R-2	2	OG	2B	0	M00520206	Temporary	12/10/2023
Description of Use: Apartment House accessory refuse room, accessory mechanical and meter rooms, all accessory to residential Exceptions:								
Cellar	B	30	OG	6A	0	M00520206	Temporary	12/10/2023
Description of Use: Business and Service ACCESSORY SPACE TO 1ST FLOOR RESTAURANT Exceptions:								
Open Space	B	24	N/A	6A		M00520206	Temporary	12/10/2023
Description of Use: Business and Service BACKYARD - ACCESSORY TO 1ST FLOOR RESTAURANT Exceptions:								
Floor 1	B	50	80	6A	0	M00520206	Temporary	12/10/2023
Description of Use: Business and Service RESTAURANT Exceptions:								
Floor 4	R-2	N/A	40	2A	1	M00520206	Temporary	12/10/2023
Description of Use: Apartment House (1) type A dwelling unit Exceptions:								
Floor 5	R-2	N/A	40	2A	1	M00520206	Temporary	12/10/2023
Description of Use: Apartment House (1) type A dwelling unit Exceptions:								

DOCUMENT CONTINUES ON NEXT PAGE



Permissible Use and Occupancy

FLOOR	Occ Group	Max. Persons Permitted	Live Loads (lbs per sq ft)	Zoning Use Group	Dwelling or Rooming Units	Job Reference	Certificate of Occupancy Type	CO Expiration Date
Roof	R-2	N/A	60	2B	0	M00520206	Temporary	12/10/2023
Description of Use: Apartment House BULKHEAD AND MECHANICAL EQUIPMENT (NO OCCUPANCY).								
						Exceptions:		

CofO Comments: Zoning exhibit 1: 2021000125885, Zoning exhibit 3: 2021000125886.

Borough Commissioner

Commissioner



Susan Stetzer, District Manager

I, Jon Damien Del Rio, Vincent Marino, as a qualified representative of Heaven's Cookies LLC, located at 47 2nd Avenue, between 2nd and 3rd Streets, New York, NY agree to the following stipulations:

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) cafe/wine bar 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 opening no later than 4:00 P.M. all days and closing by 12:00 A.M. Sunday to Wednesday and 2:00 A.M Thursday to Saturday

4. ☒ I will not use outdoor space for commercial use (including Open Restaurants) which prohibits use of alcohol outside OR
☐ I will close all outdoor dining allowed under the temporary Open Restaurants program and any other subsequent uses by 10:00 P.M. all days and not have any speakers or TV monitors outdoors

5. ☐ I will employ a doorman/security personnel: _____

6. ☒ I will install soundproofing, in consultation with a sound engineer to ensure that sound is not audible in surrounding apartments

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 2 DJs per week, ☐ more than _____ private parties per _____

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 7:00 P.M.

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.

Phone Number: 718 308 1083

18. ☐ I will: _____
I hereby certify that the information provided above is truthful and accurate based upon my personal belief. pg. 20 of 20

Signed 20 day of January 2023

SHENICE CHARLES
NOTARY PUBLIC, STATE OF NEW YORK
01CH8414253
QUALIFIED IN NEW YORK COUNTY
COMMISSION EXPIRES FEBRUARY 16, 2023



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
January 25, 2023

Susan Stetzer, District Manager

New York State Liquor Authority
80 South Swan Street, Suite 900
Albany, New York 12210-8002

Re: Heaven's Cookies LLC
47 2nd Ave
New York, NY 10003

Dear New York State Liquor Authority,

At the January 2023 Full Board Meeting, Community Board 3 passed the following resolution:

**TITLE: Community Board 3 Recommendation To Deny Unless Stipulations Agreed To—
Stipulations Attached**

WHEREAS, Heaven's Cookies LLC doing business as Sauced Grocer is seeking a wine beer license, in the premises located at 47 2nd Avenue, between 2nd and 3rd Streets, New York, New York; and

WHEREAS, this is an application for a café / wine bar with a Letter of No Objection of 70 people, 10 tables and 30 seats with one 13-foot bar with four seats and one 11-foot bar with two seats, a full kitchen, serving food during all hours of operation, playing background-level recorded music only that may be curated by a DJ; and

WHEREAS, this location has never been licensed and is not currently licensed; and

WHEREAS, the applicant has been a restaurant wine license holder for Sauced Rooster LLC doing business as Sauced (331 Bedford Avenue) in Brooklyn Community District 1

since December 2019 where there were four 311 complaints with NYPD action necessary since 2018, and the applicant has zero SLA reports or actions within the last 5 years; and

WHEREAS, one 47 2nd Avenue resident spoke in opposition to this application because of oversaturation and concerns about patrons smoking outside the establishment; and

WHEREAS, 40 residents who live within two blocks of the location signed a petition in favor of the application; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a wine beer license for Heaven's Cookies LLC, for the premises located at 47 2nd Ave, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

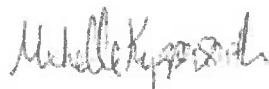
- 1) it will operate as a café / wine bar, with a kitchen open and serving food during all hours of operation,
- 2) its hours of operation will be opening no later than 4:00 P.M. and closing by 12:00 A.M. Sunday to Wednesday and 2:00 A.M Thursday to Saturday,
- 3) it will not use outdoor space for commercial use,
- 4) it will close any front or rear facade 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 non-musical performances, or during unamplified live performances or televised sports,
- 5) it will add soundproofing in consultation with a sound engineer to ensure that sound is not audible in surrounding apartments,
- 6) it will play ambient background music only, consisting of recorded music curated by a DJ or pre-recorded / streamed, and will not have live music, promoted events, scheduled performances or any event at which a cover fee will be charged,
- 7) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 8) it will not host pub crawls or party buses,
- 9) it will not have unlimited drink specials with food,
- 10) it may have "happy hours" until 7:00 P.M. each night,
- 11) it will ensure that there are no wait lines outside and will designate an employee for ensuring no loitering, noise or crowds outside,
- 12) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 13) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints.

Please see the attached supplemental materials and contact the community board office with any questions.

Sincerely,



Paul Rangel, Chair
Community Board 3



Michelle Kuppersmith, Chair
SLA & DCA Licensing Committee

cc: Jon Damien Del Rio