



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

Andrea Gordillo, Board Chair

Susan Stetzer, District Manager

April 7, 2025

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

Re: Tun LLC d/b/a Tuome Application for alteration to add municipal space  
with stipulations: Roadway  
536 East 5<sup>th</sup> Street  
New York, NY 10009

Dear New York State Liquor Authority,

**Community Board 3, Manhattan has no objection to the alteration of Tun LLC d/b/a Tuome at 536 E 5<sup>th</sup> Street, for adding municipal space as long as the agreed upon attached stipulations are added to the license.**

1. Will close all outdoor seating by 10 pm.
2. Will not have music, amplified sound, or TVs outdoors as per Open Dining Guidelines, and will remove all outdoor speakers.
3. ~~For sidewalk seating, business will comply with DOT guidelines. Will have no more than tables and chairs.~~
4. For roadbed seating, will comply with DOT guidelines. Will have 8 tables and 16 chairs.
5. Will have a staff person responsible for ensuring no loitering, noise or crowds outside.
6. Will conspicuously post this stipulation form beside liquor license inside of business.
7. Residents may contact the manager/owner at the number below. Any complaints will be addressed immediately. Will revisit the above-stated method of operation if necessary in order to minimize establishment's impact on neighbors.

Sincerely,

Andrea Gordillo, Chair

Clint Smeltzer, Chair

Cc: Joseph Levey, applicant's representative



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## Community Board 3 Open Dining Stipulations for Administrative Approval

I, Thomas chen, as a qualified representative of TUN LLC d/b/a Tuome,  
located at 536 East 5th Street, New York, NY agree to the following stipulations:

☐ Application for Sidewalk Café ☒ Application for Curbside Dining

1. I will close all outdoor seating by 10 pm.
2. All outdoor dining patrons will be seated at tables.
3. I will not have music, amplified sound, or TVs outdoors as per Open Dining Guidelines, and I will remove all outdoor speakers.
4. For sidewalk seating, I will comply with DOT guidelines. I will have \_\_\_\_\_ tables and \_\_\_\_\_ chairs.
5. For roadbed seating, I will comply with DOT guidelines. I will have 8 tables and 16 chairs.
6. I will have a staff person responsible for ensuring no loitering, noise or crowds outside.
7. I will conspicuously post this stipulation form beside my liquor license inside of my business.
8. 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: Thomas chen Phone Number: (646) 833-7811

9. ☐ I will: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Thomas Chen 2-19-2025

Signed

Sworn to this 19 day of FEB 2025

Dated

S. Stetzer  
Notary Public





Liquor  
Authority

Standardized NOTICE FORM for Providing Notice to a Local Municipality  
for Adding or Removing Contiguous and/or Non-Contiguous Municipal Space

Received

APR 04 2025 30

1. Date Notice Was Sent: 04/03/2025 1a. Delivered by: Overnight Mail, Tracking Number and Proof of Delivery

2. This form must be submitted to the clerk or Local Municipality when filing for a Sunday On-Premises Sales Permit

This Notice is Being Provided to the Clerk of the following Local Municipality

3. Name of Municipality: MANHATTAN COMMUNITY BOARD 3

Licensee Information

4. License Serial Number: 0240-22-100834 5. Permit Date(s): TBD

6. License name: TUN LLC

7. Trade Name (if any): TUOME

8. Street Address of Establishment: 536 E 5TH ST, STORE 2

9. City, Town or Village: NEW YORK, NY Zip Code: 10009

10. Business Telephone Number of Applicant/Licensee: 646-833-7811

11. Business E-mail of Applicant/Licensee: c/o MATTHEW.BOROWIEC@HELBRAUNLEVEY.COM

12. Describe municipal space to be added: DOT ROADWAY CAFE

12a. What date did you apply for a municipal permit? 7/1/24

Representative or Attorney representing the licensee

13. Representative/Attorney's Full Name: JOSEPH LEVEY; HELBRAUN & LEVEY LLP

14. Street Address: 40 FULTON STREET, FLOOR 28

15. City, Town or Village: NEW YORK State: NY Zip Code: 10038

16. Business Telephone Number of Representative/Attorney: 212 219 1193

17. Business Email Address: c/o MATTHEW.BOROWIEC@HELBRAUNLEVEY.COM

I am the licensee that is applying for the permit and I certify that I know the contents of the above application and the statements and answers therein; that the same are true to my knowledge; that I have been authorized, by order of the Board of Directors of said licensee to make the statements and answers in this application on behalf of said licensee with the same force and effect as if said licensee made such statements and answers itself.

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

18. Printed Name: JOSEPH LEVEY Title: ATTORNEY

Signature: X 

The above captioned on-premises licensee is applying for an alteration to their existing license with the State Liquor Authority to sell alcoholic beverages on municipal space.

Please forward any concerns regarding the issuance of the alteration to the attention of  
The New York State Liquor Authority by e-mail [community@sla.ny.gov](mailto:community@sla.ny.gov)

08/20/2024

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Print Form