



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

May 7, 2025

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

Re: Downtown Dining LLC Application for alteration to add municipal space
with stipulations: Sidewalk Cafe
5 Avenue A
New York, NY 10009

Dear New York State Liquor Authority,

Community Board 3, Manhattan has no objection to the alteration of Downtown Dining LLC at 5 Avenue A, 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. All outdoor dining patrons will be seated at tables.
3. Will not have music, amplified sound, or TVs outdoors as per Open Dining Guidelines, and will remove all outdoor speakers.
4. For sidewalk seating, business will comply with DOT guidelines. Will have 21 tables and 58 chairs.
- ~~5. For roadbed seating, will comply with DOT guidelines. Will have tables and chairs.~~
6. Will have a staff person responsible for ensuring no loitering, noise or crowds outside.
7. Will conspicuously post this stipulation form beside liquor license inside of business.
8. 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: Max Bookman, applicant's representative



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Community Board 3 Open Dining Stipulations for Administrative Approval

I, Darin Rubell, as a qualified representative of Downtown Dining LLC
located at 5 Avenue A, 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 no more than 21 tables and 58 chairs.
5. For roadbed seating, I will comply with DOT guidelines. I will have no more than tables and 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: Darin Rubell Phone Number: 646-490-6004

9. ☐ I will:

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

Signed

Sworn to this 7 day of MAY 2021

5/7/2025

Dated

Jeffrey Rubell
Notary Public

