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

Community Board 3 Liquor License Stipulations for Administrative Approval

1. ☒ MIER WANG, as a qualified representative of AYS SUSHI LLC
located at 120 ST MARKS PLACE, New York, NY agree to the following stipulations:

1. ☐ I will operate a full-service restaurant, specifically a ____ SUSHI RESTAURANT__
☐ Kitchen open and serving food every night during all hours of operation.

2. My hours of operation will be:
Mon 5PM - 12AM; Tue 5PM - 12AM; Wed 5PM - 12AM; Thu 5PM - 12AM; Fri 5PM - 12AM; Sat 5PM - 12AM; Sun 5PM - 12AM

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

3. ☐ I may apply for sidewalk and/or roadbed dining as allowed by the temporary Open Restaurants program but will close all outdoor dining by 10:00 p.m. 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.

4. ☐ 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.

5. I will not have ☐ DJs, ☐ live music, ☐ live events, ☐ any event at which a cover fee is charged, ☐ scheduled performances, ☐ more than _____ private parties per _____

6. ☐ I will play ambient recorded background music only, ☐ number of TVs.

7. ☐ 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.

8. ☐ I will not seek a change in class to a full on-premises liquor license without first obtaining approval from CB 3.

9. ☐ I will not apply for an upgrade to a full on-premises liquor license for at least one year after my operations begin.

10. ☐ I will not participate in pub crawls or have party buses come to my establishment.

11. ☐ I will not have unlimited drink specials, including boozy brunches, with food.

12. ☐ 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**

13. ☐ I will not have wait lines outside. ☐ I will have a staff person responsible for ensuring no loitering, noise or crowds outside.

14. ☐ I will conspicuously post this stipulation form beside my liquor license inside of my business.

15. ☐ 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: MIER WANG

Phone Number: 269-598-0939

16. ☑ I will:

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

Signed: ___________________________

Dated: 7/27/2022

Sworn to this ___ day of July, 2022

Rosemary A. McEneny
Notary Public

Notary Public

ROSEMARY A MCKENNA
Notary Public, State of New York
No. 01MC635474
Qualified in Bronx County
Commission Expires January 7, 2023
Community Board 3 Liquor License Application Questionnaire for Administrative Approval

Today's Date: ______________________

APPLICANT
1. Name of applicant and principle(s): AYS SUSHI LLC
2. Premise address: 120 ST. MARKS PLACE NY NY 10009
3. Cross streets: 1ST AVE - AVE A
4. Trade name (DBA): TBD
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: ____________________________
7. Is location currently licensed? ☐ Yes ☑ No
8. Type of license: (restauran
9. Previous or current use of the location: RESTAURANT
10. Corporation and trade name of current location: EMPTY - FORMERLY SUSHI MARSHMALLOWS
11. Type of building and number of floors: MIXED USE 7 FLOORS
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? 24
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/nycymap/ - please give specific zoning designation, such as R8 or C2): R8B
15. How many licensed establishments are within 1 block? 16
16. How many On-Premise (OP) liquor licenses are within 500 feet? 26
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: SUSHI RESTAURANT
19. Will any other business besides food or alcohol service be conducted at premise? ☐ Yes ☑ No
20. If yes, please describe what type: _______________________________________
21. What are the proposed days / hours of operation (specify days / hours each day and hours of outdoor space if applicable): MON - 5PM-12AM TUES - 5PM-12AM WED 5PM-12AM THURS 5PM-12AM FRI 5PM-2AM SAT 5PM-2AM SUN 5PM-12AM
22. Total number of table: 2 23. Total number of seats: 8
24. How many stand-up bars / bar seats are located on the premise? 1 with 6 seats
   (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.)

Revised: December 2019
25. Describe all bars (length, shape, and location): 12′ STRAIGHT IN SEATING AREA

26. Does premise have a full kitchen? ☑ Yes □ No

27. What are the hours kitchen will be open? 5AM - 12AM 7 days a week

28. What type of food is available for sale? SUSHI + JAPANESE CUISINE

29. Will a manager or principal always be on site? ☑ Yes □ No If yes, which? MANAGER

30. How many employees will there be? 10 - 15

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

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: NA

35. What will be the music volume? ☑ Background (quiet) □ Entertainment level

36. Please describe your sound system: IPAD + SMALL SPEAKERS

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? NA

39. How do you plan to manage vehicular traffic and crowds on the sidewalk caused by your establishment? THE MANAGER WILL MONITOR THE OUTSIDE

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? THE MUSIC WILL BE KEPT LOW AND THE MANAGER WILL MONITOR THE LEVELS

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): TABE TOMO / TOMO TOMO

45. Address: 151 AVE A / 152 W 52ND ST. 45a. Community Board CB3 / CB4

46. Dates of operation: 12/19 - PRESENT / 6/20 - PRESENT

47. Has any principal had work experience similar to the proposed business? ☑ Yes □ No If yes, explanation of experience or resume. THE OWNERS HAVE OPERATED THE ABOVE LISTED ESTABLISHMENTS

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.

Revised: December 2019
IMMERSIVE DINNER MENU

AMUSE BOUCHE  TBD

RICE SHOWCASE  History of rice in Japan, white rice as a luxury, origins of Mr. Moto’s Rice, how is our rice prepared?

OMAKASE  ORIGINS
Oshizushi in Oshibako with a history less on the origins of sushi

SILVER ON THE OCEAN FLOOR
SHIMA SUZUKI - striped bass
HIRAME - fluke
KAMPACHI - amberjack

DANCING QUEEN OF THE SEA
IKA - Squid Dish

CIRCLE OF LIFE
IKURA - Salmon roe
MASUNOSUKE- King Salmon
[MISO SOUP - salmon bones miso soup]

*Customers will be provided a postcard and fountain pen during this course to write a letter to anyone. Mr. Moto will post and mail*

SHELLFISH
HOTATE- Scallop
AKA EBI- Shrimp
UNI- Sea urchin (SUSTAINABLE UNI FROM URCHINOMICS)

TUNA FLIGHT
AKAMI- Lean Tuna
TORO- fatty tuna
OTORO - most fatty Tuna

CODA
WAGYU
ANAGO - Sea eel
MAKIMONO - hand roll

DESSERT  TBD
Certificate of Occupancy

CO Number: 104410120T035

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
   Address: 120 ST MARKS PLACE
   Building Identification Number (BIN): 1005832
   Block Number: 00435
   Lot Number(s): 24
   Certificate Type: Temporary
   Effective Date: 12/22/2020
   Expiration Date: 03/22/2021

   Building Type: Altered

   For zoning lot metes & bounds, please see BISWeb.

B. Construction classification: 3
   (Prior to 1968 Code)
   Building Occupancy Group classification: R-2
   Multiple Dwelling Law Classification: OL
   No. of stories: 6
   Height in feet: 60
   No. of dwelling units: 10

C. Fire Protection Equipment:
   None associated with this filing.

D. Type and number of open spaces:
   None associated with this filing.

E. This Certificate is issued with the following legal limitations:
   None

   Outstanding requirements for obtaining Final Certificate of Occupancy:
   There are 14 outstanding requirements. Please refer to BISWeb for further detail.

   Borough Comments: None

   Borough Commissioner
   Commissioner

DOCUMENT CONTINUES ON NEXT PAGE
Permissible Use and Occupancy

All Building Code occupancy group designations are 1968 designations, except RES, COM, or PUB which are 1938 Building Code occupancy group designations.

<table>
<thead>
<tr>
<th>Floor From To</th>
<th>Maximum persons permitted</th>
<th>Live load lbs per sq. ft.</th>
<th>Building Code occupancy group</th>
<th>Dwelling or Rooming Units</th>
<th>Zoning use group</th>
<th>Description of use</th>
</tr>
</thead>
<tbody>
<tr>
<td>001</td>
<td>40</td>
<td>RES</td>
<td></td>
<td>2</td>
<td>2</td>
<td>RESIDENTIAL LOBBY</td>
</tr>
<tr>
<td>001</td>
<td>74</td>
<td>100</td>
<td>COM</td>
<td>6, 6</td>
<td></td>
<td>STORES</td>
</tr>
<tr>
<td>002</td>
<td>40</td>
<td>RES</td>
<td></td>
<td>2</td>
<td>2, 2</td>
<td>TWO CLASS &quot;A&quot; APARTMENTS</td>
</tr>
<tr>
<td>003</td>
<td>40</td>
<td>RES</td>
<td></td>
<td>2</td>
<td>2</td>
<td>TWO CLASS &quot;A&quot; APARTMENTS</td>
</tr>
<tr>
<td>004</td>
<td>40</td>
<td>RES</td>
<td></td>
<td>2</td>
<td>2</td>
<td>TWO CLASS &quot;A&quot; APARTMENTS</td>
</tr>
<tr>
<td>005</td>
<td>40</td>
<td>RES</td>
<td></td>
<td>2</td>
<td>2</td>
<td>TWO CLASS &quot;A&quot; APARTMENTS</td>
</tr>
<tr>
<td>006</td>
<td>40</td>
<td>RES</td>
<td></td>
<td>1</td>
<td>2</td>
<td>TWO LOWER HALVES OF CLASS &quot;A&quot; APARTMENTS</td>
</tr>
<tr>
<td>PT1</td>
<td>40</td>
<td>RES</td>
<td></td>
<td>1</td>
<td>2</td>
<td>TWO UPPER HALVES OF CLASS &quot;A&quot; APARTMENTS</td>
</tr>
</tbody>
</table>

END OF SECTION

Borough Commissioner

Commissioner

END OF DOCUMENT