

**The Incorporated Village of
Sea Cliff ~ Nassau County ~ New York**

APPLICATION FOR LICENSE TO CONDUCT, MAINTAIN OR OPERATE,
OR ENGAGE IN THE BUSINESS OF CONDUCTING, MAINTAINING OR
OPERATING, A CABARET, DISCOTHEQUE, OR SIMILAR PLACE OF
ENTERTAINMENT WITHIN THE VILLAGE OF SEA CLIFF.

I. Proof of permitted use required.

Prerequisite to and simultaneously with the filing of this application, the applicant shall file proof with the Village that the premises have a valid and currently effective certificate of pre-existing use authorizing the use and occupancy of the premises as a bar, restaurant, or other similar type of business legally permitted by and operating in accordance with the Zoning Ordinance of the Village of Sea Cliff.

II. Information required (All applicable questions must be answered).

1. The name, age and residence address of each applicant, and, if there are more than one (1) and they are partners, the partnership name and the age and residence address of each partner.

Daniel J. Roth, 52, 185 Glen Avenue, Sea Cliff, NY 11579

Raymond Capone Jr. 53, 141 12th Ave, Sea Cliff, NY 11579

Dram One Inc, DBA Still Partners

2. If the applicant is a stock corporation, the names and the residence addresses of its directors or other governing body, the names and residence address of its officers and, except in the discretion of the Village Board, the stockholders and the state under whose laws it is organized.

Daniel J. Roth, 185 Glen Avenue, Sea Cliff, NY 11579 / President

Raymond Capone Jr. 141 12th Ave, Sea Cliff, NY 11579

3. The street number of the premises to be licensed, if the premises has a street and number; otherwise state such description as will reasonably indicate the location thereof.

225 Sea Cliff Avenue, Sea Cliff, NY 11579

4. The name and address of the building or premises wherein or whereon the licensed premises is located.

225 Sea Cliff Avenue, Sea Cliff, NY 11579, South East Corner of Sea Cliff Ave. & Roslyn Ave.

5. Indicate whether the applicant is a lessee and, if so, the name and residence address of the lessor.

Dram One is leasing the space at 225 Sea Cliff Avenue from:

Phil Huntington, 9 Glenola Ave, Sea Cliff, NY 11579

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11. A description of the physical characteristics and appurtenances of the premises where the proposed business is to be conducted.

20 foot bar, 3 booths, 9 tables, 2 exits.

SIGNATURE OF APPLICANT

Daniel J. Roth



State of New York
County of Nassau

JENNIFER GERRITY
NOTARY PUBLIC, State of New York
No. 01GE6393557
Qualified in Nassau County
Commission Expires 06/17/2023

Sworn to before me this 6th
day of Dec., 2021



NOTARY PUBLIC

Permit Denied _____ Issued _____ Permit Number _____ Date _____
Amount of fee paid _____ Date _____ Receipt # _____

Signed: Marianne Lennon - Village Clerk



LAURA CURRAN
NASSAU COUNTY EXECUTIVE

NASSAU COUNTY DEPARTMENT OF HEALTH
Office of Food Protection



LAWRENCE E. EISENSTEIN, MD, MPH, FACP
COMMISSIONER OF HEALTH

PERMIT

To Operate a
Restaurant

This is to certify that
DRAM ONE INC

the operator of
STILL PARTNERS

at

**225 SEA CLIFF AVENUE
SEA CLIFF, NY 11579**

Located in the *VILLAGE* of *SEA CLIFF* in *NASSAU* County
is granted permission to operate said establishment in compliance with the provisions
of **Subpart 14-1 of the State Sanitary Code** and
under the following conditions:

(1) This permit is granted subject to any and all applicable State, Local and Municipal Laws,
Ordinances, Codes, Rules and Regulations.

Effective Date **May 31, 2021**

Permit is **NON-TRANSFERABLE**

DONALD P IRWIN

Permit Issuing Official

This permit expires on **May 31, 2022** and may be revoked or suspended for cause.

THIS PERMIT SHOULD BE POSTED CONSPICUOUSLY

Facility Code **07700-02**

Permit Number **F0770002**

Operation ID **842670**

FOR PARTNERS

INCORPORATED VILLAGE OF SEA CLIFF



PREVENTION INSPECTOR

BUILDING

DANGEROUS AND UNLAWFUL

87 PERSONS IS

OCCUPANCY BY MORE THAN

License No. 201902

INCORPORATED VILLAGE OF SEA CLIFF

SEA CLIFF, NEW YORK

CABARET LICENSE

FINDINGS OF FACT

1. **DANIEL J. ROTH** and **RAYMOND CAPONE JR.** have applied to the Board of Trustees for a license pursuant to Chapter 50 of the Code of the Village of Sea Cliff (the "Village Code") to conduct, maintain or operate, or engage in the business of conducting, maintaining or operating, a cabaret, discotheque, or similar place of entertainment at premises located at 225 Sea Cliff Avenue, Sea Cliff, New York (the "Subject Premises"), which is part of premises designated as Section 21, Block 137, Lots 1283, 1284 and 1329, inclusive, on the Nassau County Land and Tax Map (the "Property"). The Property, which is located on the southeast corner of Sea Cliff Avenue and Roslyn Avenue and extends southward to the northeast corner of Roslyn Avenue and 12th Avenue, contains multiple uses, including retail stores, a restaurant and apartment. The applicants seek a license for the restaurant located at the Subject Premises. The Subject Premises and the Property are located in a Business A Zoning District.
2. The Property is owned by Philip Huntington and is leased to Dram One Inc. Daniel J. Roth and Raymond Capone Jr. are the principals of Dram One Inc. The restaurant will be known as Still Partners.
3. Applicants submit that the Premises has a maximum of 32 seats and may accommodate an additional 5 staff members with a permitted occupancy of 87 people, including staff and patrons awaiting service. In accordance with the Nassau County Fire Marshal regulations, the total permitted occupancy may not exceed 87 persons.
4. Applicants have requested a license for Thursdays and Fridays from 7pm-11pm and Saturdays from 12pm to 11pm and one floating day per week.
5. Nearby residents addressed the application.
6. There is information in the Village records that indicates that the premises have permission to use the premises as a pub type use.

CONCLUSIONS OF LAW AND LICENSE CONDITIONS

1. To use the Premises as proposed, an application must be made for a license pursuant to Chapter 50 of the Village Code.
2. The Board has considered the application and the testimony presented at the public hearing, and finds that the application should be granted subject to the conditions set forth herein.

3. The Board hereby directs the Village Clerk to issue a License to applicants, **DANIEL J. ROTH** and **RAYMOND CAPONE JR.**, pursuant to the provisions of Village Code chapter 50, subject to the following conditions:
 - a. Music shall be permitted on Thursdays and Fridays from 7pm-11pm and Saturdays from 12pm to 11pm and one floating day per week. If a floating day is to be used, the licensee must notify the Village Clerk in writing no less than one week prior to the proposed date.
 - b. The music shall be performed at a sufficiently low volume level, and the Premises shall contain sufficient sound attenuation or baffling, so as to permit persons located directly outside the building to speak in a modulated voice and be heard by others with whom they are conversing over the volume of the music. Sound proofing material, devices or modifications shall be added as necessary to satisfy this condition.
 - c. No tables or chairs shall be moved to accommodate dancing while music is playing. The pool table may be moved to accommodate musical performers.
 - d. All music shall be performed inside the restaurant, and all musicians and equipment shall be located inside the building. The staging for the music will take place in the back of the restaurant. The applicants will provide sound equipment, which shall be set up within the bar, and shall have full control of the volume of the music at all times. Performers will only be permitted to use their own instruments, as the sound equipment will be as provided above. The ceiling shall be soundproofed.
 - e. No shows, other entertainment or karaoke of any nature is permitted.
 - f. No cover charge shall be permitted in connection with the music.
 - g. All doors and windows in the restaurant area shall be kept closed during the performance hours except for normal and customary ingress and egress of patrons.
 - h. Applicants shall obtain all necessary municipal approvals, and shall comply with all orders, rules, regulations and laws of municipal agencies, including the Nassau County Fire Marshal and Nassau County Department of Health.
 - i. Applicants shall submit a verified statement from Raymond Capone Jr. to acknowledge that service made on Daniel J. Roth of any notices or summons issued by the Village or any Village designated employee with respect to violations of any law or any violation of the conditions set forth herein shall be deemed service upon Raymond Capone Jr. The statement shall be co-signed by both co-applicants.
 - j. Applicants shall provide additional noise attenuation features, if determined to be required by the building department either prior to the commencement, or during the term, of this license.
 - k. Compliance with all conditions and restrictions set forth in Village Code chapter 50.
1. Pursuant to Village Code §50-8, the License shall be effective from February 1, 2019 through January 31, 2022.

2. Based upon the representations of the applicants and the specific nature and intensity of the proposed use, the Board has granted the License requested with appropriate conditions. In accordance with the provisions of chapter 50, the License granted herein shall be limited to the applicants and the currently proposed use of the Premises. The License shall not be transferred or assigned to any other person or used by any person other than the applicants, nor shall the License be used for any location other than the Premises. Any change of ownership or in the operator of the restaurant or any change or modification of the use, even though the general nature of the modified use shall be similar or identical to the present use for a restaurant, shall require re-application to the Board.
3. Given the proximity of the firehouse to the premises, applicants shall control performers, deliveries and set up and take down in a manner that does not create any obstruction on Roslyn Avenue.
4. The application is a Type II matter under the State Environmental Quality Review Act, the Board is the lead agency, and no further environmental review is required to be undertaken by the Board.

Dated: Sea Cliff, New York
January 14, 2019

Incorporated Village of Sea Cliff



Edward Lieberman, Mayor



Marianne Lennon, Village Clerk