

NEW YORK STATE LIQUOR AUTHORITY
FULL BOARD AGENDA
MEETING OF 10/29/2025
REFERRED FROM: COUNSEL'S OFFICE

10/29/2025-065

REASON FOR REFERRAL
REQUEST FOR DIRECTION

REQUEST FOR DECLARATORY
RULING-
200' LAW APPLICABILITY
15 EAST 15TH STREET
NEW YORK, NY 10003

The Members of the Authority at their regular meeting held at the Zone I New York City Office on 10/29/2025 determined:

FRANK W. PALILLO
COUNSELLOR AT LAW

SIXTY BROAD STREET
SUITE 6504
NEW YORK, NEW YORK 10004
(212) 227-1640
FAX: (212) 648-1724
E-mail: fwpalillo@gmail.com

SHANNON KEARNEY SARFOH, ESQ.
General Counsel to the Authority

June 18, 2025

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

Re: Request for Declaratory Ruling for
15 East 15th Street, New York, New York
Most Recent Active License Marco Polo Caterers Inc, License ID No. 0340-22-110272, expiration date
of November 30, 2024.

Dear Counsel Kearney Sarfoh:

I most respectfully request a declaratory ruling as to whether the premises, 15 East 15th Street, New York, New York, may be licensed as a result of the "grandfather" provision of the 200 foot Law. I write as the attorney for the Landlord of these premises, AJAX LLC.

It is undisputed that these premises are located within two hundred feet of The Clinton School, at 10 East 15th Street, New York, New York, 90 feet to be precise. As stated above, I am seeking a ruling as to whether the location may be licensed as a result of the "grandfathering" provision of the 200 foot Law.

These ground floor and basement premises, located at 15 East 15th Street, New York City, New York, have been licensed since on or about February 2001 (Maro Polo Caterers Inc d/b/a Tocqueville) and continuously, by that licensee, up until the license expired on November 30, 2024.

After forty (40) years as a middle school located on West 33rd Street, The Clinton School moved to its present location at 10 East 15th Street in September of 2015, and expanded to include classes 6-12. As stated above, the school is now located ninety (90') feet from these premises.

Marco Polo Caterers Inc, License ID #0340-22-110272, opened for business on or about February 2001 and was continuously operated by the same tenant until November of 2024.

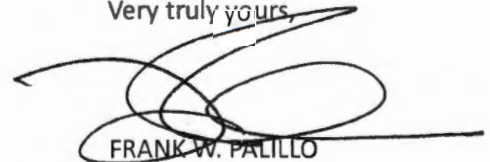
There have been no intervening uses or tenancies since Marco Polo Caterers Inc vacated the premises. That these premises have been vacant since mid-November 2024, and they have not been rented or used for any other purpose. The premises are currently leased to Sushi Aozora Inc, by lease dated November 11, 2024, with Sushi Aozora Inc taking possession on or about December 1, 2024. Sushi Aozora Inc filed an application with the Authority on February 5, 2025.

I have attached, as "Exhibit A", an affidavit dated June 19, 2025 from AJAX LLC, signed by Joseph Regele, the managing member of the Landlord Company, attesting to the fact that the premises were vacant from the time of Marco Polo Caterers Inc's surrender of the premises to the time that Sushi Aozora Inc took possession of the restaurant.

I am seeking a declaratory ruling that, since there has been no intervening use of these premises since the expiration of the last license, Marco Polo Caterers Inc, that the premises may, as a result of the "grandfather" provision of the 200 foot Law, again be classified as being continually licensed since February 2001.

Thank you for your courtesy and cooperation.

Very truly yours,



FRANK W. PALILLO

NEW YORK STATE LIQUOR AUTHORITY
FULL BOARD AGENDA
MEETING OF 10/29/2025
REFERRED FROM: COUNSEL'S OFFICE

06/25/2025-063C (OVER)
09/18/2025-063B (OVER)
10/29/2025-065A

REASON FOR REFERRAL
REQUEST FOR DIRECTION

REQUEST FOR DECLARATORY
RULING- WHOLESAL LICENSEE
TO HOLD MULTIPLE WHOLESAL
LICENSES FOR DIFFERENT
COMMODITIES AT THE SAME
OFFICE

The Members of the Authority at their regular meeting held at the Zone I New York City Office on 06/25/2025 determined:

Item held over to the 09/18/2025 Full Board meeting at the request of Counsel's Office for the requestor to provide more information.

The Members of the Authority at their regular meeting held at the Zone I New York City Office on 09/18/2025 determined:

Elke Hoffmann, Esq. appeared

Keven Danow, Esq. appeared in support

Item held over to the 10/29/2025 Full Board meeting at the request of the requestor's attorney

The Members of the Authority at their regular meeting held at the Zone I New York City Office on 10/29/2025 determined: