

Jo Hamilton, *Chair*
Bo Riccobono, *First Vice Chair*
Sheelah Feinberg, *Second Vice Chair*
Bob Gormley, *District Manager*



Erin Roeder, *Treasurer*
Susan Kent, *Secretary*
Elaine Young, *Assistant Secretary*

COMMUNITY BOARD No. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org

Greenwich Village • Little Italy • SoHo • NoHo • Hudson Square • Chinatown • Gansevoort Market

February 22, 2010

Jonathan Mintz, Commissioner
NYC Department of Consumer Affairs
42 Broadway
New York, NY 10004

Dear Commissioner Mintz:

At its Full Board meeting on February 18, 2010, CB#2-Man., adopted the following resolutions:

New App. for revocable consent to operate an Enclosed sidewalk café for:

1. **Andikiana Corp. d/b/a Silver Spurs, 490-494 LaGuardia Pl**, Manhattan Block:525, Lot:56, Precinct 6, with 20 tables & 40 seats, DCA# 1326707 – Laid Over from January

Whereas, the area was posted, community groups notified and there was community correspondence regarding this new application, and the applicant, Andrew Persousis, was present, and,

Whereas, this lot has frontage of 18.75 feet on the Houston St. side and depth of 98 feet along LaGuardia Place, with one buildings of four stories, built in 1900 (est), with 0 residential units of a total 7 units in a Commercial and Office Buildings area; Zoning: R7-2 Zoning Map #12C, and

Whereas, the applicant has been at this location for 15 years, owns the building in which the restaurant and café resides and has come forward with this request as a means of staying competitive in an area increasingly more dense with restaurants and sidewalk cafes, and

Whereas, the applicant owns two other restaurants, Bully's and Silver Spurs at Broadway and 9th St., in this district, and

Whereas, this is the first enclosed sidewalk café on LaGuardia Place and is located on a heavily traveled intersection, and

Whereas the benefit of an open sidewalk café to the community in adding ambience and liveliness to the street is lost when the café is enclosed, and

Whereas enclosing an outdoor café in this location will result in a stifling of the liveliness of this street, and

Whereas the structure will restrict visibility at this busy location, and

Whereas, there is community opposition expressed by the Board of the Bleecker Area Merchants and Residents Association in a letter presented to this committee, a second letter received by a community resident and in the testimony of three other community residents attending the hearing, and

Whereas, the plans show insufficient clearance on the LaGuardia side between grates and boundary of Enclosed Sidewalk Café, and

Whereas, the most often cited objection from the community members was concern that this application for an enclosed sidewalk café would establish a precedent for others to follow in this area, and

Whereas, the committee was equally divided regarding the issue of precedence and the principle of evaluating merit on a case-by-case basis, but did agree that this was not a good location for an enclosed café, and

Whereas, the applicant was unwilling to reduce the size of this café, especially on the Houston St. side where it would affect sidewalk congestion and traffic the most,

THEREFORE BE IT RESOLVED that Manhattan Community Board #2 recommends **DENIAL** of this application for a **New App. for revocable consent to operate an Enclosed sidewalk café for Andikiana Corp. d/b/a Silver Spurs, 490-494 LaGuardia Pl, Manhattan Block:525, Lot:56, Precinct 6, with 20 tables & 40 seats, DCA# 1326707**

VOTE: Unanimous, with 37 Board members in favor.

New App. For revocable consent to operate an Unenclosed sidewalk café for:

- 2. Friendly Foods LLC, d/b/a Pulino's Bar & Pizzeria, 282 Bowery, Southwest corner @ Houston St., Manhattan Block:507, Lot:25, Police Precinct:5, with 13 tables & 40 seats, DCA# 1343045**

Whereas, the area was posted, community groups notified and there were no community members present regarding this new application, and the applicant and expeditor, Michael Kelly, were present, and

Whereas, this lot has frontage of 37.5 feet on the Bowery side, with one buildings of four stories, built in 1900 (est), with 3 residential units of a total 4 units in an area of Industrial and Manufacturing use; Zoning: C6-1, Zoning Map #12C, in the Little Italy Special Zoning District - <http://www.nyc.gov/html/dcp/pdf/zone/art10c09.pdf>, pg 30, and

Whereas, this applicant has entered into an agreement with the residential tenants of this building which they agreed to attach to this resolution, and

Whereas, this committee raised concern for the café presence at this very heavily travelled intersection of Bowery and Houston and recommended a reduction of tables on the Houston St side nearest to the crosswalks, and

Whereas, the applicant has agreed to submit a revised plan reducing this application to 11 tables and 35 seats, and

Whereas, the applicant has agreed to close the sidewalk café at Midnight 7 days a week,

THEREFORE BE IT RESOLVED that Manhattan Community Board #2 recommends APPROVAL of this application for a **New App. for revocable consent to operate an Unenclosed sidewalk café for Friendly Foods LLC, d/b/a Pulino's Bar & Pizzeria, 282 Bowery, Southwest corner @ Houston St., Manhattan Block:507, Lot:25, Police Precinct:5, with 11 tables & 35 seats, DCA# 1343045** CONDITIONAL UPON the submission of a revised plan showing the reduction in tables and seats and the seven day closing at Midnight.

Please note: "The practice of installing and utilizing speakers and outside audio, especially with sidewalk cafes, is Illegal. CB#2 will be practicing a zero tolerance policy regarding this practice. This is an advance warning. Thank you for your compliance."

VOTE: Unanimous, with 37 Board members in favor.

3. **New Restart Inc, 145 Mulberry St., betw Grand & Hester Sts,** Manhattan Block:236, Lot:22, Police Precinct:5, with 6 tables & 12 seats, DCA# 1342588.

Whereas, the area was posted, community groups notified and there were no community members present regarding this new application, and the applicant's expeditor, Michael Kelly, was present, and

Whereas, this lot has frontage of 50.42 feet, with one buildings of six stories, built in 1915, with 25 residential units of a total 26 units in an area of Multi-Family Elevator Buildings; Zoning: C6-2G, Zoning Map #12C, in the Little Italy Special Zoning District - <http://www.nyc.gov/html/dcp/pdf/zone/art10c09.pdf>, pg 30, and

Whereas, this was the former Terra Mina restaurant location which also had a sidewalk café, and

Whereas, there is now a recently installed MuniMeter in close proximity to the sidewalk plan that may not allow sufficient 8 foot clearance,

THEREFORE BE IT RESOLVED that Manhattan Community Board #2 recommends APPROVAL of this application for a **New App. for revocable consent to operate an Unenclosed sidewalk café for New Restart Inc, 145 Mulberry St., betw Grand & Hester Sts,** Manhattan Block:236, Lot:22, Police Precinct:5, with 6 tables & 12 seats, DCA# 1342588, CONDITIONAL UPON the sidewalk plan complying with the new MuniMeter OR the relocation of the MuniMeter.

Please note: "The practice of installing and utilizing speakers and outside audio, especially with sidewalk cafes, is Illegal. CB#2 will be practicing a zero tolerance policy regarding this practice. This is an advance warning. Thank you for your compliance."

VOTE: Unanimous, with 37 Board members in favor.

4. **Emilia, Inc. d/b/a L'Ulivo, 184 Spring St.,** at Thompson St. Manhattan, Block:489, Lot:25, Police Precinct:1, with 5 tables & 10 seats, DCA# 1342907

Whereas, the area was posted, community groups notified and there were no community members present regarding this new application, and the applicant, Ahmed Alavion, was present, and

Whereas, this lot has frontage of 50 feet, with one buildings of two stories, built in 1915, with 0 residential units of a total 2 units in an area of Commercial and Office Buildings; Zoning: R7-2; Commercial Overlay C1-5, Zoning Map #12A. Landmark Building:No; Historic District:No

Whereas, this is a new application because the previous consent had lapsed, and

Whereas, this application adds one table and two chairs to the previous sidewalk plan, and

Whereas, the applicant agrees to adhere to this plan, and to display the DCA permit sign,

THEREFORE BE IT RESOLVED that Manhattan Community Board #2 Sidewalks Committee recommends APPROVAL of this application for a **New App. for revocable consent to operate an Unenclosed sidewalk café for Emilia, Inc. d/b/a L'Ulivo, 184 Spring St.**, at Thompson St. Manhattan, Block:489, Lot:25, Police Precinct:1, with 5 tables & 10 seats, DCA# 1342907

Please note: "The practice of installing and utilizing speakers and outside audio, especially with sidewalk cafes, is Illegal. CB#2 will be practicing a zero tolerance policy regarding this practice. This is an advance warning. Thank you for your compliance."

VOTE: Unanimous, with 37 Board members in favor.

5. **Summit of the World Inc. d/b/a Bone Lick Park, 75 Greenwich Ave.**, Corner of W 11th St. Manhattan, Block:614, Lot:61, Police Precinct:6, with 10 tables & 20 seats, DCA# 1343008.

Whereas, the area was posted, community groups notified and there were no community members present regarding this new application, and the applicant, Lily Halevy, was present, and

Whereas, this lot has frontage of 77 feet, with one buildings of six stories, built in 1920, with 41 residential units of a total 48 units in an area of Multi-Family Elevator Buildings; Zoning: C2-6C1-6; Zoning Map #12A. Landmark Building: Yes; Historic District: Greenwich Village

Whereas, this is a new application for a previously existing sidewalk café, renewed in March 2008, because ownership has recently changed but all else remains the same, and

Whereas, the sidewalk café operates from 11 am to 11pm seven days a week,

THEREFORE BE IT RESOLVED that Manhattan Community Board #2 recommends APPROVAL of this application for a **New App. for revocable consent to operate an Unenclosed sidewalk café for Summit of the World Inc. d/b/a Bone Lick Park, 75 Greenwich Ave.**, Corner of W 11th St. Manhattan, Block:614, Lot:61, Police Precinct:6, with 10 tables & 20 seats, DCA# 1343008.

Please note: "The practice of installing and utilizing speakers and outside audio, especially with sidewalk cafes, is Illegal. CB#2 will be practicing a zero tolerance policy regarding this practice. This is an advance warning. Thank you for your compliance."

VOTE: Unanimous, with 37 Board members in favor.

6. **Fig & Olive Thirteen Street, LLC, 420 W. 13th St.**, betw 9th Ave and Washington Sts., Manhattan, Block: 645, Lot:29, Police Precinct: 6with 17 tables & 34 seats, DCA# 1343247.

Whereas, the area was posted, community groups notified and there were no community members present regarding this new application, and the applicant, Laurent Halasz was represented, and

Whereas, this lot has frontage of 144 feet, (thru lot to Little West 12th) with one building of three stories, built in 1901, with 0 residential units of a total 34 units in an area of Commercial and Office Buildings; Zoning: M1-5; Zoning Map #8B. Landmark Building: Yes; Historic District: Gansevoort Market, and

Whereas, the previous sidewalk café consent ended in April and this is a new application for the same entity, and

Whereas, this application does intend to use natural gas heaters and does represents that they do have the requisite DOB and Fire Dept permits, and,

THEREFORE BE IT RESOLVED that Manhattan Community Board #2 recommends APPROVAL of this application for a **New App. for revocable consent to operate an Unenclosed sidewalk café for Fig & Olive Thirteen Street, LLC, 420 W. 13th St.**, betw 9th Ave and

Washington Sts., Manhattan, Block: 645, Lot:29, Police Precinct: 6with 17 tables & 34 seats, DCA# 1343247

***Please note:** “The practice of installing and utilizing speakers and outside audio, especially with sidewalk cafes, is Illegal. CB#2 will be practicing a zero tolerance policy regarding this practice. This is an advance warning. Thank you for your compliance.”*

VOTE: Unanimous, with 37 Board members in favor.

7. **Olio Restaurants, LLC, d/b/a/ Gusto, 3 Greenwich Ave.,** betw Sixth Ave and Christopher St, Manhattan, Block: 593, Lot:13, Police Precinct: 6, with 28 tables & 58 seats, DCA# 1344146.

Whereas, the area was posted, community groups notified and there were no community members present regarding this new application, and the applicant, Emil Stefuov and re[representative, Steve Wygoda were present, and

Whereas, this lot has frontage of 85 feet, with one building of one story, built in 1960, with 0 residential units of a total 8 units in an area of Commercial and Office Buildings; Zoning:C4-5 R6; *Special Purpose District*; Zoning Map #: 12C. Landmark Building: Yes; Historic District: Greenwich Village, and

Whereas, the applicant produced 32 signatures in favor of this sidewalk café application, and

Whereas, there is an unusually wide sidewalk at this heavily travelled location, and

Whereas, the applicant does not intend to utilize natural gas heaters for this large café and will not employ sandwich boards,

THEREFORE BE IT RESOLVED that Manhattan Community Board #2 recommends APPROVAL of this application for a **New App. for revocable consent to operate an Unenclosed sidewalk café for Olio Restaurants, LLC, d/b/a/ Gusto, 3 Greenwich Ave.,** betw Sixth Ave and Christopher St, Manhattan, Block: 593, Lot:13, Police Precinct: 6, with 28 tables & 58 seats, DCA# 1344146.

***Please note:** “The practice of installing and utilizing speakers and outside audio, especially with sidewalk cafes, is Illegal. CB#2 will be practicing a zero tolerance policy regarding this practice. This is an advance warning. Thank you for your compliance.”*

VOTE: Unanimous, with 37 Board members in favor.

8. **151 Mulberry St. Corp., dba Il Pallazzo, 151 Mulberry St.** betw. Grand & Hester Sts, Manhattan, Block:236, Lot: 20, Police Precinct: 5, with 6 tables & 13 seats, DCA# 1343752.

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant’s expeditor, Michael Kelly, was present, and

Whereas, this lot has frontage of 20.08 feet, with two buildings of three stories, built in 1900 (est) with 2 residential units of a total 3 units in an area of Mixed Residential and Commercial Buildings; Zoning: C6-2G, Zoning Map #12C,in the Little Italy Special Zoning District - <http://www.nyc.gov/html/dcp/pdf/zone/art10c09.pdf>, pg 30, and

Whereas, there was a previous revocable consent issued to this restaurant, which was withdrawn, in 2008, and

Whereas, this is a Landmarked building originally owned by the Stabile Brothers but has recently been sold to the Italian American Museum, and

Whereas, the Italian American Museum has now given this lessee permission to operate a sidewalk café, a requirement of the DCA application, and

Whereas, the new sidewalk café plan utilizes the area in front of the building occupied by Il Palazzo, only,

THEREFORE BE IT RESOLVED that Manhattan Community Board #2 recommends APPROVAL of this application for a **New App. for revocable consent to operate an Unenclosed sidewalk café for 151 Mulberry St. Corp., dba Il Pallazzo, 151 Mulberry St. betw. Grand & Hester Sts, Manhattan, Block:236, Lot: 20, Police Precinct: 5, with 6 tables & 13 seats, DCA# 1343752**

***Please note:** “The practice of installing and utilizing speakers and outside audio, especially with sidewalk cafes, is Illegal. CB#2 will be practicing a zero tolerance policy regarding this practice. This is an advance warning. Thank you for your compliance.”*

VOTE: Unanimous, with 37 Board members in favor.

9. **Cereli Inc., d/b/a Mole, 57 Jane St. , northeast corner Hudson St.,** Manhattan, Block: 626, Lot: 21, Police Precinct: 6, **with 7 tables & 16 seats, DCA# 1343516.**

Whereas, the area was posted, community groups notified and there were community members present regarding this application, a letter of testimony from the Jane St. Block Association and the applicant, Nicola Cervera and expeditor, Michael Kelly, were present, and

Whereas, this lot has frontage of 18 feet, on Hudson St., with one building of four stories, built in 1920 with 3 residential units of a total 4 units in an area of Mixed Residential and Commercial Buildings; Zoning: C1-6, Zoning Map #8B. Landmark Building: Yes, Historic District: Greenwich Village

Whereas, this is a new establishment and a new owner at this location that did previously have a sidewalk café, and

Whereas, there were three community members present to deliver testimony attesting to the increasing impact of the Gansevoort area establishments on the quality of life on these blocks on Hudson St., and

Whereas, there was apprehension that this establishment might increase the practice of patrons lingering on sidewalks and stoops, and

Whereas, the applicant has agreed to establish an ongoing dialogue with the Jane St. Block Association through Paula Federson, of 51 Jane St., in relation to the operation of this sidewalk café, and

Whereas, the applicant has agreed to post notices asking for respect to resident neighbors,

THEREFORE BE IT RESOLVED that Manhattan Community Board #2 recommends APPROVAL of this application for a **New App. for revocable consent to operate an Unenclosed sidewalk café for Cereli Inc., d/b/a Mole, 57 Jane St. , northeast corner Hudson St.,** Manhattan, Block: 626, Lot: 21, Police Precinct: 6, **with 7 tables & 16 seats, DCA# 1343516.**

***Please note:** “The practice of installing and utilizing speakers and outside audio, especially with sidewalk cafes, is Illegal. CB#2 will be practicing a zero tolerance policy regarding this practice. This is an advance warning. Thank you for your compliance.”*

VOTE: Unanimous, with 37 Board members in favor.

10. PJ's of Little Italy, Inc. d/b/a Pelligrino's, 138 Mulberry St., btw Grand & Hester Sts.,
Manhattan, Block:237, Lot:7501, Police Precinct: 5, **with 7 tables & 14 seats, DCA# 1343750.**

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, and expeditor, Michael Kelly, was present, and

Whereas, this lot has frontage of **124.75**, with one building of six stories, built in 1915 with 0 residential units of a total 11 units in an area of Commercial and Office Buildings; Zoning: C6-2G, Zoning Map #12C. Landmark Building: No; Historic District: No (Little Italy Special District) <http://www.nyc.gov/html/dcp/pdf/zone/art10c09.pdf>, pg 30

Whereas, this is a new application as a result of new ownership, but the café and operation remain the same, and

Whereas, there are no complaints associated with this location,

THEREFORE BE IT RESOLVED that Manhattan Community Board #2 recommends APPROVAL of this application for a **New App. for revocable consent to operate an Unenclosed sidewalk café for PJ's of Little Italy, Inc. d/b/a Pelligrino's, 138 Mulberry St., btw Grand & Hester Sts.,** Manhattan, Block:237, Lot:7501, Police Precinct: 5, **with 7 tables & 14 seats, DCA# 1343750.**

***Please note:** "The practice of installing and utilizing speakers and outside audio, especially with sidewalk cafes, is Illegal. CB#2 will be practicing a zero tolerance policy regarding this practice. This is an advance warning. Thank you for your compliance."*

VOTE: Unanimous, with 37 Board members in favor.

11. Cornelia Street Café, Inc. d/b/a Cornelia Street Café, 29 Cornelia St., betw West 4th and Bleecker, Manhattan, Block:590, Lot:45, Police Precinct:6,with 6 tables & 14 seats, DCA# 0786740.

Whereas, the area was posted, contiguous neighborhood associations alerted by e-mail and there were no community members present and no others submitting of written testimony; and the applicant, Robin Hirsch, was present, and,

Whereas, this lot has frontage of 42.17 feet on Cornelia St. where the sidewalk café is placed, with one building of six stories, built in 1910 (est) with 28 residential units of a total 30 units in an area of Multi-Family Walk-Up Buildings, Zoning:R6, Zoning Map #12A, and

Whereas, this café has operated for more than 12 years, was last renewed in April 2007, and there are no complaints,

THEREFORE BE IT RESOLVED that Manhattan Community Board #2 recommends APPROVAL of this application for a Renewal **App. for revocable consent to operate an Unenclosed sidewalk café for Cornelia Street Café, Inc. d/b/a Cornelia Street Café, 29 Cornelia St.,** betw West 4th and Bleecker, Manhattan, Block:590, Lot:45, Police Precinct:6,with 6 tables & 14 seats, DCA# 0786740

***Please note:** "The practice of installing and utilizing speakers and outside audio, especially with sidewalk cafes, is Illegal. CB#2 will be practicing a zero tolerance policy regarding this practice. This is an advance warning. Thank you for your compliance."*

VOTE: Unanimous, with 37 Board members in favor.

12. Jo-Rach Inc., d/b/a Palermo, 148 Mulberry St., at Grand St., Manhattan, Block:237, Lot:12, Police Precinct: 5, with 3 tables & 10 seats, DCA# 0920440.

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, and the owner, Juliana Delutro was represented, and

Whereas, this lot has frontage of 51 feet, with one building of six stories, built in 1900 with 20 residential units of a total 23 units in an area of Mixed Residential and Commercial Buildings; Zoning: C6-2G, Zoning Map #12C. Landmark Building: No; Historic District: No (Little Italy Special District) <http://www.nyc.gov/html/dcp/pdf/zone/art10c09.pdf>, pg 30, and

Whereas, this applicant has been operating in this location since 1973, and

Whereas, there are no complaints

THEREFORE BE IT RESOLVED that Manhattan Community Board #2 recommends APPROVAL of this application for a Renewal **App. for revocable consent to operate an Unenclosed sidewalk café for Jo-Rach Inc., d/b/a Palermo, 148 Mulberry St.,** at Grand St., Manhattan, Block:237, Lot:12, Police Precinct: 5, with 3 tables & 10 seats, DCA# 0920440.

Please note: “The practice of installing and utilizing speakers and outside audio, especially with sidewalk cafes, is Illegal. CB#2 will be practicing a zero tolerance policy regarding this practice. This is an advance warning. Thank you for your compliance.”

VOTE: Unanimous, with 37 Board members in favor.

13. **7th & Barrow, LLC d/b/a Sushi Samba #7, 87 7th Ave South and 22 Barrow St., Manhattan,** Block: **591**, Lot: **34 and 36**, Police Precinct: **6**, with 20 tables & 40 seats, DCA# 1253042.

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, and the owner was represented by Gina Wren, and

Whereas, these lots have frontage of 73.6 feet, with two buildings of one story, built in 1900 and 1920 with 0 residential units of a total 3 units in an area of Commercial and Office Buildings; Zoning: C4-5, Zoning Map #12A. **Landmark Building:** Yes; **Historic District:** Greenwich Village, and

Whereas, all issues presented at the last renewal in June 2007 have been resolved and there are no current complaints,

THEREFORE BE IT RESOLVED that Manhattan Community Board #2 recommends APPROVAL of this application for a Renewal **App. for revocable consent to operate an Unenclosed sidewalk café for 7th & Barrow, LLC d/b/a Sushi Samba #7, 87 7th Ave South and 22 Barrow St., Manhattan,** Block: **591**, Lot: **34 and 36**, Police Precinct: **6**, with 20 tables & 40 seats, DCA# 1253042.

Please note: “The practice of installing and utilizing speakers and outside audio, especially with sidewalk cafes, is Illegal. CB#2 will be practicing a zero tolerance policy regarding this practice. This is an advance warning. Thank you for your compliance.”

VOTE: Unanimous, with 37 Board members in favor.

14. **Panzi Enterprises, LLC, d/b/a Panca, 92 7th Ave. South,** btw Grove & Bleecker Sts. Manhattan, Block: **591**, Lot: **10**, Police Precinct: **6**, with 13 tables & 36 seats, DCA# 1250013.

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, and the owner was NOT represented, and

Whereas, this lot has frontage of 86.5 feet, with one building of three story, built in 1910 (est), with 6 residential units of a total 10 units in an area of Mixed Residential and Commercial Building;

Zoning: C4-5, Zoning Map #12A. **Landmark Building:** Yes; **Historic District:** Greenwich Village, and

Whereas, the applicant did not appear, and this restaurant and café have no complaints,

This Committee is recommending a layover for the hearing of this application to the March schedule and a request for the applicant to appear before this committee at that time.

VOTE: Unanimous, with 37 Board members in favor.

15. Two Bacalhaus, Inc. d/b/a Pao, 322 Spring St., betw Greenwich and Washington Sts., Manhattan Block:595, Lot: 73, Police Precinct: 1, with 16 tables & 32 seats.

Whereas, the area was posted, contiguous neighborhood associations alerted by posting and e-mail and no residents appeared before the committee and the Applicant was present at this hearing; and,

Whereas, this lot has frontage of **18.75** feet and depth of 40.33 feet and with one building of four stories, built in 1900 (est), with three residential units of a total four units in an area of Mixed Residential and Commercial Buildings; Zoning C6-2A, Zoning Map# 12A and,

Whereas, this application was originally scheduled for hearing in December 2008, and

Whereas, there are no complaints or changes in this applicants operation,

THEREFORE BE IT RESOLVED that Manhattan Community Board #2 recommends APPROVAL of this application for a Renewal **App. for revocable consent to operate an Unenclosed sidewalk café for Two Bacalhaus, Inc. d/b/a Pao, 322 Spring St., with 16 tables & 32 seats.**

***Please note:** “The practice of installing and utilizing speakers and outside audio, especially with sidewalk cafes, is Illegal. CB#2 will be practicing a zero tolerance policy regarding this practice. This is an advance warning. Thank you for your compliance.”*

VOTE: Unanimous, with 37 Board members in favor.

Please advise us of any decision or action taken in response to this resolution.

Sincerely,



Jo Hamilton, Chair
Community Board #2, Manhattan



Zella Jones, Chair
Sidewalks & Public Access Committee
Community Board #2, Manhattan

JH/gh

cc: Hon. Jerrold Nadler, Congressman
Hon. Thomas Duane, NY State Senator
Hon. Deborah Glick, Assembly Member
Hon. Scott Stringer, Man. Borough President
Hon. Christine Quinn, Council Speaker
Hon. Alan Jay Gerson, Council Member
Hon. Rosie Mendez, Council Member
Sandy Myers, Community Board Liaison, Man., Borough President
Lolita Jackson, Manhattan Director, CAU
Peter Janosik, Council, Land Use Division
Michael Ben-Asher, Dept. of Consumer Affairs
Applicants

Jo Hamilton, *Chair*
Bo Riccobono, *First Vice Chair*
Sheelah Feinberg, *Second Vice Chair*
Bob Gormley, *District Manager*



Erin Roeder, *Treasurer*
Susan Kent, *Secretary*
Elaine Young, *Assistant Secretary*

COMMUNITY BOARD No. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org

Greenwich Village • Little Italy • SoHo • NoHo • Hudson Square • Chinatown • Gansevoort Market

February 22, 2010

Beverly Gotay, Deputy Director of Special Applications
NYC Dept. of Consumer Affairs
42 Broadway
New York, New York 10004

Dear Ms. Gotay:

At its Full Board meeting on February 18, 2010, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

App. to Department of Consumer Affairs for Newsstands at:

Southeast corner of Broadway & E. Houston, DCA# 1342842

Whereas, the area was posted, community groups notified and there was community correspondence regarding this new application, but the applicant was not present, and

Whereas, this corner is regularly congested with Subway, Bike, Truck and passenger vehicle traffic in addition to extremely high regular pedestrian traffic and the available sidewalk space is regularly not enough, and

Whereas, the owner of 600 Broadway, where the Newsstand will be placed has objected, in writing to DCA to the placement and that notification is attached, and

Whereas, the commercial tenants of this building have formed a tenants association and have appeared before this committee in objection,

THEREFORE BE IT RESOLVED that Manhattan Community Board #2 Sidewalks Committee recommends **DENIAL** of this application for a Newsstand at Southeast corner of Broadway & E. Houston, DCA# 1342842.

VOTE: Unanimous, with 37 Board members in favor.

Please advise us of any decision or action taken in response to this resolution.

Sincerely,



Jo Hamilton, Chair
Community Board #2, Manhattan



Zella Jones, Chair
Sidewalks & Public Access Committee
Community Board #2, Manhattan

JH/gh

cc: Hon. Jerrold Nadler, Congressman
Hon. Thomas Duane, NY State Senator
Hon. Deborah Glick, Assembly Member
Hon. Scott Stringer, Man. Borough President
Hon. Christine Quinn, Council Speaker
Hon. Alan Jay Gerson, Council Member
Hon. Rosie Mendez, Council Member
Sandy Myers, Community Board Liaison, Man., Borough President
Lolita Jackson, Manhattan Director, CAU
Peter Janosik, Council, Land Use Division
Michael Ben-Asher, Dept. of Consumer Affairs
Applicants

Jo Hamilton, *Chair*
Bo Riccobono, *First Vice Chair*
Sheelah Feinberg, *Second Vice Chair*
Bob Gormley, *District Manager*



Erin Roeder, *Treasurer*
Susan Kent, *Secretary*
Elaine Young, *Assistant Secretary*

COMMUNITY BOARD No. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org

Greenwich Village • Little Italy • SoHo • NoHo • Hudson Square • Chinatown • Gansevoort Market

February 22, 2010

Beverly Gotay, Deputy Director of Special Applications
NYC Dept. of Consumer Affairs
42 Broadway
New York, New York 10004

Dear Ms. Gotay:

At its Full Board meeting on February 18, 2010, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

Northeast corner of Broadway & E. Houston, DCA# 1342841

Whereas, the area was posted, community groups notified and there was no community correspondence regarding this new application, and the applicant was not present, and

Whereas, this corner is regularly congested with Subway, Bike, Truck and passenger vehicle traffic in addition to extremely high regular pedestrian traffic and the available sidewalk space is regularly not enough, and

Whereas, DOT has already created a bump-out on the Houston St side to accommodate the extremely high traffic generated from subway riders and pedestrians waiting to cross Houston St., and

Whereas, there is already a fully operating, long-established retail newsstand on this block, paying considerable rent and other retail taxes, including the surcharge for the NoHo NY BID, and contributing to the economic vitality of the block,

THEREFORE BE IT RESOLVED that Manhattan Community Board #2 Sidewalks Committee recommends **DENIAL** of this application for a Newsstand at Northeast corner of Broadway & E. Houston, DCA# 1342841.

VOTE: Unanimous, with 37 Board members in favor.

Please advise us of any decision or action taken in response to this resolution.

Sincerely,

A handwritten signature in blue ink that reads "Jo Hamilton".

Jo Hamilton, Chair
Community Board #2, Manhattan

A handwritten signature in black ink that reads "Zella Jones".

Zella Jones, Chair
Sidewalks & Public Access Committee
Community Board #2, Manhattan

JH/gh

cc: Hon. Jerrold Nadler, Congressman
Hon. Thomas Duane, NY State Senator
Hon. Deborah Glick, Assembly Member
Hon. Scott Stringer, Man. Borough President
Hon. Christine Quinn, Council Speaker
Hon. Alan Jay Gerson, Council Member
Hon. Rosie Mendez, Council Member
Sandy Myers, Community Board Liaison, Man., Borough President
Lolita Jackson, Manhattan Director, CAU
Peter Janosik, Council, Land Use Division
Michael Ben-Asher, Dept. of Consumer Affairs
Applicants