



COMMUNITY BOARD NO. 2, MANHATTAN  
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Greenwich Village • Little Italy • SoHo • NoHo • Hudson Square • Chinatown • Gansevoort Market

January 29, 2009

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

Dear Commissioner Mintz:

At its Full Board meeting on January 22, 2009, CB#2-Man., adopted the following resolutions:

1. Mulberry Street Bar, LLC, 176 1/2 Mulberry St., Block: 471, **Lot:** 36, Police Precinct: 5, City Address, ZIP Code: 385 BROOME STREET, 10013, with 4 tables & 8 seats, DCA# 1164852.

**Whereas**, the area was posted, community groups notified by e-mail, there was community correspondence and the owners representative Michael Kelly was present, and,

**Whereas**, this lot area is 2377 sq. feet with frontage of 25.58 feet and depth of 99.17 feet, with 1 building of five stories, built in 1900 (estimated), with four residential units of a total six units in a Industrial and Manufacturing, Zoning: C6-2G Zone (Map #:12C) in the Little Italy Special District, and,

**Whereas**, we note that the lot number on the application is incorrect and should be amended to show Lot# 36, and the correct City address is 385 Broome St., and,

**Whereas**, there were NYPD 11 noise complaints since the issuance of the last application from for this applicant, six occurring in 2008, and,

**Whereas**, this committee received correspondence indicating that Karaoke entertainment has been recently added to the method of operation of this establishment, the sound from which is even more apparent when the Sidewalk Café is in operation,

**THEREFORE BE IT RESOLVED** that Community Board #2 Manhattan recommends APPROVAL of a renewal application revocable consent to operate an Unenclosed sidewalk café for **Mulberry Street Bar**, LLC, 176 1/2 Mulberry St., Block: 471, Lot: 36, Police Precinct: 5, City Address, ZIP Code: 385 BROOME STREET, 10013, with 4 tables & 8 seats, DCA# 1164852, **CONDITIONAL UPON** the doors and windows remaining closed beginning at 8PM every evening.

**Vote:** Unanimous, with 36 Board members in favor.

2. La Meridiana, Ltd., d/b/a/ No. 28, 26-28 Carmine St., City Address, ZIP Code: 26 CARMINE STREET, 10014, btw Bleecker and Bedford Sts., Block: 527, Lot: 69, Police Precinct: 6with 12 tables & 24 seats, DCA# 1133014.

**Whereas**, the area was posted, community groups notified by e-mail, there was no community correspondence or attendance and the owner's representative, Michael Kelly, was present, and,

**Whereas**, this lot frontage of **50** feet and depth of 75 feet, with 1 building, built in 1900 (estimated), of six stories, with 26 residential units of a total 28 units in a Mixed Residential and Commercial Buildings, Zoning: R7-2, with grandfathered ground floor business uses, (Map #:12A), and,

**Whereas**, there is a name change but no ownership change and the application should reflect the name change, and,

**Whereas**, there is an existing **ECB Violation Number: 34426779M**, which names the restaurant and which has not been satisfied for two years, and,

**Whereas**, the applicant has agreed to produce a document satisfying the ECB Violation, with this application as well as for The Community Board Office,

**THEREFORE BE IT RESOLVED** that Community Board #2 Manhattan recommends APPROVAL of a renewal application revocable consent to operate an Unenclosed sidewalk café for La Meridiana, Ltd., d/b/a/ No. 28, 26-28 Carmine St., City Address, ZIP Code: 26 CARMINE STREET, 10014, btw Bleecker and Bedford Sts., Block: 527, Lot: 69, Police Precinct: 6with 12 tables & 24 seats, DCA# 1133014 **CONDITIONAL UPON** certification that the ECB Violation has been satisfied.

**Vote:** Unanimous, with 36 Board members in favor.

3. 114 Kenmare Associates, LLC, d/b/a **The Corner** Delicatessen, d/b/a/ **La Esquina**, 106 Kenmare St., Block: 482, Lot: 7501, City Address, ZIP Code: 406 BROOME STREET, 10013, Police Precinct: 5, betw Centre and Lafayette Sts., with 12 tables & 36 seats, DCA# 1227042

**Whereas**, the area was posted, community groups notified by e-mail, there was community correspondence and attendance and the owners representative, James Gersten and Derek Sanders were present, and,

**Whereas**, this lot has frontage of **149.5** feet and depth of 100.42 feet, built in 1900 (estimate) with 1 building of seven stories, with 0 residential units of a total 25 units in Mixed Residential and Commercial and Office Buildings  
**Zoning:** C6-2: Commercial, **Zoning Map #:** 12C, and,

**Whereas**, there continue to be sidewalk incidents and or events in this location that attract large crowd, utilize amplified sound and occur at late hours, and

**Whereas**, both the sidewalk café and sidewalk window service and reservation line for interior seating serve to attract considerable sidewalk obstruction and disruption, further exacerbated by the density of primarily liquor serving establishments contiguous to this location, and,

**Whereas**, this was documented by NYPD complaint reports over the last two years, in addition to prior years and SLA inspection reports for operation of their liquor license(s) in the last year, and

**Whereas**, garbage storage has continued to block sidewalk right-of-way for the last 10 months, in spite of promises otherwise attached to the sidewalk liquor license, and

**Whereas**, the owners have been constructing an interior room which has yet to be approved by the building owner and the Dept of Buildings, but have promised that it will be operational by February 1, 2009, and that beginning February 1, 2009 garbage will NOT be placed on the sidewalk before 10:00 pm, and will sign to these stipulations in a change order attached to this application, and,

**Whereas**, in the interim the applicant will NOT place garbage outside before 5:00 PM Monday through Sunday, and will sign to these stipulations in a change order attached to this application, and,

**Whereas**, the applicants agree to close the sidewalk café no later than Midnight seven days a week and will sign to these stipulations in a change order attached to this application, and

**Whereas**, the applicants agree to close the restaurant? At 2:00 a.m., also signed on a change order attached to this application,

**THEREFORE BE IT RESOLVED** that Community Board #2 Manhattan recommends APPROVAL of a renewal application revocable consent to operate an Unenclosed sidewalk café for 114 Kenmare Associates, LLC, d/b/a **The Corner Delicatessen**, d/b/a/ **La Esquina**, 106 Kenmare St., Block: 482, Lot: 7501, City Address, ZIP Code: 406 BROOME STREET, 10013, Police Precinct: 5, betw Centre and Lafayette Sts., with 12 tables & 36 seats, DCA# 1227042, **CONDITIONAL UPON:**

- a. An interior garbage storage unit will be operational by February 1, 2009, and that beginning February 1, 2009 garbage will NOT be placed on the sidewalk before 10:00 pm.
- b. In the interim the applicant will NOT place garbage outside before 5:00 PM Monday through Sunday
- c. Closing the sidewalk café no later than Midnight seven days a week

**Vote:** Unanimous, with 36 Board members in favor.

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

Sincerely,



Brad Hoylman, Chair  
Community Board #2, Manhattan



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

BH/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  
Angelica Crane, Community Board Liaison, Man., Borough President  
Lolita Jackson, Commissioner, CAU  
Peter Janosik, Council, Land Use Division  
Michael Ben-Asher, Dept. of Consumer Affairs  
Applicants

