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Daniel Miller, *First Vice Chair*  
Susan Kent, *Second Vice Chair*  
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*  
Keen Berger, *Secretary*  
Erik Coler, *Assistant Secretary*

## COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE  
NEW YORK, NY 10012-1899

[www.cb2manhattan.org](http://www.cb2manhattan.org)

P: 212-979-2272 F: 212-254-5102 E: [info@cb2manhattan.org](mailto:info@cb2manhattan.org)

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

April 20, 2018

Kathryn Garcia, Commissioner  
NYC Department of Sanitation  
125 Worth St.  
New York, NY 10013

Dear Commissioner Garcia:

At its Full Board meeting on April 19, 2018 Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

### **1. Resolution in Support of the NYC Organics Collection Program operated by NYC Department of Sanitation**

**Whereas**, Community Board 2, as part of our fiscal year 2019 expense budget priorities and requests, asked the City and Department of Sanitation (DSNY) to allocate funds to provide and expand NYC organics collection program for more efficient composting by CB2 residents and businesses; and

**Whereas**, DSNY was previously providing curbside organics collection to residential buildings with ten units or more; and

**Whereas**, DSNY responded to CB2's request stating that the agency would accommodate the request using existing resources; and

**Whereas**, DSNY recently expanded the curbside organics collection program to include ALL residential buildings in Manhattan, and will continue to expand the program in 2018 until all neighborhoods in all boroughs have access to curbside organics collection; and

**Whereas**, any resident of a building can provide the building's information to DSNY at [on.nyc.gov/request-organics](http://on.nyc.gov/request-organics) and DSNY will contact the manager of the building to coordinate the organics program and provide the building with a brown composting bin, which helps keep rodents and pests away; and

**Whereas**, residents of CB2 were pioneers in the recycling movement and CB2 wholeheartedly supports DSNY's rapid expansion of its composting program in our district and in our City; and

**Whereas**, the curbside organics program collects food scraps, spoiled food, food-soiled paper, and yard trimmings and plants, and this waste comprises almost one-third of the waste

that DSNY collects, and when composted this waste enriches our environment, as well as saves the City money on landfill costs; and

**Whereas**, composting will help the city achieve its “Zero Waste” goal; and

**Whereas**, reuse and recycle is the best way to keep waste from landfills; and

**Whereas**, the DSNY organics collection program currently serves more than 3.3 million residents across all five boroughs and is expanding to include all neighborhoods in the City by the end of 2018; and

**Whereas**, the curbside organics collection program helps NYC reduce waste sent to costly landfills, deters pests by storing food waste in special rodent-resistant bins, and creates compost (a natural soil enrichment) or renewable energy; now

**Therefore Be It Resolved** that CB2 Manhattan wholeheartedly supports the expansion of the City’s curbside collection of organic waste program to all residential buildings of any size, in Manhattan and CB2 will continue to actively encourage all residents to participate in the program and urges DSNY to continue to advertise and promote the program as much as possible.

**Vote: Unanimous, with 32 Board Members in favor.**

Please advise us of any decision or action taken in response to these resolutions.

Sincerely,



Terri Cude, Chair  
Community Board #2, Manhattan



Joseph Gallagher, Chair  
Quality of Life Committee  
Community Board 2, Manhattan

TC/EM

c: Hon. Jerrold L. Nadler, Congressman  
Hon. Carolyn Maloney, Congresswoman  
Hon. Nydia Velázquez, Congresswoman  
Hon. Brad Hoylman, NY State Senator  
Hon. Brian Kavanagh, NY State Senator  
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April 20, 2018

Lorelei Salas, Commissioner  
NYC Department of Consumer Affairs  
42 Broadway  
New York, NY 10004

Dear Commissioner Salas:

At its Full Board meeting on April 19, 2018 Community Board #2, Manhattan (CB#2, Man.) adopted the following resolutions:

### **New Applications for revocable consent to operate an unenclosed sidewalk café for:**

#### **1. 1 Perry LLC, d/b/a Rosemary's Pizza, 1 Perry St. with 8 tables and 16 chairs (5460-2018-ASWC)**

**Whereas**, the area was posted, community groups notified, and the applicant was present, and no member of the public appeared to speak regarding this application; and

**Whereas**, the applicant currently operates Rosemary's, a trattoria located nearby this location at Greenwich Avenue and West 10<sup>th</sup> Street and also operates Claudette at 24 5<sup>th</sup> Avenue, which has a large sidewalk café that the applicant stated has never received complaint; and

**Whereas**, the applicant appeared in January 2018 before CB2 regarding a renovation of this location and was approved by CB2 but is still seeking approval before the Landmarks Preservation Commission and the sidewalk café plans are dependent upon the approval of the renovation; and

**Whereas**, this location has been home to Yerba Buena, Matador Bistro, and Ruby Slippers, all of which operated a sidewalk café; and

**Whereas**, the applicant stated that the café would not operate past 11:00 PM, seven days a week and would stipulate as such to the SLA; and

**Whereas**, the applicant confirmed that all sidewalk café furniture, including the railings, would be stored within the restaurant when the sidewalk café was closed; and

**Whereas**, the applicant confirmed that the sidewalk café would be attended by servers and other restaurant staff and that all food and drink would be delivered by restaurant staff; now

**Therefore Be It Resolved** that CB2 Manhattan recommends **approval** of a sidewalk café for **1 Perry LLC, d/b/a Rosemary's Pizza, 1 Perry St. with 8 tables and 16 chairs (5460-2018-ASWC)**, provided that the applicant's renovation is approved by the Landmarks Preservation Commission and

the application conforms with all applicable zoning and sidewalk café laws and clearance requirements.

**Vote: Unanimous, with 32 Board Members in favor.**

**2. Uncle Biagio, LLC, d/b/a Don Angie, 103 Greenwich Ave. with 7 tables and 14 chairs (4463-2018-ASWC)**

**Whereas**, the area was posted, community groups notified, and the applicant was present, and no member of the public appeared to speak regarding this application; and

**Whereas**, this location was previously home to Monument Lane, which operated a sidewalk café with 9 tables and 18 seats; and

**Whereas**, the applicant currently operates Quality Eats around the corner and stated that they have received no complaints from the community; and

**Whereas**, the applicant presented several letters and a petition in support of their application; and

**Whereas**, the applicant appeared before CB2's SLA committee in June 2017 and stipulated that any future sidewalk café would never operate past 11 PM, seven days a week and the applicant confirmed as such before the Quality of Life committee; and

**Whereas**, the applicant confirmed that all sidewalk café furniture, including the railings, would be stored inside the establishment when the sidewalk café was closed; and

**Whereas**, the applicant confirmed that the sidewalk café would be attended by servers and other restaurant staff and that all drinks would be delivered by restaurant staff; now

**Therefore Be It Resolved** that CB2 Manhattan recommends **approval** of a sidewalk café for **Uncle Biagio, LLC, d/b/a Don Angie, 103 Greenwich Ave. with 7 tables and 14 chairs (4463-2018-ASWC)**, provided that the application conforms with all applicable zoning and sidewalk café laws and clearance requirements.

**Vote: Unanimous, with 32 Board Members in favor.**

**3. Joe & The Juice New York LLC, d/b/a Joe & The Juice, 549 Hudson St. with 2 tables and 8 chairs (5118-2018-ASWC)**

**Whereas**, the area was posted, community groups notified, and the applicant **was not present**; and

**Whereas**, a member of the West Village Residents Association (WVRA) was present and stated that this applicant has not been cooperative with the neighbors and has done nothing to ameliorate several quality of life issues including garbage sprawl and excessive noise associated with this establishment and has refused to meet with representatives of WVRA; now

**Therefore Be It Resolved** that CB2 Manhattan recommends **DENIAL** of a sidewalk café for **Joe & The Juice New York LLC, d/b/a Joe & The Juice, 549 Hudson St. with 2 tables and 8 chairs (5118-2018-ASWC)**.

**And Therefore Be It Further Resolved** Community Board 2 asks that the Department of Consumer Affairs does not consider this application until the applicant has met with members of the WVRA and has appeared before Community Board 2 for comment.

**Vote: Unanimous, with 32 Board Members in favor.**

**4. ALTA Cucina LLC, d/b/a N/A, 260 6th Ave. with 27 tables & 54 chairs (6141-2018-ASWC)**

**Whereas**, the area was posted, community groups notified, and the applicant was present; and

**Whereas**, the applicant appeared before the CB2 SLA committee in September 2017 and the the full board of CB2 recommended denial of the application because the applicant refused to negotiate earlier closing hours for both the restaurant and the sidewalk café; the SLA committee asked that the applicant consider closing the sidewalk café before 10 PM Sunday-Wednesday and before 11 PM Thursday-Saturday and the applicant refused and stated that the applicant was entitled to closing hours until 12 AM during the week and 1 AM on the weekends; and

**Whereas**, after a constructive discussion with the Quality of Life committee regarding the negative impact such late sidewalk café closing hours would have on the residents above the establishment, the applicant agreed that it would never operate the sidewalk café past 11 PM and that the applicant would stipulate as such as part of their SLA permit; and

**Whereas**, this location was last home to Da Silvano which operated a large sidewalk café at this location for 41 years before its closing; and

**Whereas**, a resident of the building that houses this establishment appeared and expressed concerns about the footprint of the sidewalk café and, while supportive of a sidewalk café at this location generally, expressed concern that the operator was hesitant to commit to an earlier closing time and also that she hoped the new operator would be more attentive to negative consequences of the sidewalk café such as people's personal belongings, pets, and strollers being stored outside the confines of the sidewalk café which obstruct the entrance to the apartment building and sidewalk; and

**Whereas**, the applicant made all assurances that they would be an attentive operator and would always be available to address any concerns from neighbors and the community; and

**Whereas**, the applicant confirmed that all sidewalk café furniture, including the railings, would be stored inside the establishment when the sidewalk café was closed; and

**Whereas**, the applicant confirmed that the sidewalk café would be attended by servers and other restaurant staff and that all alcoholic drinks would be delivered by restaurant staff; now

**Therefore Be It Resolved** that CB2 Manhattan recommends **denial** of a sidewalk café for **ALTA Cucina LLC, d/b/a N/A, 260 6th Ave. with 27 tables & 54 chairs (6141-2018-ASWC)**, unless the applicant stipulates to the earlier closing hour of the sidewalk café in any application to the SLA and provided that the application conforms with all applicable zoning and sidewalk café laws and clearance requirements.

**Vote: Unanimous, with 32 Board Members in favor.**

**5. Tapestry Management, LLC, d/b/a Rahi, 60 Greenwich Ave., with 5 tables and 10 chairs (6432-2018-ASWC)**

**Whereas**, the area was posted, community groups notified, and the applicant was present, and no member of the public appeared to speak regarding this application; and

**Whereas**, the applicant agreed that the sidewalk café would not operate past 11 PM seven days a week and stated that lunch would only be served on Saturdays and Sundays; and

**Whereas**, the applicant confirmed that all sidewalk café furniture, including the railings, would be stored in the cellar of the establishment when the sidewalk café was closed; and

**Whereas**, the applicant confirmed that the sidewalk café would be attended by servers and other restaurant staff and that all food and drink would be delivered by restaurant staff; now

**Therefore Be It Resolved** that CB2 Manhattan recommends **approval** of a sidewalk café for **Tapestry Management, LLC, d/b/a Rahi, 60 Greenwich Ave., with 5 tables and 10 chairs (6432-2018-ASWC)**, provided that the application conforms with all applicable zoning and sidewalk café laws and clearance requirements.

**Vote: Unanimous, with 32 Board Members in favor.**

**FYI/ Sidewalk Café Renewals:**

6. **390 Broome Restaurant, LLC, d/b/a Seamore's, 390 Broome St. with 18 tables and 36 chairs (4898-2018-ASWC)**
7. **GAT 35 Corp., d/b/a Da Andrea, 35 W. 13th St. with 8 tables and 16 chairs (1307585-DCA)**
8. **Sange Restaurant, Inc., d/b/a Tio Pepe, 168 West 4th St. with 8 tables and 16 chairs (11937-2017-ASWC) (ENCLOSED)**
9. **Bac Bars Group LLC, d/b/a Bayard's Alehouse, 533 Hudson St. aka 116 Charles St. with 14 tables and 32 chairs (1248153-DCA) (ENCLOSED)**
10. **Lupe's East L.A. Kitchen, Inc., d/b/a N/A, 110 Avenue of the Americas with 4 tables and 16 chairs (1321335-DCA) (SMALL UNENCLOSED)**

**Whereas**, the area was posted, community groups notified and no member of the public requested any of these renewals to be heard in a public hearing nor appeared to speak regarding any of these applications; now

**Therefore Be It Resolved** that CB2 Manhattan recommends **approval** of the subject renewals, provided that all applications conform with all applicable zoning and sidewalk café laws and clearance requirements.

**Vote: Unanimous, with 32 Board Members in favor.**

Please advise us of any decision or action taken in response to these resolutions.

Sincerely,



Terri Cude, Chair  
Community Board #2, Manhattan



Joseph Gallagher, Chair  
Quality of Life Committee  
Community Board 2, Manhattan

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