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## COMMUNITY BOARD NO. 2, MANHATTAN

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February 21, 2014

Alba Pico, First Deputy Commissioner  
NYC Department of Consumer Affairs  
42 Broadway  
New York, NY 10004

Dear First Deputy Commissioner Alba Pico:

At its Full Board meeting on February 20, 2014, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolutions:

### **Renewal app for revocable consent to operate an Unenclosed sidewalk cafe for:**

#### **1. ABG Standard Operator LLC d/b/a The Standard, 848 Washington St. (btw Little W 12 St. & W 13 St.), with 26 tables and 84 chairs, DCA#13092902**

Block:645 Lot:11

Year Built:2006

Residential Units:0 Total # of Units:1

Lot Frontage:206.5' Lot Depth:200

Number of Buildings:1; Number of Floors:19

Zoning:M1-5

**Whereas**, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant and his representative, Robert Bookman, were present, and

**Whereas**, this café has been operated for four years by this applicant with some issues including the café over-extended to the north on the sidewalk, planters placed outside the café entrance and multiple service stations in the cafe, and

**Whereas**, both the applicant and Mr. Bookman committed to resolving the issues with the café over-extension, and removing the service stations and the planters from outside the entrance to the cafe,

**THEREFORE BE IT RESOLVED** that Community Board 2 Manhattan recommends **DENIAL** of this RENEWAL application for revocable consent to operate an Unenclosed sidewalk café for **ABG Standard Operator LLC d/b/a The Standard, 848 Washington St. (btw Little W 12 St. & W 13 St.), with 26 tables and 84 chairs, DCA#13092902**

**UNLESS** the issues noted in **Whereas 2** are resolved

**VOTE: Unanimous, with 37 Board members in favor.**

### **New App. for revocable consent to operate an Unenclosed sidewalk cafe for:**

**2. 815 Broadway NYC LLC, d/b/a The Hummus And Pita Co, 815 Broadway (btw E 11 St. & E 12 St.), with 6 tables and 12 chairs, ASWC#243-2014**

Block:563 Lot:33

Year Built:1930(estimated)

Residential Units:0 Total # of Units:2

Lot Frontage:24.75' Lot Depth:100

Number of Buildings:1; Number of Floors:2

Zoning:C6-1

**Whereas**, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant's son/manager, Steve Pessa, and their representative, Marc Glazer, were present, and

**Whereas**, this café is proposed for a sidewalk of 18' width which has subway sidewalk grates which do not further restrict the depth of the cafe, and

**Whereas**, the committee was primarily concerned that this business is obtaining at least a beer and wine license and as such must have wait service to the café, but this is not typical for a fast-food and primarily take-out business such as is proposed, and

**Whereas**, the applicant specifically committed to maintaining wait service to the café during all times of its operation,

**THEREFORE BE IT RESOLVED** that Community Board 2 Manhattan recommends **APPROVAL** of this NEW application for revocable consent to operate an Unenclosed sidewalk café for **815 Broadway NYC LLC, d/b/a The Hummus And Pita Co, 815 Broadway (btw E 11 St. & E 12 St.), with 6 tables and 12 chairs, ASWC#243-2014**

**CONDITIONAL UPON the applicant providing wait service to the café during all hours of its operation as noted in Whereas 3 & 4**

**VOTE: Unanimous, with 37 Board members in favor.**

**3. ERJO Company LLC, d/b/a Cafetal, 285 Mott St. (btw Prince St. & E Houston St.), with 6 tables and 12 chairs, ASWC#253-2014**

Block:509 Lot:27

Year Built:1900(estimated)

Residential Units:54 Total # of Units:58

Lot Frontage:80.08' Lot Depth:90.83

Number of Buildings:1; Number of Floors:6

Zoning:C6-2; C6-3

**Whereas**, the area was posted, community groups notified and there were community members present regarding this application, and the applicant, Joe Perrotta and his representative, Marc Glazer, were present, and

**Whereas**, there were 11 members of the immediate community present to support this application, and

**Whereas**, this café is proposed for a sidewalk of 13'2" width with a tree pit opposite the proposed café space which currently has a wooden planter/fence around it which reduces the usable width to 9'6", and

**Whereas**, the applicant and Mr. Glazer stated that the planter/fence around the tree is to be removed, presumably with the consent of the property owner before the café is approved, and the committee reiterated that if it remained, the unobstructed sidewalk would not be wide enough for a cafe, and

**Whereas**, the applicant was reminded that due to the narrow sidewalk the café seating must be maintained with the chairs oriented parallel to the façade and he committed to doing so,

**THEREFORE BE IT RESOLVED** that Community Board 2 Manhattan recommends **DENIAL** of this NEW application for revocable consent to operate an Unenclosed sidewalk café for **ERJO Company LLC, d/b/a Cafetal, 285 Mott St. (btw Prince St. & E Houston St.), with 6 tables and 12 chairs, ASWC#253-2014**

**UNLESS the planter surrounding the tree in front of the premises is, with the approval of the property owner, removed prior to the approval of the café license and the tree pit is consistently maintained as flush with the sidewalk**

**VOTE: Unanimous, with 37 Board members in favor.**

**4. Claudisal Rest. Corp., d/b/a The Malt House, 206 Thompson St. (btw Bleecker St. & W 3 St.), with 9 tables and 18 chairs, ASWC#679-2014**

Block:537 Lot:37

Year Built:1900(estimated)

Residential Units:40 Total # of Units:44

Lot Frontage:57.17' Lot Depth:100

Number of Buildings:2; Number of Floors:6

Zoning:R7-2 ; Commercial Overlay:C1-5

**Whereas**, the area was posted, community groups notified and there were community members present regarding this application, and the applicant, Eoin Foyle, and his representative, Marc Glazer, were present, and

**Whereas**, there were 4 members of the immediate community present to support this application, and

**Whereas**, this café is proposed for a sidewalk of 12'6" width with a tree pit opposite the proposed café space which is essentially flush to the sidewalk, and

**Whereas**, this café was operated under the same plan for many years by a previous operator with few known issues, and

**Whereas**, the committee reminded the applicant that the awning over the café must have an opening for a fire escape drop ladder which was not evident on a recent inspection, but the awning was only partially extended and the applicant assured the committee there was a drop ladder opening, and

**Whereas**, the committee noted the current use of two A-frame signs on the sidewalk and reminded the applicant these were illegal unless leaned (folded) against the façade and he committed to resolving the issue, and

**Whereas**, the committee requested the applicant remain vigilant that due to the narrowness of the sidewalk, all service to the 4-seat tables at each end of the café must take place from between the seats as the 'ends' of the tables would be in the public sidewalk,

**THEREFORE BE IT RESOLVED** that Community Board 2 Manhattan recommends **APPROVAL** of this NEW application for revocable consent to operate an Unenclosed sidewalk café for **Claudisal Rest. Corp., d/b/a The Malt House, 206 Thompson St. (btw Bleecker St. & W 3 St.), with 9 tables and 18 chairs, ASWC#679-2014**

**CONDITIONAL UPON the applicant maintaining proper use of signage, which is only leaned up against the façade of the building**

**VOTE: Unanimous, with 37 Board members in favor.**

**FYI Renewals:**

**Whereas**, the renewals below were posted on the CB2 Manhattan website and there were no community members requesting these applications be heard, and

**Whereas**, these cafés have been operated for at least 2 years by this applicant and the Board has not been notified of any issues with their operation,

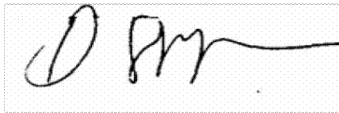
- 247 DELI, LLC, d/b/a Delicatessen, 265 Lafayette St., with 20 tables and 40 chairs, DCA#

**THEREFORE BE IT RESOLVED** that Community Board 2 Manhattan recommends **APPROVAL** of the RENEWAL applications for revocable consent to operate the indicated sidewalk café for the above applicants

**VOTE: Unanimous, with 37 Board members in favor.**

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

Sincerely,



David Gruber, Chair  
Community Board #2, Manhattan



Maury Schott, Chair  
Sidewalks & Public Access Committee  
Community Board #2, Manhattan

DG/ch

c: Hon. Jerrold L. Nadler, Congressman  
Hon. Nydia Velázquez, Congresswoman  
Hon. Brad Hoylman, NY State Senator  
Hon. Daniel L. Squadron, NY State Senator  
Hon. Sheldon Silver, Assembly Speaker  
Hon. Deborah J. Glick, Assembly Member  
Hon. Gale Brewer, Man. Borough President  
Hon. Corey Johnson, Council Member  
Hon. Margaret Chin, Council Member  
Hon. Rosie Mendez, Council Member

