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COMMUNITY BOARD NO. 2, MANHATTAN

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March 24, 2017

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

Dear Commissioner Salas:

At its Full Board meeting on March 23, 2017 Community Board #2, Manhattan (CB#2, Man.) adopted the following resolutions:

New App. to Department of Consumer Affairs for Newsstand at:

1) SWC 6th Ave. & Waverly Place, in front of 375 6th Ave. (Applicant: Amita Patel)

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

Whereas, members of the public were present and strongly opposed to the location for a newsstand citing past traffic accidents and safety concerns at that particular corner, and

Whereas, there are already four existing newsstands in the immediate area (one in front the IFC Theatre on 6th Avenue; one across the street from the IFC Theatre in front of the West 4th Street Basketball Court; one at 6th Avenue & 8th Street; and one at 6th Avenue & 9th Street), and

Whereas, while the committee could not immediately see any technical problems with the location, we are adamantly opposed to adding yet another newsstand to a congested area that is arguably already well served by the existing newsstands,

Therefore Be It Resolved that CB2 Manhattan recommends **DENIAL** of an application for a newsstand at SWC 6th Ave. & Waverly Place in front of 375 6th Avenue.

VOTE: Unanimously, with 36 Board Members in favor.

2) 405 6th Ave. SWC 6th Ave, Greenwich Ave. (Applicant: Nab Parm Preet Singh)

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

Whereas, there is already an existing newsstand across the street at the southeast corner of 6th Avenue and 8th Street, and

Whereas, the owner of that newsstand sent a letter to CB2 stating that an additional newsstand in the vicinity would hurt his business, and

Whereas, a resident of the community spoke in opposition to another newsstand in this location arguing it would bring unnecessary congestion to the neighborhood, and

Whereas, while the committee could not immediately see any technical problems with the location, we are adamantly opposed to adding yet another newsstand to a congested area that is arguably already being served by the existing newsstands,

Therefore Be It Resolved that CB2 Manhattan recommends **DENIAL** of an application for a newsstand at 405 6th Ave. SWC 6th Ave, Greenwich Ave.

VOTE: Unanimously, with 36 Board Members in favor.

Assignment App. for revocable consent to operate an unenclosed sidewalk café for:

1) Food Commission LLC, d/b/a Bread, 30 Kenmare St. with 14 tables & 42 chairs (1821-2017-ASWC)

Whereas, Community Board 2 recognizes that this is an assignment of the existing revocable consent and that the applicant already has an operating letter from the Department of Consumer Affairs, and

Whereas, the applicant failed to appear before the committee,

Therefore, be it resolved that CB2 strongly recommends **DENIAL** of the application to operate an unenclosed sidewalk café for **Food Commission LLC, d/b/a Bread, 30 Kenmare St. with 14 tables & 42 chairs (1821-2017-ASWC).**

VOTE: Unanimously, with 36 Board Members in favor.

2) 125 Hospitality LLC, d/b/a Groove, 125 MacDougal St. with 4 tables & 8 chairs (2285-2017-ASWC).

Whereas, the only change in the application was from a corporation to an LLC, and

Whereas, it was noted by the district manager that since obtaining its sidewalk café license, this establishment has never set up its sidewalk café in accordance with the approved plan, setting up its tables and chairs too far to the east, using the wrong sized tables and never using the required service door at the western end of the storefront, and

Whereas, the current operator's representative agreed to the stipulation that the establishment would set up the sidewalk café according to the approved plan, that the western end service door must be used and that tables would be the width approved on the submitted sidewalk café plan,

Therefore Be It Resolved that CB2 recommends **APPROVAL** of the application for assignment of revocable consent for the sidewalk café for 125 Hospitality LLC, d/b/a/ Groove, 125 MacDougal St. with 4 tables and 8 chairs (2285-2017-ASWC) provided the café complies with all appropriate laws and regulations.

VOTE: Unanimously, with 36 Board Members in favor.

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

1) The Egg Shop LES LLC, d/b/a The Egg Shop, 151 Elizabeth St. with 3 tables & 6 chairs (1273-2017-ASWC)

Whereas, a new building construction project has caused the closing of the sidewalk across the street which will increase the impact of congestion caused by the café.

Therefore Be It Resolved that CB2 recommends **DENIAL**,

And is it further resolved that CB2 would reconsider this recommendation after the sidewalk across the street is reopened.

VOTE: Unanimously, with 36 Board Members in favor.

2) BLF Big Apple LLC, d/b/a N/A, 33 Greenwich Ave. Ste. 7, with 18 tables & 36 chairs (1014-2017-ASCW)

Whereas, members of the community were present to applaud the character of the operator of this establishment, however they did voice their concerns regarding the anticipation of noise and how the café would affect the quality of life of the 100 residents who occupy apartments in close proximity to the café, and

Whereas, 22 members of the community signed a petition of “no objection” to an unenclosed sidewalk café with hours of operation from 11:00am to 11:00pm Sunday through Thursday and 11:00AM to 12:00AM Friday & Saturday, and

Whereas, the operator of the establishment has already purchased a sound abating awning,

Therefore Be It Resolved that CB2 recommends **APPROVAL** of the application for revocable consent to operate an unenclosed sidewalk café for **BLF Big Apple LLC, d/b/a N/A, 33 Greenwich Ave. Ste. 7**, with 18 tables & 36 chairs (1014-2017-ASCW) provided the café complies with all appropriate laws and regulations.

VOTE: Unanimously, with 36 Board Members in favor.

3) Honeybrains Lafayette LLC, d/b/a 372 Lafayette St., with 10 tables & 20 chairs (1823-2017-ASWC)

Whereas, the applicant failed to appear before the committee,

Therefore, be it resolved that CB2 strongly recommends **DENIAL** of the application to operate an unenclosed sidewalk café for **Honeybrains Lafayette LLC, 372 Lafayette Street**, with 10 tables & 20 chairs (1823-2017-ASCW).

VOTE: Unanimously, with 36 Board Members in favor.

4) 151 Blecker LLC, d/b/a Red Lion, 151 Blecker St. with 8 tables & 18 chairs (2294-2017-ASWC)

Whereas, the operator of this establishment known as the Red Lion missed the deadline to reapply, therefore DCA considers this a new application, and

Whereas, a pedestrian ramp was added by the restaurant on Thompson Street and a fire hydrant on Bleecker Street was moved by the City from a location near the corner approximately eight feet to the east, putting it opposite the center of the sidewalk café, and

Whereas, the Department of Consumer Affairs has told CB2 that they will require this applicant to submit new sidewalk café plans, and

Whereas, this suggests that this applicant will have to reconfigure the sidewalk café to meet the required clearance from the fire hydrant resulting in a possible loss of one or more tables, and

Whereas, the operator of this establishment has conducted business for many years,

Therefore Be It Resolved that CB2 recommends **APPROVAL** of the application for revocable consent to operate an unenclosed sidewalk café for **151 Bleecker LLC, d/b/a N/A, 151 Bleecker St. with 8 tables & 18 chairs (2294-2017-ASWC) or whatever new number of tables and chairs is approved by DCA**, provided the café complies with all appropriate laws and regulations.

VOTE: Unanimously, with 36 Board Members in favor.

5) 62 Greenwich LLC, d/b/a Greenwich Steak House FG, 62 Greenwich Ave. with 8 tables & 16 chairs (2117-2017-ASWC)

Whereas, no one from the community appeared to speak about this application, and

Whereas, the operator has made arrangements to move the two signs in front of the establishment that are considered obstacles due to bicycles being chained to them,

Therefore Be It Resolved that CB2 recommends **APPROVAL** of the application for revocable consent to operate an unenclosed sidewalk café for **62 Greenwich LLC, d/b/a Greenwich Steak House FG, 62 Greenwich Ave. with 8 tables & 16 chairs (2117-2017-ASWC)** provided the café complies with all appropriate laws and regulations.

VOTE: Unanimously, with 36 Board Members in favor.

6) Pret A Manger USA Limited, d/b/a N/A, 1 Astor Pl. with 3 tables & 6 chairs (2637-2017-ASWC)

Whereas, more than one neighbor of the establishment appeared to say that while they enjoyed eating Pret A Manger food and would continue to support the restaurant, they were opposed to the sidewalk café based on their assertions supported by photographs showing piles of garbage on the sidewalk during the late afternoon and early evening, and

Whereas, neighbors opposed to the plan pointed out that the establishment would not be providing table service in the outdoor café and with the newly renovated and now completed Astor Place Plaza there are already tables and chairs there that patrons could use for eating, and

Whereas, representatives of the operator agreed to make the owner aware of the concerns regarding sidewalk garbage,

Therefore Be It Resolved that CB2 recommends **DENIAL** of the application for revocable consent to operate an unenclosed sidewalk **Pret A Manger USA Limited, d/b/a N/A, 1 Astor Pl. with 3 tables & 6 chairs (2637-2017-ASWC)**

VOTE: Unanimously, with 36 Board Members in favor.

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

1) 305 Bleecker Food Market LLC, d/b/a Supreme Provisions, 305 Bleecker St. aka 88 7th Ave. South, with 6 tables & 16 chairs (789-2016-ASWC)

Whereas, this location is a long-standing pre-existing structure, and

Whereas, the applicant proposes no structural changes from its current state, and

Whereas, no members of the public appeared to speak about this application,

Therefore Be It Resolved that CB2 recommends **APPROVAL** of the new application for revocable consent to operate an enclosed sidewalk café for **305 Bleecker Food Market LLC, d/b/a Supreme Provisions, 305 Bleecker St. aka 88 7th Ave. South, with 6 tables & 16 chairs (789-2016-ASWC)** provided the café complies with all appropriate laws and regulations.

VOTE: Unanimously, with 36 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

TC/EM

c: Hon. Jerrold L. Nadler, Congressman
Hon. Carolyn Maloney, Congresswoman
Hon. Nydia Velázquez, Congresswoman
Hon. Brad Hoylman, NY State Senator
Hon. Daniel L. Squadron, NY State Senator
Hon. Yuh-line Niou, Assembly Member
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