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## COMMUNITY BOARD No. 2, MANHATTAN

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September 29, 2010

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

Dear Commissioner Mintz:

At its Full Board meeting on September 23, 2010, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

**The following resolutions were adopted at the August 17, 2010 Executive Committee and the Full Board on September 23, 2010**

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

**BMT Partners, LLC d/b/a Betel, 49 Grove St., with 9 tables & 18 seats, DCA # 1347560**

Block: 591 Lot:40 Lot Frontage: 73' Lot Depth:117' Year Built: 1900(estimated)

Number of Floors: 6 Residential Units: 46 Total # of Units:56 Zoning: C1-6, C4-5

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

**Whereas**, the café has been operating for a few months with an approved sidewalk café of 3 tables and 6 seats which was required by the location of a street light and a MuniMeter, and

**Whereas**, the applicant has arranged for the MuniMeter to be moved east on the block so it is no longer immediately adjacent to the cafe, and

**Whereas**, the applicant has provisional approval from NYCDOT to have the streetlight moved across the street, and

**Whereas**, in that short time the applicant has been operating the café, they have done so with 3 additional seats (stools supposedly not for seating), a promotional sign in the waiter service aisle, tables with leaves making them larger than the approved 18 inches and the tables placed outside the approved footprint of the café resulting in a reduction in clear sidewalk space between the café and the street light to appreciably less the required 8 feet, and

**Whereas**, the applicant has committed to remedying the conditions detailed in Whereas 5 above, and

**Whereas**, the committee felt strongly that the number of tables and chairs was too large for the space in which they were to be used, and the committee and applicant agreed to maintain the 9 tables but reduce the number of chairs to 16 (2 one-seat tables),

**THEREFORE BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of this application for a MODIFICATION App. for revocable consent to operate an Unenclosed sidewalk café for **BMT Partners, LLC d/b/a Betel, 49 Grove St., with 9 tables & 16 seats, DCA # 1347560** CONDITIONAL UPON the following:

The applicant immediately remedies the situations detailed in Whereas 5 of this resolution, and  
The number of seats will be reduced to 16 (2 one-seat tables), and  
The café will not be expanded from its current 3 tables and 6 seats until such time as the streetlight immediately adjacent to the café has been moved across the street as provisionally approved by NYC DOT.

Vote: Unanimous, with 36 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



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

JH/gh

c: Hon. Jerrold L. Nadler, Congressman  
Hon. Thomas Duane, NY State Senator  
Hon. Daniel L. Squadron, NY State Senator  
Hon. Deborah J. Glick, Assembly Member  
Hon. Scott M. Stringer, Man. Borough President  
Hon. Christine C. Quinn, Council Speaker  
Hon. Margaret Chin, Council Member  
Hon. Rosie Mendez, Council Member  
Lolita Jackson, Manhattan Director, CAU  
Peter Janosik, Council, Land Use Division  
Michael Ben-Asher, Dept. of Consumer Affairs  
Applicants



**Whereas**, the applicant was recently notified by the Chair of this committee that the café was being operated with too many tables and seats and an arrangement that did not leave 8 feet of clear public sidewalk, and

**Whereas**, the applicant immediately made efforts to return the café to its approved seating, and

**Whereas**, the applicant's representative reiterated the applicant's commitment to operating the café in the prescribed manner, and

**Whereas**, the applicant appears to be operating the café appropriately in all other manners,

**THEREFORE BE IT RESOLVED** that Community Board 2 Manhattan recommends APPROVAL of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Pasta Bistro Grill, Inc., 93 Macdougall St. (btw Bleecker & Minetta Ln), with 5 tables & 10 seats, DCA# 1311319**

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

3. **Grand Sichuan 7 Ave., Inc., 15 7th Ave. So. (btw Carmine & Leroy), with 10 tables & 20 seats, DCA# 1288706**

Block: 582 Lot: 26	Lot Frontage:68.33' Lot Depth:149.83
Year Built:1900(estimated)	Number of Floors:2
Residential Units:37 Total # of Units:41	Zoning:C2-6R6

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

**Whereas**, the applicant appears to be operating this café consistent with the application without apparent issues,

**THEREFORE BE IT RESOLVED** that Community Board 2 Manhattan recommends APPROVAL of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Grand Sichuan 7 Ave., Inc., 15 7th Ave. So. (btw Carmine & Leroy), with 10 tables & 20 seats, DCA# 1288706**

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

4. **Caffe Silvestri, Inc. d/b/a Caffe Napoli, 191 Hester St. aka 130 Mulberry St. with 21 tables & 42 seats, DCA# 0956923**

Block: 237 Lot: 36	Lot Frontage:25' Lot Depth:75.25
Year Built:1900(estimated)	Number of Floors:6
Residential Units:15 Total # of Units:16	Zoning:C6-2G

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

**Whereas**, the representative was notified that the establishment has been operating with one or more service carts in the café area and a table set up at the corner of the building somewhat inconsistent with the approved plan, and

**Whereas**, the representative committed to address those issues with the applicant, and

**Whereas**, the applicant appears to be operating this café consistent with the application in all other ways,

**THEREFORE BE IT RESOLVED** that Community Board 2 Manhattan recommends APPROVAL of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Caffe Silvestri, Inc. d/b/a Caffe Napoli, 191 Hester St. aka 130 Mulberry St. with 21 tables & 42 seats, DCA# 0956923**

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

5. **Grotta Azzurra Inn, Inc., 177 Mulberry Street (at Broome), with 20 tables & 40 seats, DCA # 1150943**

Block: 471 Lot: 14	Lot Frontage:25.25' Lot Depth:105.42
Year Built:1930(estimated)	Number of Floors:5
Residential Units:20 Total # of Units:21	Zoning:C6-2G

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

**Whereas**, the applicant appears to be operating this café consistent with the application without apparent issues,  
**THEREFORE BE IT RESOLVED** that Community Board 2 Manhattan recommends APPROVAL of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Grotta Azzurra Inn, Inc., 177 Mulberry Street (at Broome), with 20 tables & 40 seats, DCA # 1150943**

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

6. **191 Grand Restaurant Corp., d/b/a Novella, 191 Grand Street (at Mulberry), with 15 tables & 30 seats, DCA# 1213603**

Block: 237 Lot: 12	Lot Frontage: 51' Lot Depth: 90
Year Built: 1900	Number of Floors: 6
Residential Units: 35 Total # of Units: 38	Zoning: C6-2G

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

**Whereas**, the applicant is operating the café inconsistent with the approved layout, with the 4 tables and 8 chairs that should be on Grand St moved around the corner to Mulberry St where there should only be 1 table/2 chair combinations up against and parallel to the building line, and

**Whereas**, this arrangement reduces the amount of public sidewalk to well below the required 8 feet, and

**Whereas**, the applicant has two large menu signs standing in the public area of the sidewalk at the corner of Grand and Mulberry,

**THEREFORE BE IT RESOLVED** that Community Board 2 Manhattan recommends APPROVAL of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **191 Grand Restaurant Corp., d/b/a Novella, 191 Grand Street (at Mulberry), with 15 tables & 30 seats, DCA# 1213603 – CONDITIONAL UPON** the applicant returning the café layout to the plan provided with the application and removing all signage from the public area of the sidewalk as noted in Whereas clauses 2, 3 and 4 above.

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

7. **Feenjon Corp, d/b/a Panchito's, 103-105 MacDougal Street (btw Bleecker & Minetta Ln), with 12 tables & 27 seats, DCA #0855696**

**103 MacDougal**

Block: 542 Lot: 49	Lot Frontage: 25' Lot Depth: 135.5
Year Built: 1900 (estimated)	Number of Floors: 7
Residential Units: 36 Total # of Units: 37	Zoning: R7-2, Commercial Overlay: C1-5

**105 MacDougal**

Block: 542 Lot: 48	Lot Frontage: 25' Lot Depth: 134.5
Year Built: 1900 (estimated)	Number of Floors: 7
Residential Units: 36 Total # of Units: 37	Zoning: R7-2, Commercial Overlay: C1-5

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

**Whereas**, the applicant appears to be operating this café consistent with the application without apparent issues,  
**THEREFORE BE IT RESOLVED** that Community Board 2 Manhattan recommends APPROVAL of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Feenjon Corp, d/b/a Panchito's, 103-105 MacDougal Street (btw Bleecker & Minetta Ln), with 12 tables & 27 seats, DCA #0855696**

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



JH/gh

cc: Hon. Jerrold L. Nadler, Congressman  
Hon. Thomas Duane, NY State Senator  
Hon. Daniel L. Squadron, NY State Senator  
Hon. Deborah J. Glick, Assembly Member  
Hon. Scott M. Stringer, Man. Borough President  
Hon. Christine C. Quinn, Council Speaker  
Hon. Margaret Chin, Council Member  
Hon. Rosie Mendez, Council Member  
Lolita Jackson, Manhattan Director, CAU  
Peter Janosik, Council, Land Use Division  
Michael Ben-Asher, Dept. of Consumer Affairs  
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