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## COMMUNITY BOARD No. 2, MANHATTAN

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December 18, 2009

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

Dear Commissioner Mintz:

At its Full Board meeting on December 17, 2009, CB#2-Man., adopted the following resolutions:

**\*Renewal App. for revocable consent to operate an unenclosed sidewalk cafe for:**

- 1. Florios Enterprises, Inc. 192 Grand St., betw Mulberry and Mott Sts., Block: 471, Lot: 57, Police Precinct: 5, with 7 tables & 20 seats, DCA# 0890546.**

**Whereas**, the area was posted, contiguous neighborhood associations alerted by posting and e-mail and no residents appeared before the committee and the Applicant's representative, Frank Ginsalata, was present at this hearing; and,

**Whereas**, this lot has frontage of **24.75** feet on Grand St. and is one building of 3.75 stories, built in 1901 (est), with 3 residential units of a total 4 units in an area of Mixed Residential and Commercial Buildings; Zoning C6-2G, Zoning Map# 12C and,

**Whereas**, this Committee has noted that the eastern most table overlaps the building to the east and there is a menu board that is outside the sidewalk café area, and

**Whereas**, the applicant's representative has agreed to remove the table which is used for smokers and replace it with a bench suitably placed at the property line, **and**,

**Whereas**, the menu board incorrectly placed last month is correctly placed this month,

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL, for the renewal application for revocable consent to operate an Unenclosed sidewalk cafe for **Florios Enterprises, Inc. 192 Grand St., betw Mulberry and Mott Sts., Block: 471, Lot: 57, Police Precinct: 5, with 7 tables & 20 seats, DCA# 0890546.**

Vote: Unanimous, with 35 Board members in favor.

2. **Angelo of Mulberry Street Inc. 146 Mulberry St., Block: 237, Lot:11, Police Precinct:5 betw Grand & Hester Sts., with 3 tables & 10 seats, DCA# 0964932**

**Whereas**, the area was posted, contiguous neighborhood associations alerted by posting and e-mail and no residents appeared before the committee and the Applicant, Joseph Scandurra, was present at this hearing; and,

**Whereas**, this lot has frontage of **36** feet and depth of 100 feet and with one building of six stories, built in 1900 (est), with 35 residential units of a total 40 units in an area of Mixed Residential and Commercial Buildings; Zoning C6-2G, Little Italy Special District, Zoning Map# 12C and,

**Whereas**, at the last renewal period in 2007 there were conflicts between the sidewalk plan and a winter door enclosure, that have been well resolved, and,

**Whereas**, there are no community complaints regarding the operation of this sidewalk café,

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL, for the renewal application for revocable consent to operate an Unenclosed sidewalk cafe for **Angelo of Mulberry Street Inc. 146 Mulberry St., Block: 237, Lot:11, Police Precinct:5 betw Grand & Hester Sts., with 3 tables & 10 seats, DCA# 0964932.**

Vote: Unanimous, with 35 Board members in favor.

3. **Claudisal Rest. Corp. d/b/a Da'Massimo & Caffè Rellini, 206 Thompson St., Block: 537, Lot: 37; Police Precinct: 6, betw Bleecker & West 3<sup>rd</sup> Sts., with 9 tables & 18 seats, DCA# 1187924 Hold Over to January****Two Bacalhaus, Inc. d/b/a Pao, 322 Spring St., Manhattan, Block:595, Lot:73, Police Precinct:1, betw Washington St. & Greenwich St./with 16 tables & 32 seats, DCA# 0957079**

**Whereas**, the area was posted, contiguous neighborhood associations alerted by posting and e-mail and no residents appeared before the committee and the Applicant was not present at this hearing; and,

**Whereas**, this lot has frontage of **18.75** feet and depth of 40.33 feet and with one building of four stories, built in 1900 (est), with three residential units of a total four units in an area of Mixed Residential and Commercial Buildings; Zoning C6-2A, Zoning Map# 12A and,

**Whereas**, it is the practice of this committee to deny any application that does not provide a representative to our hearing, but we are aware that this café may be an asset to this community,

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends DENIAL, for the renewal application for revocable consent to operate an Unenclosed sidewalk cafe for **Two Bacalhaus, Inc. d/b/a Pao, 322 Spring St., Manhattan, Block:595, Lot:73, Police Precinct:1, betw Washington St. & Greenwich St./with 16 tables & 32 seats, DCA# 0957079, UNLESS the applicant agrees to appear before this committee in January.**

Vote: Unanimous, with 35 Board members in favor.

4. **Salsa Salon, Inc., 47 East 12<sup>th</sup> St., Manhattan, Block:564, Lot:19, Police Precinct:6****Betw University and Broadway, with 3 tables & 6 seats, DCA# 1252203**

**Whereas**, the area was posted, contiguous neighborhood associations alerted by posting and e-mail and no residents appeared before the committee and the Applicant, Patty Thomson, was present at this hearing; and,

**Whereas**, this lot has frontage of **37.5** feet and depth of 116.75 feet and with two buildings of four stories, built in 1910 (est), with 0 residential units of a total 10 units in an area of Industrial and Manufacturing Uses; Zoning C6-1, Zoning Map# 12C and,

**Whereas, the only existing complaint is in regard to a banner not associated with the sidewalk café and which as far as this Committee has discovered is not in violation of a statute,**

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL, for the renewal application for revocable consent to operate an Unenclosed sidewalk cafe for **Salsa Salon, Inc., 47 East 12<sup>th</sup> St., Manhattan, Block:564, Lot:19, Police Precinct:6Betw University and Broadway, with 3 tables & 6 seats, DCA# 1252203.**

Vote: Unanimous, with 35 Board members in favor.

**5. Caliente Tequila Grill, LLC, Caliente Grill, 282-284 Bleecker St., Manhattan Block:587, Lots: 21 and 24, Police Precinct: 6 @ 7<sup>th</sup> Ave. So.,with 10 tables & 30 seats, DCA# 1103058**

**Whereas**, the area was posted, contiguous neighborhood associations alerted by posting and e-mail and no residents appeared before the committee and the Applicant, Howard Berke, was present at this hearing; and,

**Whereas**, the lot for this sidewalk café which is one of three belonging to this applicant, has frontage on Bleecker of **47** feet and depth on Seventh Ave. So of 72.92 feet and with one building of 2.5 stories, built in 1925 (est), with 8 residential units of a total 9 units in an area of Multi-Family Walk-Up Buildings; Zoning C2-6, Zoning Map# 12A and,

**Whereas**, there are no community complaints and the sidewalk plan has been observed, and

**Whereas**, there is a serving and waste station inside the sidewalk plan that should not be present, but the owner has promised to remove it, and

**Whereas**, the City of New York has recently installed a large Muni Meter on the sidewalk at the edge of this sidewalk café which we believe should be moved because it leaves 6' pedestrian right-of-way, and

**Whereas**, CB#2 Manhattan has made inquiries of DCA regarding dispensation of this situation without prejudice for this applicant,

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL, for the renewal application for revocable consent to operate an Unenclosed sidewalk cafe for **Caliente Tequila Grill, LLC, Caliente Grill, 282-284 Bleecker St., Manhattan Block:587, Lots: 21 and 24, Police Precinct: 6 @ 7<sup>th</sup> Ave. So.,with 10 tables & 30 seats, DCA# 1103058.**

Vote: Unanimous, with 35 Board members in favor.

**6. Cavallacci, Fabrizio, d/b/a Café Reggio, 119 Macdougall St., Manhattan Block: 543, Lot: 21, Police Precinct: 6, betw. Bleecker and West 3<sup>rd</sup> Sts., with 4 tables & 8 seats, DCA# 0782318**

**Whereas**, the area was posted, contiguous neighborhood associations alerted by posting and e-mail and no residents appeared before the committee and the Applicant's representative, Tobia Buggiani, was present at this hearing; and,

**Whereas**, this lot has frontage of **25** feet and depth of 100 feet and with one buildings of seven stories, built in 1900 (est), with 24 residential units of a total 29 units in an area of Mixed Residential and Commercial Buildings; ZoningR7-2, with Commercial Overlay: C1-5; Zoning Map# 12A and,

**Whereas**, at the last renewal in 2007 there were numerous violations, among them three extra tables and five seats, a gated and locked exit, no DCA signage and violation of the 8' pedestrian right of way, and

**Whereas**, this Committee observed that there is one extra table, one extra seat and no DCA sign but all other conditions have been corrected, and

**Whereas**, Mr. Buggiani represents the Café is under new management and will remove the extra table and install the DCA sign in the window,

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL, for the renewal application for revocable consent to operate an Unenclosed sidewalk cafe for **Cavallacci, Fabrizio, d/b/a Café Reggio, 119 Macdougall St., Manhattan Block: 543, Lot: 21, Police Precinct: 6, betw. Bleecker and West 3<sup>rd</sup> Sts., with 4 tables & 8 seats, DCA# 0782318**

**Therefore be it further resolved** that Mr. Buggiani be mailed a copy of this resolution to remind him of his promise to remove the 5<sup>th</sup> table and 9<sup>th</sup> seat and install the DCA sign.

Vote: Unanimous, with 35 Board members in favor.

7. **Twelfth Street Corp., d/b/a Village Den, 225 West 12<sup>th</sup> St. Manhattan Block: 617, Lot: 21, Police Precinct: 6, @ Greenwich St., with 7 tables & 14 seats, DCA# 1035310**

**Whereas**, the area was posted, contiguous neighborhood associations alerted by posting and e-mail and no residents appeared before the committee and the Applicant's representative, K. Danalis, was present at this hearing; and,

**Whereas**, this lot has frontage of **102.17** feet and depth of 103.25 feet and with one buildings of seven stories, built in 1930 (est), with 50 residential units of a total 53 units in an area of Mixed Residential and Commercial Buildings; Zoning C1-6; Zoning Map# 8B and,

**Whereas**, at the last renewal in 2007 there were numerous violations of the sidewalk plan including planters, fixed barriers, insufficient clearance from street furniture, and a Change Order was issued, and

**Whereas**, this Committee has noted that the sidewalk plan is now perfectly maintained,

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL, for the renewal application for revocable consent to operate an Unenclosed sidewalk cafe for **Twelfth Street Corp., d/b/a Village Den, 225 West 12<sup>th</sup> St. Manhattan Block: 617, Lot: 21, Police Precinct: 6, @ Greenwich St., with 7 tables & 14 seats, DCA# 1035310**

Vote: Unanimous, with 35 Board members in favor.

8. BLL Restaurant Corp., d/b/a Porto Bello Rest., 208 Thompson St. betw Bleecker and West 3<sup>rd</sup> Sts., with 2 tables & 5 seats, DCA# 0924708 - Hold over to Jan
10. Eli-Lilla, Inc. d/b/a Café Roma, 385 Broome St. @ Mulberry, with 8 tables & 16 seats, DCA# 0959350 **Hold Over to January**
11. IL Commandatore Rest., d/b/a Casa Bella Rest. 127 Mulberry St. @ Hester St. with 11 tables & 21 seats DCA# 1189682 **Hold Over to January**
12. The Original Vincent's, Established 1904, Inc., 119 Mott St. @ Hester with 9 tables & 18 seats, DCA# 1139678 **Hold Over to January**
13. MRG Restaurant Corp. d/b/a Positano, 122 Mulberry St. betw Hester & Canal Sts., with 3 tables & 6 seats, DCA# 1135770 **Hold-Over to January**
14. **NoHo Star Inc. d/b/a 330 Lafayette St. Manhattan Block:522, Lot:7501, Police Precinct:9 @ Bleecker St. with 16 tables & 32 seats, DCA# 0931822**

**Whereas**, the area was posted, contiguous neighborhood associations alerted by posting and e-mail and no residents appeared before the committee and the Applicant's representative, Julia Lisowski, was present at this hearing; and,

**Whereas**, this lot has frontage of **43.08** feet and depth of 116.08 feet **on the Lafayette side** with one building of eight stories, built in 1910, with 11 residential units of a total 13 units in an area of Mixed Residential and Commercial Buildings; Zoning M1-5B, Landmarked; Zoning Map# 12C and,

**Whereas**, this could be the oldest continuously running sidewalk café on Lafayette St., and has been an asset to the neighborhood, and

**Whereas**, this sidewalk café strictly adheres to all regulations,

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL, for the renewal application for revocable consent to operate an Unenclosed sidewalk cafe for **NoHo Star Inc. d/b/a 330 Lafayette St. Manhattan Block:522, Lot:7501, Police Precinct:9 @ Bleecker St. with 16 tables & 32 seats, DCA# 0931822**

Vote: Unanimous, with 35 Board members in favor.

15. **DoJo Restaurant Inc. d/b/a DoJo West, 14 West 4<sup>th</sup> St. Manhattan Block:535, Lot:7501, Police Precinct:6 @ Mercer St., with 6 tables & 22 seats, DCA# 090588**  
**Whereas**, the area was posted, contiguous neighborhood associations alerted by posting and e-mail and no residents appeared before the committee and the Applicant's representative, Bannarat Muttanaro, was present at this hearing; and,

**Whereas**, this lot has frontage of **209** feet and depth of 200 feet with one building of 12 stories, built in 1908, with 274 residential units of a total 275 units in an area of Mixed Residential and Commercial Buildings; ZoningC6-2, Zoning Map# 12C and,

**Whereas**, there are no complaints and the sidewalk café adheres to the plan,

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL, for the renewal application for revocable consent to operate an Unenclosed sidewalk cafe for **DoJo**

**Restaurant Inc. d/b/a DoJo West, 14 West 4<sup>th</sup> St. Manhattan Block:535, Lot:7501, Police Precinct:6 @ Mercer St., with 6 tables & 22 seats, DCA# 090588**

Vote: Unanimous, with 35 Board members in favor.

16. **Pee Wee & Tyson, Ltd, 242 Mott St., betw Houston and Prince Sts, d/b/a Gitane, Manhattan Block:508, Lot:53, Police Precinct:5, with 4 tables & 8 seats, DCA# 1011960**

**Whereas**, the area was posted, contiguous neighborhood associations alerted by posting and e-mail and no residents appeared before the committee and the Applicant, Luc Levy , was present at this hearing; and,

**Whereas**, this lot has frontage of **27.83** feet and depth of 79.17 feet with one building of six stories, built in 1910 (est), with 16 residential units of a total 19 units in an area of Mixed Residential and Commercial Buildings; Zoning C6-2, Zoning Map# 12C and,

**Whereas**, there are no community complaints and this Café has fit itself well into the neighborhood,

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL, for the renewal application for revocable consent to operate an Unenclosed sidewalk cafe for Pee Wee & Tyson, Ltd, 242 Mott St., betw Houston and Prince Sts, d/b/a Gitane, Manhattan Block:508, Lot:53, Police Precinct:5, with 4 tables & 8 seats, DCA# 1011960

Vote: Unanimous, with 35 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



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

JH/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  
Sandy Myers, Community Board Liaison, Man., Borough President  
Lolita Jackson, Manhattan Director, CAU  
Peter Janosik, Council, Land Use Division  
Michael Ben-Asher, Dept. of Consumer Affairs  
Applicants