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COMMUNITY BOARD NO. 2, MANHATTAN

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

January 25, 2013

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

Dear Commissioner Mintz:

At its Full Board Committee meeting on January 24, 2012, Community Board #2, Manhattan adopted the following resolution:

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

- 1. Sengupta Food Services LLC, d/b/a SoHo Park, 62 Prince St. (SW corner Lafayette St), with 7 tables & 14 seats, DCA# 1277362**

Block:496 Lot:18

Year Built:2005

Residential Units:0 Total # of Units:1

Lot Frontage:47.33' Lot Depth:54.92

Number of Floors:1

Zoning:M1-5B

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, and the applicants and their representative, Frank Palillo, were present, and

Whereas, this café has been operated for several years by this applicant with few known issues, and

Whereas, the committee noted the applicants have completely removed large planters that had previously been used for which the committee expressed its appreciation, and

Whereas, the committee requested that two smaller planters that were currently placed just to the front of a winter entrance enclosure be moved against the façade and the applicants committed to doing so,

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 **Sengupta Food Services LLC, d/b/a SoHo Park, 62 Prince St. (SW corner Lafayette St), with 7 tables & 14 seats, DCA# 1277362**

VOTE: Unanimous, with 43 Board members in favor.

- 2. Zonor Rest. Corp. d/b/a Riviera Café, 225 W. 4th St.(NW corner 7th Ave S), with 27 tables & 60 seats, DCA# 0922650**

Block:610 Lot:9	Lot Frontage:90.25' Lot Depth:64.17
Year Built:1910	Number of Buildings:3, Number of Floors:4
Residential Units:12 Total # of Units:16	Zoning:C4-5
Landmark Building: Yes	Historic District: Greenwich Village

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

Whereas, this café has been operated for several years by this applicant with few known issues, and

Whereas, the committee noted to the applicant that a-frame signs have been used regularly in front of the café and that the only legal use of the signs is folded (2-dimensional) and propped against the façade,

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 **Zonor Rest. Corp. d/b/a Riviera Café, 225 W. 4th St.(NW corner 7th Ave S), with 27 tables & 60 seats, DCA# 0922650**

VOTE: Unanimous, with 43 Board members in favor.

- 3. PJ's of Little Italy, Inc. d/b/a Pellegrino's, 138 Mulberry St. (btw Hester St & Grand St), with 5 tables & 10 seats, DCA# 1343750**

Block:237 Lot:7501	Lot Frontage:124.75' Lot Depth:101.33
Year Built:1915	Number of Buildings:1; Number of Floors:6
Residential Units:0 Total # of Units:11	Zoning:C6-2G

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

Whereas, this café has been operated for several years by this applicant with continuing issues, mostly concerned with illegal signage, and

Whereas, the committee noted to Mr. Kelly that a-frame and podium signs have been used regularly in front of the café and that the only legal use of the a-frame signs is folded (2-dimensional) and propped against the façade and podium signs are never allowed,

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 **PJ's of Little Italy, Inc. d/b/a Pellegrino's, 138 Mulberry St. (btw Hester St & Grand St), with 5 tables & 10 seats, DCA# 1343750**

CONDITIONAL UPON the removal of all illegal signage from the sidewalk

VOTE: Unanimous, with 43 Board members in favor.

- 4. Restaurant 597 Inc. d/b/a Bus Stop, 597 Hudson St. (NW corner Bethune St), with 10 tables & 20 seats, DCA# 0918358**

Block:624 Lot:21	Lot Frontage:21.83' Lot Depth:76.33
Year Built:1901(estimated)	Number of Floors:5
Residential Units:12 Total # of Units:14	Zoning:C1-6
Landmark Building: Yes	Historic District: Greenwich Village

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

Whereas, this café has been operated for several years by this applicant with few known issues, and

Whereas, the committee noted the sidewalk is not always cleared when the café closes and reminded the applicant that furniture must be removed from the sidewalk and barriers moved against the facade,

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 **Restaurant 597 Inc. d/b/a Bus Stop, 597 Hudson St. (NW corner Bethune St), with 10 tables & 20 seats, DCA# 0918358**

VOTE: Unanimous, with 43 Board members in favor.

- 5. 643 Hudson LLC, d/b/a Fatty Crab, 643 Hudson St. (btw Horatio St & Gansevoort St), with 6 tables & 12 seats, DCA# 1230448**

Block:627 Lot:12	Lot Frontage:23.08' Lot Depth:64
Year Built:1950(estimated)	Number of Buildings:1; Number of Floors:4
Residential Units:3 Total # of Units:4	Zoning:M1-5
Landmark Building: Yes	Historic District: Gansevoort Market

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

Whereas, this café has been operated for several years by this applicant with few known issues, and

Whereas, the committee noted that while the café was not currently set up, the applicant had previously been placing tables in the wrong orientation and Mr. Kelly assured the committee that has been resolved,

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 **643 Hudson LLC, d/b/a Fatty Crab, 643 Hudson St. (btw Horatio St & Gansevoort St), with 6 tables & 12 seats, DCA# 1230448**

VOTE: Unanimous, with 43 Board members in favor.

- 6. New Restaurant Inc. d/b/a Mambo Italiano, 145 Mulberry St. (btw Hester St & Grand St), with 8 tables & 16 seats, DCA# 1345288**

Block:236Lot:7502

Year Built:1915

Residential Units:0Total # of Units:26

Lot Frontage:50.42'Lot Depth:100.08

Number of Buildings:1; Number of Floors:6

Zoning:C6-2G

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

Whereas, this café has been operated for several years by this applicant with continuing issues, mostly concerned with illegal signage, and

Whereas, the committee noted that a-frame and podium signs have been used regularly in front of the café and that the only legal use of the a-frame signs is folded (2-dimensional) and propped against the façade and podium signs are never allowed, and

Whereas, the applicant appears to be under the impression that the rules on signage do not really apply on Mulberry St. but the committee assured him that they do (although DCA enforcement is minimal at best),

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 **New Restaurant Inc. d/b/a Mambo Italiano, 145 Mulberry St. (btw Hester St & Grand St), with 8 tables & 16 seats, DCA# 1345288**

CONDITIONAL UPON the removal of all illegal signage from the sidewalk

VOTE: Unanimous, with 43 Board members in favor.

- 7. 151 Mulberry St. Corp. d/b/a Il Palazzo, 151 Mulberry St. (btw Hester St & Grand St), with 4 tables & 9 seats, DCA# 1343752**

Block:236Lot:20

Year Built:1900(estimated)

Residential Units:2Total # of Units:3

Lot Frontage:20.08'Lot Depth:74.33

Number of Buildings:2; Number of Floors:3

Zoning:C6-2G

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

Whereas, this café has been operated for several years by this applicant with continuing issues, mostly concerned with illegal signage, and

Whereas, the committee noted the applicant was cited by DCA on June 12, 2012 for not maintaining the appropriate clear path on the sidewalk, and

Whereas, the CB2 office received a letter from the property owner on the date of the hearing notifying the Board that as part of an ongoing legal action they are revoking their permission to the applicant for use of the sidewalk for a café,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **DENIAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **151 Mulberry St. Corp. d/b/a Il Palazzo, 151 Mulberry St. (btw Hester St & Grand St), with 4 tables & 9 seats, DCA# 1343752**

VOTE: Unanimous, with 43 Board members in favor.

8. Summit of the World, Inc. d/b/a Bone Lick Park, 75 Greenwich Ave. (btw 7th Ave S & Bank St), with 10 tables & 20 seats DCA# 1343308

Block:614Lot:61

Year Built:1920(estimated)

Residential Units:41Total # of Units:48

Landmark Building: Yes

Lot Frontage:77'Lot Depth:107.58

Number of Buildings:1; Number of Floors:6

Zoning:C2-6C1-6

Historic District: Greenwich Village

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

Whereas, this café has been operated for several years by this applicant with known issues primarily related to over-seating and extension of the west end of the café beyond the approved footprint, and

Whereas, the committee noted the café has often been extended – and additional seating added – to the west end of the café which also causes the reduction of the required 8 foot clearance between the café and a street light to less than 5 feet, and

Whereas, the applicant was cited by DCA on Aug 23, 2011 for having too many seats in the café and not maintaining the required service aisle, both stemming from the practice noted in the previous Whereas,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **DENIAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Summit of the World, Inc. d/b/a Bone Lick Park, 75 Greenwich Ave. (btw 7th Ave S & Bank St), with 10 tables & 20 seats DCA# 1343308**

UNLESS the applicant strictly operates the café according to their approved plan

VOTE: Unanimous, with 43 Board members in favor.

9. Slice West Village, LTD d/b/a Slice, The Perfect Food, 535 Hudson St. (btw Charles St & Perry St), with 10 tables & 20 seats, DCA# 1346838

Block:632Lot:55

Year Built:1910(estimated)

Residential Units:30Total # of Units:33

Landmark Building: Yes

Lot Frontage:100.17'Lot Depth:38.17

Number of Buildings:1; Number of Floors:5

Zoning:C1-6

Historic District: Greenwich Village

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant's representative, Andrew Horn, was present, and

Whereas, this café has been operated for 2 years by this applicant with continuing issues, and

Whereas, the committee noted the café has operated for its entire initial term with planters that are not only not on the approved plans, but are never removed from the sidewalk and as they are well over a foot in width extend the depth of the café to the point that required sidewalk clear path is not maintained, primarily between the café and a fire hydrant and street light immediately in front of it, and the café has consistently occupied more than the allowed ½ of the unobstructed sidewalk, and

Whereas, the approved seating number is predicated on some seating being on a closed and locked sidewalk vault, but the applicant has consistently operated the café with the vault open which is not only contrary to its approved plan, but is an extremely dangerous condition, and

Whereas, the applicant, or her staff has been notified by this committee and the CB2 SLA committee on several occasions going back almost to the inception of the cafe that these issues must be corrected and no apparent effort has been made to correct either condition,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **DENIAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Slice West Village, LTD d/b/a Slice, The Perfect Food, 535 Hudson St. (btw Charles St & Perry St), with 10 tables & 20 seats, DCA# 1346838**

FURTHER BE IT RESOLVED that if DCA and the City Council continue consideration of this license renewal, it be granted only under the following conditions:

- **The applicant has already completely removed all planters from the sidewalk**
- **The applicant sign an agreement with the office of Council Speaker Christine Quinn that at no time will planters be used in or around this café nor will the sidewalk vault be open while the café is in operation**

VOTE: Unanimous, with 43 Board members in favor.

10. Panini Resources, LLC, d/b/a Corsino, 637 Hudson St. (NW corner Horation St), with 6 tables & 20 seats, DCA# 1345390

Block:627Lot:7501

Year Built:1999

Residential Units:3Total # of Units:4

Landmark Building: Yes

Lot Frontage:39.33'Lot Depth:63.33

Number of Buildings:1; Number of Floors:4

Zoning:C1-6

Historic District: Greenwich Village

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

Whereas, this café has been operated for several years by this applicant with few known issues, and

Whereas, the committee noted that the print on file does not reflect changes that were made to ensure clearance between the café and a tree pit fence, although the operation follows the modified plan, and the applicant committed to making sure DCA had a correctly drawn plan,

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 **Panini Resources, LLC, d/b/a Corsino, 637 Hudson St. (NW corner Horation St), with 6 tables & 20 seats, DCA# 1345390**

VOTE: Unanimous, with 43 Board members in favor.

11. Oreste Inc, d/b/a Trattoria Toscana, 64 Carmine St. (btw 7th Ave S & Bedford St), with 8 tables & 18 seats, DCA# 1163792

Block:528Lot:76

Year Built:1900(estimated)

Residential Units:30Total # of Units:35

Landmark Building:Yes

Ext. II

Lot Frontage:75'Lot Depth:60

Number of Buildings:1; Number of Floors:6

Zoning:R6

Historic District:Greenwich Village Historic Dist.

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, but neither the applicant nor a representative was present, and

Whereas, this café has been operated for several years by this applicant with few known issues, and

Whereas, the committee noted the restaurant has been operated under the trade name Trattoria Toscana for many years but this is not correctly listed on its application, and

Whereas, the committee noted the café is operated in an R-6 zoning but may be grandfathered due to its initial date of operation, and requests DCA notify the Board office if this is in fact the case,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **DENIAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Oreste Inc, d/b/a Trattoria Toscana, 64 Carmine St. (btw 7th Ave S & Bedford St), with 8 tables & 18 seats, DCA# 1163792**

UNLESS the applicant appear before the committee as required under the NYC Sidewalk Café rules

VOTE: Unanimous, with 43 Board members in favor.

12. 316 Bowery LLC d/b/a Saxon & Parole, 316 Bowery (SW corner Bleecker St), with 17 tables & 34, DCA# 1281748

Block:521Lot:7504

Year Built:1910

Residential Units:3Total # of Units:4

Landmark Building:Yes

Lot Frontage:40.33'Lot Depth:48.57

Number of Buildings:1; Number of Floors:4

Zoning:C6-1

Historic District:Noho East

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

Whereas, this café has been operated for several years by this applicant with few known issues, and

Whereas, the committee noted the café is bordered by planters much larger than those shown on the approved plan that applicant appears to have difficulty moving, and

Whereas, the applicant assured the committee that replacement of the planters with small, narrow ones that fully conform to the approved plan was already in process,

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 **316 Bowery LLC d/b/a Saxon & Parole, 316 Bowery (SW corner Bleecker St), with 17 tables & 34, DCA# 1281748**

VOTE: Unanimous, with 43 Board members in favor.

Renewal App. for revocable consent to operate an Enclosed sidewalk cafe for:

13. Bac Bars Group, LLC d/b/a Bayard's Alehouse, 533 Hudson St. (SW corner Charles St), with 14 tables & 32 seats, DCA# 1248153

Block:631Lot:39

Year Built:1910

Residential Units:5Total # of Units:6

Landmark Building: Yes

Lot Frontage:27.58'Lot Depth:74.92

Number of Buildings:1; Number of Floors:3.5

Zoning:C1-6

Historic District: Greenwich Village

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

Whereas, this café has been operated for several years by this applicant with few known 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 Enclosed sidewalk café for **Bac Bars Group, LLC d/b/a Bayard's Alehouse, 533 Hudson St. (SW corner Charles St), with 14 tables & 32 seats, DCA# 1248153**

VOTE: Unanimous, with 43 Board members in favor.

14. Zucca Trattoria Inc. d/b/a Zucca Trattoria, 95 7th Ave. South (btw Barrow St & Grove St), with 12 tables & 32 seats, DCA# 1326701

Block:591Lot:15	Lot Frontage:67.83'Lot Depth:89
Year Built:1900(estimated)	Number of Buildings:1; Number of Floors:1
Residential Units:0Total # of Units:3	Zoning:C4-5
Landmark Building: Yes	Historic District: Greenwich Village

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

Whereas, this café has been operated for several years by this applicant with few known 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 Enclosed sidewalk café for **Zucca Trattoria Inc. d/b/a Zucca Trattoria, 95 7th Ave. South (btw Barrow St & Grove St), with 12 tables & 32 seats, DCA# 1326701**

VOTE: Unanimous, with 43 Board members in favor.

15. Starbucks Corp. d/b/a Starbucks Coffee Co., 454 Lafayette St. (NW corner Astor Pl), with 25 tables & 77 seats, DCA# 0924582

Block:545Lot:7503	Lot Frontage:98.42'Lot Depth:159
Year Built:1930	Number of Buildings:1; Number of Floors:11
Residential Units:52Total # of Units:54	Zoning:C6-2
Landmark Building: Yes	Historic District: NoHo

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant's manager was present, and

Whereas, this café has been operated for several years by this applicant with few known 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 Enclosed sidewalk café for **Starbucks Corp. d/b/a Starbucks Coffee Co., 454 Lafayette St. (NW corner Astor Pl), with 25 tables & 77 seats, DCA# 0924582**

VOTE: Unanimous, with 43 Board members in favor.

16. 74 Seventh, LLC d/b/a Centro Vinoteca, 37 Barrow St. (SW corner 7th Ave S), with 13 tables & 42 seats, DCA# 1280572

Block:587Lot:56	Lot Frontage:56'Lot Depth:41
Year Built:1910(estimated)	Number of Buildings:1; Number of Floors:2
Residential Units:0Total # of Units:1	Zoning:C2-6
Landmark Building: Yes	Historic District: Greenwich Village

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant's manager was present, and

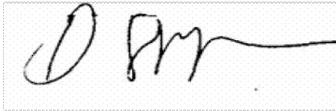
Whereas, this café has been operated for several years by this applicant with few known issues,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **APPROVAL** of this application for a RENEWAL App. for revocable consent to operate an Enclosed sidewalk café for **74 Seventh, LLC d/b/a Centro Vinoteca, 37 Barrow St. (SW corner 7th Ave S), with 13 tables & 42 seats, DCA# 12805**

VOTE: Unanimous, with 43 Board members in favor.

Please advise us of any decision or action taken in response to this resolution.

Sincerely,



David Gruber, Chair
Community Board #2, Manhattan



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

DG/gh

- c:
- Hon. Jerrold L. Nadler, Congressman
 - Hon. Brad Hoylman, 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
 - Hannah Friedman, Community Liaison, Man. Boro. Pres. Office
 - Pauline Yu, Community Assistance Unit