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## COMMUNITY BOARD No. 2, MANHATTAN

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July 26, 2010

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

Dear Commissioner Mintz:

At its Full Board meeting on July 22, 2010, CB#2-Man., adopted the following resolutions:

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

- 1. Bonarue Bleu Industries, Inc., 185 Sullivan St. (btw W Houston & Bleecker St), with 4 tables & 8 seats, DCA# 1301635**

Block:525Lot:7 Lot Frontage:50'Lot Depth:100.17  
Year Built:1900(estimated) Number of Floors:6  
Residential Units:40Total # of Units:42 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 café has been operating with slightly greater seating than approved due to the replacement of a 1 foot wide table with a two-foot wide table and the addition of an extra chair at two of the tables, and

**Whereas**, the applicant has committed to returning the seating to the approved tables and seats and appears to be operating the café responsibly in all other ways,

**THEREFORE BE IT RESOLVED** that Manhattan Community Board 2 recommends APPROVAL of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Bonarue Bleu Industries, Inc., 185 Sullivan St. (btw W Houston & Bleecker St), with 4 tables & 8 seats, DCA# 1301635**

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

2. **99 South Rest. Corp. d/b/a Garage, 97-99 7<sup>th</sup> Ave. South, with 42 tables & 84 seats, DCA# 1217775 (REHEARING)**

Block:591 Lot:17 Lot Frontage:59.67' Lot Depth:83.83  
Year Built:1920 Number of Floors:1  
Residential Units:0 Total # of Units:1 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 renewal application, and the applicant was present, and

**Whereas**, the applicant appears to have operated the café responsibly for many years,

**THEREFORE BE IT RESOLVED** that Manhattan Community Board 2 recommends APPROVAL of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **99 South Rest. Corp. d/b/a Garage, 97-99 7<sup>th</sup> Ave. South, with 42 tables & 84 seats, DCA# 1217775**

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

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

3. **98 Kenmare Restaurant Group, LLC, d/b/a Civetta Ristorante, 96-98 Kenmare St.(at Mulberry St), with 14 tables & 28 seats, DCA# 1358589**

Block:481 Lot:32 Lot Frontage:100' Lot Depth:100.17  
Year Built: 1900(estimated) Number of Floors:6  
Residential Units:30 Total # of Units:32 Zoning:C6-1

**Whereas**, the area was posted, community groups notified and there were community members present regarding this new application, and the applicant was present, and

**Whereas**, the applicant has reached out to neighboring residents from the early stages of planning and discussion to resolve potential issues ahead of time, and the applicant has committed to continuing that communication, and

**Whereas**, the applicant has agreed to keep the french doors along the façade adjacent to the sidewalk café closed and continue to use the existing awning to help control noise,

**THEREFORE BE IT RESOLVED** that Manhattan Community Board 2 recommends APPROVAL of this application for a NEW App. for revocable consent to operate an Unenclosed sidewalk café for **98 Kenmare Restaurant Group, LLC, d/b/a Civetta Ristorante, 96-98 Kenmare St.(at Mulberry St), with 14 tables & 28 seats, DCA# 1358589**

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

4. **753 Washington Trattoria Inc, 753 Washington St (at Bethune St), 12 tables & 26 seats, DCA# 1360542**

Block:635 Lot:11 Lot Frontage:20' Lot Depth:55  
Year Built: 1905(estimated) Number of Floors:3  
Residential Units:2 Total # of Units:3 Zoning:C6-1  
Landmark Building: Yes Historic District: Greenwich Village

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

**Whereas**, the committee received one letter generally supporting the café but stating there had been problems with a previous operator which never removed its furniture, and

**Whereas**, the applicant has committed to working with neighbors and following the sidewalk café guidelines, and

**Whereas**, the applicant has operated a nearby restaurant and sidewalk café (Malatesta), in a responsible manner for many years, and

**Whereas**, the application layout is somewhat dependent on façade doors on the Washington St. side which have yet to be approved by CB2 or the LPC,

**THEREFORE BE IT RESOLVED** that Manhattan Community Board 2 recommends APPROVAL of this application for a NEW App. for revocable consent to operate an Unenclosed sidewalk café for **753 Washington Trattoria Inc, 753 Washington St (at Bethune St), 12 tables & 26 seats, DCA# 1360542 PROVIDED the applicant receives LPC approvals for the Washington Street façade/door treatment shown on the plans.**

**VOTE:** Passed, with 36 Board members in favor, and 1 against-(Dutton)

**5. 1 Perry Street Restaurant Inc, 57 Greenwich Ave. (at Perry St), with 4 tables & 14 seats, DCA# 1360787**

Block:613 Lot:61	Lot Frontage:29.08' Lot Depth:70
Year Built: 1901(estimated)	Number of Floors:4
Residential Units:5 Total # of Units:6	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 new application, and the applicant's representative, Mike Leuck, was present, and

**Whereas**, while there is a street light and MuniMeter in front of the establishment, there appear to be no substantial clearance issues with this relatively modest cafe,

**THEREFORE BE IT RESOLVED** that Manhattan Community Board 2 recommends APPROVAL of this application for a NEW App. for revocable consent to operate an Unenclosed sidewalk café for **1 Perry Street Restaurant Inc, 57 Greenwich Ave. (at Perry St), with 4 tables & 14 seats, DCA# 1360787**

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

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

**6. Innovation 2010, Inc., d/b/a In 2010, 15 Greenwich Ave. (btw Christopher & W 10<sup>th</sup>), with 5 tables & 10 seats, DCA# 1346477**

Block:610 Lot:56	Lot Frontage:20' Lot Depth:75
Year Built:1920(estimated)	Number of Floors:1
Residential Units:0 Total # of Units:2	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 new application, and the applicant was present, and

**Whereas**, this enclosed sidewalk café has been in operation under a prior operator in the same family for many years, and

**Whereas**, the applicant appears to operate this enclosed sidewalk café in a responsible manner,

**THEREFORE BE IT RESOLVED** that Manhattan Community Board 2 recommends APPROVAL of this application for a NEW App. for revocable consent to operate an Enclosed sidewalk café for **Innovation 2010, Inc., d/b/a In 2010, 15 Greenwich Ave. (btw Christopher & W 10<sup>th</sup>), with 5 tables & 10 seats, DCA# 1346477**

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

**7. Zucca Trattoria, Inc. d/b/a Zucca Trattoria, 95 Seventh Ave. So. (btw Barrow & Grove), with 12 tables & 32 seats, DCA# 1326701**

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

**Whereas,** the area was posted, community groups notified and there were community members present regarding this new application, and the applicant was present, and

**Whereas,** this enclosed sidewalk café has been in operation under prior operators for many years, and

**Whereas,** the applicant appears to operate this enclosed sidewalk café in a responsible manner, and

**Whereas,** the community members present expressed concern over the status of ownership of the establishment, and how that should affect this application as well as that to the SLA, and

**Whereas,** the ownership issues appear to be out of the scope of this committee's responsibility,

**THEREFORE BE IT RESOLVED** that Manhattan Community Board 2 recommends APPROVAL of this application for a NEW App. for revocable consent to operate an Enclosed sidewalk café for **Zucca Trattoria, Inc. d/b/a Zucca Trattoria, 95 Seventh Ave. So. (btw Barrow & Grove), with 12 tables & 32 seats, DCA# 1326701**

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

**8. Carabean LLC, d/b/a Public House, 133 Seventh Ave. So. (btw W 10th & Charles), with 7 tables & 14 seats, DCA#1341044**

Block:611 Lot:33	Lot Frontage:22' Lot Depth:74.5
Year Built:1905(estimated)	Number of Floors:2
Residential Units:0 Total # of Units:1	Zoning:C2-6
Landmark Building: Yes	Historic District: Greenwich Village

**Whereas,** the area was posted, community groups notified and there were community members present regarding this new application, and the applicant's representative, Mike Leuck, was present, and

**Whereas,** this enclosed sidewalk café has been in operation under prior operators for many years, but has now been altered with garage doors that completely open the café façade to the street, greatly increasing the noise in neighboring residences, and

**Whereas,** residents of the building complained of noise levels from the café and a complete lack of responsiveness on the part of the establishment, and

**Whereas,** the neighbors further stated the establishment does not operate consistent with the commitments made to CB2 in their SLA application including the installation of sound proofing and prohibiting the use of DJs or any other aspects of a nightclub, and

**Whereas**, the applicant's representative was unaware of the issues and could not speak to them or make any commitment on behalf of the applicant to resolve them,

**THEREFORE BE IT RESOLVED** that Manhattan Community Board 2 recommends DENIAL of this application for a NEW App. for revocable consent to operate an Enclosed sidewalk café for **Carabean LLC, d/b/a Public House, 133 Seventh Ave. So. (btw W 10th & Charles), with 7 tables & 14 seats, DCA#1341044**

**VOTE:** Unanimous, with 37 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

- 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  
Applicants