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## COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE  
NEW YORK, NY 10012-1899

[www.cb2manhattan.org](http://www.cb2manhattan.org)

P: 212-979-2272 F: 212-254-5102 E: [info@cb2manhattan.org](mailto:info@cb2manhattan.org)

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May 28, 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 May 23, 2013, Community Board #2, Manhattan adopted the following resolution:

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

- 1. Macelleria Restaurant, Inc. d/b/a Macelleria, 48 Gansevoort St. (btw Washington St & Greenwich St), with 9 tables & 18 seats, DCA# 1188887**

Block:643 Lot:54

Year Built:1941

Residential Units:0 Total # of Units:1

Lot Frontage:69.42' Lot Depth:92.58

Number of Buildings:1; Number of Floors:2

Zoning:M1-5

**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 many years by this applicant with few known issues,

**THEREFORE BE IT RESOLVED** that Community Board 2 Manhattan recommends **APPROVAL** of this RENEWAL application for revocable consent to operate an Unenclosed sidewalk café for **Macelleria Restaurant, Inc. d/b/a Macelleria, 48 Gansevoort St. (btw Washington St & Greenwich St), with 9 tables & 18 seats, DCA# 1188887**

**VOTE: Unanimous, with 39 Board members in favor.**

**2. Gadberry Pizza, Inc. d/b/a Bleecker Street Pizza, 67-71 7th Ave. South (NE corner Bleecker St), with 3 tables & 6 seats, DCA# 1183527**

Block:587 Lot:21

Year Built:1925(estimated)

Residential Units:8 Total # of Units:9

Lot Frontage:47' Lot Depth:72.92

Number of Buildings:1; Number of Floors:2.5

Zoning:C2-6

**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 many years by this applicant with few known issues,

**THEREFORE BE IT RESOLVED** that Community Board 2 Manhattan recommends **APPROVAL** of this RENEWAL application for revocable consent to operate an Unenclosed sidewalk café for **Gadberry Pizza, Inc. d/b/a Bleecker Street Pizza, 67-71 7th Ave. South (NE corner Bleecker St), with 3 tables & 6 seats, DCA# 1183527**

**VOTE: Unanimous, with 39 Board members in favor.**

**3. ASC, Inc. d/b/a La Nonna, 134 Mulberry St. (btw Hester St & Grand St), with 6 tables & 12 seats, DCA#1208521**

Block:237 Lot:7501

Year Built:1915

Residential Units:0 Total # of Units:11

Lot Frontage:124.75' Lot Depth:101.33

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's representative, Michael Kelly, was present, and

**Whereas**, this café has been operated for many years by this applicant with few known issues other than the signage and menus which continue to be an uncontrolled plague on Mulberry St,

**THEREFORE BE IT RESOLVED** that Community Board 2 Manhattan recommends **APPROVAL** of this RENEWAL application for revocable consent to operate an Unenclosed sidewalk café for **ASC, Inc. d/b/a La Nonna, 134 Mulberry St. (btw Hester St & Grand St), with 6 tables & 12 seats, DCA#1208521**

**VOTE: Unanimous, with 39 Board members in favor.**

**4. Andikiana Corp. d/b/a Silver Spurs Eatery, 490 LaGuardia Pl., with 16 tables & 32 seats, DCA#0941701**

Block:525 Lot:56

Year Built:1900(estimated)

Residential Units:0 Total # of Units:7

Zoning:R7-2

Lot Frontage:18.75' Lot Depth:98

Number of Buildings:1; Number of Floors:4

Commercial Overlay:C1-5

**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 many years by this applicant with few known issues,

**THEREFORE BE IT RESOLVED** that Community Board 2 Manhattan recommends **APPROVAL** of this RENEWAL application for revocable consent to operate an Unenclosed sidewalk café for **Andikiana Corp. d/b/a Silver Spurs Eatery, 490 LaGuardia Pl., with 16 tables & 32 seats, DCA#0941701**

**VOTE: Unanimous, with 39 Board members in favor.**

- 5. Riomar Corp. d/b/a Kana, 324 Spring St. (btw Washington St & Greenwich St), with 4 tables & 13 seats, with 4 tables & 13 seats, DCA# 1384241**

Block:595 Lot:72	Lot Frontage:20.08' Lot Depth:56
Year Built:1900(estimated)	Number of Buildings:1; Number of Floors:4
Residential Units:3 Total # of Units:4	Zoning:C6-2A

**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**, appearance before the Community Board is a critical part of the sidewalk café renewal process and is required just once every two years,

**THEREFORE BE IT RESOLVED** that Community Board 2 Manhattan recommends **DENIAL** of this RENEWAL application for revocable consent to operate an Unenclosed sidewalk café for **Riomar Corp. d/b/a Kana, 324 Spring St. (btw Washington St & Greenwich St), with 4 tables & 13 seats, DCA# 1384241**

**VOTE: Unanimous, with 39 Board members in favor.**

- 6. 183 Condechi Associates, LLC d/b/a Café Condesa, 183 W. 10th St.(btw W 4<sup>th</sup> St & 7<sup>th</sup> Ave S), with 4 tables & 7 seats, DCA# 1390265**

Block:611 Lot:1	Lot Frontage:20.08' Lot Depth:80.67
Year Built:1900	Number of Buildings:3; Number of Floors:5
Residential Units:13 Total # of Units:15	Zoning:C2-6

**Whereas**, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant's representatives, James Wanderstock and Steve Wygoda, were present, and

**Whereas**, this café has been licensed by this applicant for just two years on a sidewalk that is barely the minimum 12' of width, and

**Whereas**, due to the width, at the time of initial approval, the committee as well as the office of Speaker Christine Quinn clearly communicated to the applicant that due to the narrow sidewalk there could be nothing on the sidewalk except the approved tables and chairs in order to maintain the required clear path of public sidewalk, and

**Whereas**, almost immediately after instituting the café the applicant placed several planters on the sidewalk where the required service aisle should be, and

**Whereas**, the applicant has been cited at least twice by DCA for operating with an improper service aisle due to the planters, yet still has not removed them from the sidewalk,

**THEREFORE BE IT RESOLVED** that Community Board 2 Manhattan recommends **DENIAL** of this RENEWAL application for revocable consent to operate an Unenclosed sidewalk café for **183 Condechi Associates, LLC d/b/a Café Condesa, 183 W. 10th St.(btw W 4<sup>th</sup> St & 7<sup>th</sup> Ave S), with 4 tables & 7 seats, DCA# 13902**

**UNLESS the unapproved planters are immediately and permanently removed from the sidewalk**

**VOTE: Unanimous, with 39 Board members in favor.**

**7. 164 Mulberry St. Corp. d/b/a Da Nico Restaurant, 164 Mulberry St. (btw Hester St & Grand St), with 4 tables & 8 seats, DCA# 0949447**

Block:237 Lot:7501

Year Built:1915

Residential Units:0 Total # of Units:11

Lot Frontage:124.75' Lot Depth:101.33

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's representative, Michael Kelly, was present, and

**Whereas**, this café has been licensed by this applicant for with continuing issues that include:

- partially blocking a residential entrance at the south edge of the cafe
- a large podium sign/menu,
- umbrellas that provide substantially less than the required 7' of clearance
- 7' high potted fern,

**THEREFORE BE IT RESOLVED** that Community Board 2 Manhattan recommends **DENIAL** of this RENEWAL application for revocable consent to operate an Unenclosed sidewalk café for **164 Mulberry St. Corp. d/b/a Da Nico Restaurant, 164 Mulberry St. (btw Hester St & Grand St), with 4 tables & 8 seats, DCA# 0949447**

**UNLESS the issues itemized in the 2<sup>nd</sup> Whereas are immediately and permanently addressed**

**VOTE: Unanimous, with 39 Board members in favor.**

**8. Molly Picon LLC, d/b/a Jacks's Wife Freda, 224 Lafayette St.(btw Kenmare St & Spring St), with 3 tables & 12 seats, DCA# 1426863**

Block:482 Lot:24

Year Built:1900(estimated)

Residential Units:9 Total # of Units:10

Lot Frontage:24.5' Lot Depth:50.33

Number of Buildings:1; Number of Floors:6

Zoning:M1-5B

**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 2 years by this applicant with few known issues, and

**Whereas**, the committee questions the legality of the café as it is in M1-5B zoning below Houston St. where sidewalk cafes are not allowed, and

**Whereas**, the applicants contend the café has been continuously licensed for many years by them and previous licensees and is thereby grandfathered, and

**Whereas**, as at least two other café operators nearby on Lafayette St have recently been notified by DCA that their cafes are non-conforming due to this zoning issue, to ensure fairness to all affected operators, the Board requests that DCA ensure that this café is in fact grandfathered,

**THEREFORE BE IT RESOLVED** that Community Board 2 Manhattan recommends **DENIAL** of this RENEWAL application for revocable consent to operate an Unenclosed sidewalk café for **Molly Picon LLC, d/b/a Jacks’s Wife Freda, 224 Lafayette St.(btw Kenmare St & Spring St), with 3 tables & 12 seats, DCA# 1426863**

**UNLESS DCA confirms this café has been continually licensed and is thereby grandfathered to operate in an M1-5B zone below Houston St**

**VOTE: Unanimous, with 39 Board members in favor.**

- 9. Francis Louis, LLC, d/b/a Frankie’s 570 Spuntino, 570 Hudson St. (SE corner W 11<sup>th</sup> St), with 11 tables & 32 seats, DCA# 1387557**

Block:622 Lot:10

Year Built:1901(estimated)

Residential Units:2Total # of Units:3

Lot Frontage:49.25'Lot Depth:26.17

Number of Buildings:1; Number of Floors:3

Zoning:C1-6

**Whereas**, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant’s Office Manager, Kelly Perkins, was present, and

**Whereas**, this café has been operated for 2 years by this applicant with few known issues other than blockage of a Siamese connection and large planters (on casters) that have recently been installed, and

**Whereas**, the committee pointed out to Ms. Perkins that neither the Siamese nor the planters were shown on the print, and she committed to ensuring that the clearance from the Siamese would be addressed, and

**Whereas**, Ms. Perkins also indicated that a new print would be filed with DCA, which shows the Siamese connection and includes any planters that can legally be accommodated,

**THEREFORE BE IT RESOLVED** that Community Board 2 Manhattan recommends **APPROVAL** of this RENEWAL application for revocable consent to operate an Unenclosed sidewalk café for **Francis Louis, LLC, d/b/a Frankie’s 570 Spuntino, 570 Hudson St. (SE corner W 11<sup>th</sup> St), with 11 tables & 32 seats, DCA# 1387557**

**CONDITIONAL UPON the applicant addressing the non-conforming conditions with the Siamese connection and planters, primarily by providing DCA with a new print showing those two features**

**VOTE: Unanimous, with 39 Board members in favor.**

- 10. Greenwich Village Bistro, Ltd. d/b/a Greenwich Village Bistro, 13 Carmine St. (btw Bleeker St & 6<sup>th</sup> Ave), with 9 tables & 18 seats, DCA#1030835**

Block:589 Lot:47

Year Built:1900(estimated)

Residential Units:13Total # of Units:14

Lot Frontage:25'Lot Depth:100

Number of Buildings:1; Number of Floors:5

Zoning:R7-2

**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 many years by this applicant with few known issues,

**THEREFORE BE IT RESOLVED** that Community Board 2 Manhattan recommends **APPROVAL** of this RENEWAL application for revocable consent to operate an Unenclosed sidewalk café for **Greenwich Village Bistro, Ltd. d/b/a Greenwich Village Bistro, 13 Carmine St. (btw Bleecker St & 6<sup>th</sup> Ave), with 9 tables & 18 seats, DCA#1030835**

**VOTE: Unanimous, with 39 Board members in favor.**

**11. Apicio, LLC d/b/a Tertulia d/b/a 359 6th Ave. (btw W 4<sup>th</sup> St & Washington Pl), with 5 tables & 10 seats, DCA# 1414241**

Block:592 Lot:19	Lot Frontage:39.25' Lot Depth:85
Year Built:1910(estimated)	Number of Buildings:2; Number of Floors:4
Residential Units:3 Total # of Units:5	Zoning:R7-2 ; Commercial Overlay:C1-5

**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 2 years by this applicant and there are issues with planters that are not on the approved plans and a large bicycle/cart hybrid parked in front of the café further restricting the public sidewalk, and

**Whereas**, CB2 continues to question the legality of the use of a door that goes through the residential entrance as a service route for the café, and

**Whereas**, appearance before the Community Board is a critical part of the sidewalk café renewal process and is required just once every two years,

**THEREFORE BE IT RESOLVED** that Community Board 2 Manhattan recommends **DENIAL** of this RENEWAL application for revocable consent to operate an Unenclosed sidewalk café for **Apicio, LLC d/b/a Tertulia d/b/a 359 6th Ave. (btw W 4<sup>th</sup> St & Washington Pl), with 5 tables & 10 seats, DCA# 1414241**

**VOTE: Unanimous, with 39 Board members in favor.**

**12. Red Mulberry, Ltd. d/b/a Sambuca's, 105 Mulberry St. (NW corner Canal St), with 10 tables & 20 seats, DCA# 1158751**

Block:206 Lot:26	Lot Frontage:52.25' Lot Depth:75.67
Year Built:1915(estimated)	Number of Buildings:1; Number of Floors:5
Residential Units:6 Total # of Units:14	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 many years by this applicant and has had previous issues with over seating to the sidewalk north of the café footprint, but those issues appear to be resolved recently,

**THEREFORE BE IT RESOLVED** that Community Board 2 Manhattan recommends **APPROVAL** of this RENEWAL application for revocable consent to operate an Unenclosed sidewalk café for **Red Mulberry, Ltd. d/b/a Sambuca's, 105 Mulberry St. (NW corner Canal St), with 10 tables & 20 seats, DCA# 1158751**

**VOTE: Unanimous, with 39 Board members in favor.**

**13. 13th Street Entertainment, LLC d/b/a Brasserie Beaumarchais, 409 W. 13th St. (btw Washington St & 9<sup>th</sup> Ave), with 9 tables & 18 seats DCA# 1324561**

Block:646 Lot:49

Year Built:1911

Residential Units:0 Total # of Units:2

Lot Frontage:75' Lot Depth:103.25

Number of Buildings:1; Number of Floors:3

Zoning:M1-5

**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 once an illegal platform was removed, and

**Whereas**, the Board received an email prior to the hearing complaining about loud dance music emanating from the interior on Sunday afternoons, and as the applicant does not hold a NYC Cabaret License, the Board requests DCA ensure that dancing is not occurring in this establishment,

**THEREFORE BE IT RESOLVED** that Community Board 2 Manhattan recommends **APPROVAL** of this RENEWAL application for revocable consent to operate an Unenclosed sidewalk café for **13th Street Entertainment, LLC d/b/a Brasserie Beaumarchais, 409 W. 13th St. (btw Washington St & 9<sup>th</sup> Ave), with 9 tables & 18 seats DCA# 1324561**

**VOTE: Unanimous, with 39 Board members in favor.**

**14. D.E.L., Inc. d/b/a Alexandra, 455 Hudson St. (btw Morton St & Barrow St), with 10 tables & 20 seats, DCA# 1192285**

Block:603 Lot:65

Year Built:1920(estimated)

Residential Units:39 Total # of Units:41

Lot Frontage:50' Lot Depth:100.08

Number of Buildings:1; Number of Floors:6

Zoning:C1-6

**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 other than signage on the sidewalk,

**THEREFORE BE IT RESOLVED** that Community Board 2 Manhattan recommends **APPROVAL** of this RENEWAL application for revocable consent to operate an Unenclosed sidewalk café for **D.E.L., Inc. d/b/a Alexandra, 455 Hudson St. (btw Morton St & Barrow St), with 10 tables & 20 seats, DCA# 1192285**

**VOTE: Unanimous, with 39 Board members in favor.**

**15. Nilo Inc. & Viola Consulting LLC d/b/a Mezzogiorno Assoc., 195 Spring St (NE corner Sullivan St), with 11 tables & 22 seats, DCA# 0832727**

Block:503 Lot:45

Year Built:1900(estimated)

Residential Units:25 Total # of Units:27

Lot Frontage:46.25' Lot Depth:75

Number of Buildings:1; Number of Floors:6

Zoning:R7-2 ; Commercial Overlay:C1-5

**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 many years by this applicant with previous issues with over seating on the Sullivan St. side of the cafe, but those issues appear to be resolved recently,

**THEREFORE BE IT RESOLVED** that Community Board 2 Manhattan recommends **APPROVAL** of this RENEWAL application for revocable consent to operate an Unenclosed sidewalk café for **Nilo Inc. & Viola Consulting LLC d/b/a Mezzogiorno Assoc., 195 Spring St (NE corner Sullivan St), with 11 tables & 22 seats, DCA# 0832727**

**VOTE: Unanimous, with 39 Board members in favor.**

**16. ALN Restaurant Inc. d/b/a Giovanna's, 128 Mulberry St (SE corner Hester St), with 13 tables & 28 seats, DCA# 1252281**

Block:205 Lot:7502

Year Built:2006

Residential Units:4 Total # of Units:5

Lot Frontage:25.83' Lot Depth:50

Number of Buildings:1; Number of Floors:7

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 many years by this applicant with previous issues of mis-seating and use of illegal signage, and

**Whereas**, the seating seems to be generally compliant, the applicant was cited by DCA on 5/24/12 for improper signage in the café, and that issue was still present on the committee's recent inspection,

**THEREFORE BE IT RESOLVED** that Community Board 2 Manhattan recommends **APPROVAL** of this RENEWAL application for revocable consent to operate an Unenclosed sidewalk café for **ALN Restaurant Inc. d/b/a Giovanna's, 128 Mulberry St (SE corner Hester St), with 13 tables & 28 seats, DCA# 1252281**

**CONDITIONAL UPON** the applicant removing illegal signage from the café and public sidewalk

**VOTE: Unanimous, with 39 Board members in favor.**

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

**17. Pret a Manger (USA) Limited d/b/a Pret a Manger, 821 Broadway (NW corner E 12<sup>th</sup> St), with 7 tables and 12 seats, DCA# 1462355**

Block:564 Lot:22

Year Built:1907

Residential Units:1 Total # of Units:11

Lot Frontage:49.17' Lot Depth:80

Number of Buildings:1; Number of Floors:11

Zoning:C6-1

**Whereas**, the area was posted, community groups notified and there were community members present regarding this application, and the applicant's Vice President, Joseph Iazzetta, was present, and

**Whereas**, this café is proposed for the corner of Broadway and E. 12<sup>th</sup> St with a sidewalk width of 17'10" on Broadway (with 12'4" of width to a sidewalk grating) and 15' on W 12<sup>th</sup> St, and

**Whereas**, two residents of E. 12<sup>th</sup> St appeared and expressed concerns with the seating on the sidestreet and the applicant agreed to remove those seats from the plan and provide a new print to DCA showing the reduction of seating to 5 tables and 9 seats, all on Broadway,

**THEREFORE BE IT RESOLVED** that Community Board 2 Manhattan recommends **APPROVAL** of this NEW application for revocable consent to operate an Unenclosed sidewalk café for **Pret a Manger (USA) Limited d/b/a Pret a Manger, 821 Broadway (NW corner E 12<sup>th</sup> St), with 5 tables and 9 seats, DCA# 1462355**

**CONDITIONAL UPON** the applicant supplying DCA with a new plan showing the agreed to reduction in seating with the total being 5 tables and 9 seats as noted above

**VOTE: Unanimous, with 39 Board members in favor.**

**18. Pret a Manger (USA) Limited d/b/a Pret a Manger, 350 Hudson St. (NE corner Charlton St), with 13 tables & 26 seats, DCA# 1462339**

Block:580 Lot:39

Year Built:1930

Residential Units:0 Total # of Units:6

Lot Frontage:200.25' Lot Depth:150

Number of Buildings:1; Number of Floors:9

Zoning:M1-6

**Whereas**, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant's Vice President, Joseph Iazzetta, was present, and

**Whereas**, this café is proposed for the corner of Hudson St and Charlton St with a sidewalk width of 18'10" on Hudson and 14'10" on Charlton, and

**Whereas**, the committee's primary concern with the proposed plan was the layout on Hudson St that did not maintain a 3' service aisle to some of the pairs of 2-seat tables and also created a potential choke point near the intersection where the depth of the café grew, and

**Whereas**, in light of those concerns the applicant agreed to reduce the seating on Hudson St by removing 3 tables and 6 seats and shifting 1 table and 2 seats to the north end of the café where there was some additional room, leaving a café depth of approx. 6'3" along its entire Hudson St length,

**THEREFORE BE IT RESOLVED** that Community Board 2 Manhattan recommends **APPROVAL** of this NEW application for revocable consent to operate an Unenclosed sidewalk café for **Pret a Manger (USA) Limited d/b/a Pret a Manger, 350 Hudson St. (NE corner Charlton St), with 10 tables & 20 seats, DCA# 1462339**

**CONDITIONAL UPON the applicant supplying DCA with a new plan showing the agreed to reduction in seating with the total being no more than 10 tables and 20 seats as noted above**

**VOTE: Unanimous, with 39 Board members in favor.**

**19. R&G Spring LLC d/b/a Piccola Cucina, 196 Spring St (btw Sullivan St & Thompson St), with 2 tables & 4 seats, DCA# 1463501**

Block:489 Lot:18

Year Built:1900(estimated)

Residential Units:22 Total # of Units:25

Lot Frontage:50' Lot Depth:75

Number of Buildings:1; Number of Floors:6

Zoning:R7-2 ; Commercial Overlay:C1-5

**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, along with a manager of another of the applicant's restaurants, and

**Whereas**, this café is proposed for premise with a frontage of 11'4" and a sidewalk width of 14'7" which has just 10' of total usable width due to a tree pit with a metal railing directly across from the proposed cafe, and

**Whereas**, the applicant had been operating the café illegally for several weeks prior to the committee hearing, and the manager from the applicant's Prince St restaurant claimed they were told by Mr. Kelly that they could do this, a contention that Mr. Kelly denied at which point the manager claimed it was a misunderstanding, and

**Whereas**, the manager stated that the owner was in Italy dealing with a family health issue and did not know when he would return, and it appears there is not generally a manager present at this restaurant, and

**Whereas**, the illegal café operation was seating at least 50% more than the proposed plan with seating that was not as shown on the proposed plan which extended further out into the sidewalk and service taking place from the main door which used up even more of the public sidewalk, typically leaving only 3-4', and

**Whereas**, the proposed plan is entirely dependent on service taking place not through the main entrance but from a set of folding doors in the façade which is currently, and no doubt will continue to be, blocked with an interior table, and this is further doubtful as a workable service route because of a 10" step down to the sidewalk, and

**Whereas**, the available width for the café of 11'4" is not enough room to fit the 2 tables and 4 chairs while maintaining anything approaching the required 3' service aisle, and

**Whereas**, while the Board strives to support and work with our small businesses, this is a rare occasion where the committee feels strongly this is a wholly unsuitable location for a sidewalk café, and additionally that this applicant has no real capability of operating even this small café in accordance with the prevailing sidewalk café rules, particularly maintaining anything close to the required 8' of clear pedestrian path, and

Whereas, the Board has photographs of the applicant illegally operating the cafe again just days after the committee hearing when any claimed 'misunderstanding' about its legality was very clearly debunked,

**THEREFORE BE IT RESOLVED** that Community Board 2 Manhattan recommends **DENIAL** of this NEW application for revocable consent to operate an Unenclosed sidewalk café for **R&G Spring LLC d/b/a Piccola Cucina, 196 Spring St (btw Sullivan St & Thompson St), with 2 tables & 4 seats, DCA# 1463**

**VOTE: Unanimous, with 39 Board members in favor.**

**Renewal/Modification App. for revocable consent to operate an Unenclosed sidewalk café for:**

**20. Grillade, LLC, 28 7th Ave. South (btw St Luke’s Pl & Bedford St), with 7 tables & 14 seats, DCA# 1385577**

Block:583 Lot:38 Lot Frontage:34' Lot Depth:71.83  
Year Built:1920(estimated) Number of Buildings:1; Number of Floors:1  
Residential Units:0 Total # of Units:2 Zoning:C2-6

**Whereas**, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant, Eric Blinderman, and his representative, Steve Wygoda, were present, and

**Whereas**, this café has been operated for 2 years by this applicant, typically with seating less than that approved, and this application is to reduce the size of the café, and

**Whereas**, the committee pointed out that the planters being used are roughly 18” wide while they are shown on the plan as 6” wide, and one planter has consistently blocked access to a Siamese connection from which 3’ of clearance must be maintained, and

**Whereas**, the applicant agreed to immediately ensure the required Siamese clearance and resolve the issues with the planters either by replacing them with 6” wide ones or providing a new plan to DCA showing the current ones in a legal configuration,

**THEREFORE BE IT RESOLVED** that Community Board 2 Manhattan recommends **APPROVAL** of this RENEWAL/MODIFICATION application for revocable consent to operate an Unenclosed sidewalk café for **Grillade, LLC, 28 7th Ave. South (btw St Luke’s Pl & Bedford St), with 7 tables & 14 seats, DCA# 1385577**

**CONDITIONAL UPON the applicant resolving the Siamese clearance issue and replacing the non-complying planters or supplying DCA with an updated print showing the current ones in a legal configuration**

**VOTE: Unanimous, with 39 Board members in favor.**

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

**21. Da Silvano Corp, d/b/a Da Silvano, 260 6th Ave (btw W. Houston St & Bleecker St), with 26 tables & 55 seats, DCA# 1187717**

Block:526 Lot:11 Lot Frontage:40' Lot Depth:100  
Year Built:1900(estimated) Number of Buildings:1; Number of Floors:6  
Residential Units:31 Total # of Units:32 Zoning:R7-2 ; Commercial Overlay:C1-5

**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 many years by this applicant with previous issues primarily attributed to an initial design that had too many seats for reasonable daily operation, and

**Whereas**, the seating was reduced by about 10% during the renewal process 2 years ago and it appears to have resolved many of the issues that had occurred with the larger amount of seating, and

**Whereas**, this request is to increase the seating again to roughly the amount that had caused issues with operation, and

**Whereas**, the Board is particularly concerned with the very large groups of 5 tables pushed together that offer no reasonable way for individual parties to access or exit the middle tables,

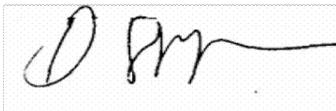
**THEREFORE BE IT RESOLVED** that Community Board 2 Manhattan recommends **DENIAL** of this MODIFICATION application for revocable consent to operate an Unenclosed sidewalk café for **Da Silvano Corp, d/b/a Da Silvano, 260 6th Ave (btw W. Houston St & Bleecker St), with 26 tables & 55 seats, DCA# 1187717**

**FURTHER BE IT RESOLVED** that while the Board might consider a more modest increase in the number of seats, we continue to maintain that this proposal is unmanageable in daily operation and requests the applicant continue to operate the café with the current, and just renewed, amount of seating

**VOTE: Unanimous, with 39 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