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COMMUNITY BOARD NO. 2, MANHATTAN

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

November 30, 2012

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

Dear Commissioner Mintz:

At its Full Board Committee meeting on November 29, 2012, Community Board #2, Manhattan adopted the following resolution:

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

- 1. C & O Coffee Shop Inc. d/b/a La Bonbonniere Restaurant, 28 8th Ave. (btw W. 12th St & Jane St), with 5 tables & 10 seats, DCA#1277859**

Block:625 Lot:52

Year Built:1920(estimated)

Residential Units:4 Total # of Units:6

Landmark Building: Yes

Lot Frontage:55.08' Lot Depth:37

Number of Buildings:2; Number of Floors:3

Zoning:C1-6

Historic District: Greenwich Village

Whereas, the area was posted, community groups notified and there were 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 two continuing issues, opening before the allowed hour of noon on Sunday (on which the CB2 office has received complaints), and over-seating the café, and

Whereas, the applicant was told again the allowed opening time on Sunday is noon and that the café is approved for only 5 tables, each with 2 seats and no other configuration, and

Whereas, the applicant was accompanied by Paula Fedderson, the president of the Jane Street Association, who told the committee she had mistakenly informed the applicant that opening time

on Sunday was 11:00am and hoped this would not adversely impact this café which she feels has been a mainstay in the community for many years, and

Whereas, despite the above assertion, the committee has noted on several occasions the café opened even before 11:00am on Sunday,

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 **C &O Coffee Shop Inc. d/b/a La Bonbonniere Restaurant, 28 8th Ave. (btw W. 12th St & Jane St), with 5 tables & 10 seats, DCA#1277859**

UNLESS the applicant signs an agreement with the office of Council Speaker Christine Quinn to cease operating prior to noon on Sunday and to seat only the approved configuration in the café.

VOTE: Unanimous, with 45 Board members in favor.

2. Restaurant Ventures of NY, Inc. d/b/a Savore Ristorante, 200 Spring St. (SE corner Sullivan St), with 10 tables & 20 seats, DCA#0920983

Block:489 Lot:17	Lot Frontage:25' Lot Depth:75
Year Built:1920(estimated)	Number of Buildings:1; Number of Floors:5
Residential Units:12 Total # of Units:13	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 manager was present, and

Whereas, this café has been operated for several years by this applicant with issues as late as Sept. 2011 with over seating the café by using more than 2-top tables on Sullivan St and placing tables on Spring St where they are not approved, and

Whereas, the applicant stated that the over seating was no longer being done, and for the most part, the committee's recent inspections support that, but even though they were done now that the weather is cold, one 4-top table was set up at the south end of the café on Sullivan, and

Whereas, the CB2 office received one complaint several months ago about continued over seating by this establishment,

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 Ventures of NY, Inc. d/b/a Savore Ristorante, 200 Spring St. (SE corner Sullivan St), with 10 tables & 20 seats, DCA#0920983**

CONDITIONAL UPON the applicant signs an agreement with the office of Council Speaker Christine Quinn to seat only the approved configuration in the café.

VOTE: Unanimous, with 45 Board members in favor.

3. Caffe Silvestri Inc. d/b/a Caffe Napoli, 191 Hester Street (NE corner Mulberry St), with 21 tables & 42 seats, DCA# 0956923

Block:237 Lot:36

Year Built:1900(estimated)

Residential Units:15 Total # of Units:16

Lot Frontage:25' Lot Depth:75.25

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 several years by this applicant with continuing issues with over-seating and seating of the café not being done to the approved plan, and

Whereas, the committee is confused how the current plan was approved in the first place in 2004 as it clearly does not provide a 3 foot service aisle to most of the tables, with the aisle shown on the print to be little more than 1 foot, and

Whereas, the approved plan also includes 8 seats on Hester St., but the applicant has just 2 seats there and the space where 4 of the seats should be is being used for storage, while the seating approved for that space is being used on Mulberry St instead, and

Whereas, on a recent inspection there were 43 seats in the café, too many of which were on Mulberry St. and also illegal a-frame signs and plants in the café that pushed parts of the seating even further into the public sidewalk on Mulberry St.,

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 **Caffe Silvestri Inc. d/b/a Caffe Napoli, 191 Hester Street (NE corner Mulberry St), with 21 tables & 42 seats, DCA# 0956923**

UNLESS the applicant files a new print with DCA which has the legally required 3 foot wide service aisle on Mulberry St., reducing the seating to account for the proper service aisle and for the use of space on Hester for storage instead of seating.

VOTE: Unanimous, with 45 Board members in favor.

4. 191 Grand Restaurant Corp. d/b/a Novella, 191 Grand St. (SE corner Mulberry St), with 15 tables & 30 seats, DCA# 1213603

Block:237 Lot:12

Year Built:1900

Residential Units:35 Total # of Units:38

Lot Frontage:51' Lot Depth:90

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 several years by this applicant with continuing issues with over-seating and seating of the café not being done to the approved plan, and

Whereas, the committee noted that on any recent inspection of cafes on or near Mulberry St. this café is consistently mis-seated, with all seats used on Mulberry St. instead of the approved seating placed on Grand St., and

Whereas, the café is also consistently over seated, and at the most recent inspection had 14 tables and 38 seats (8 more than approved) and all the seats were on the Mulberry St. side where there should be only 11 tables and 22 seats (all 2-seat tables), and

Whereas, this café was cited by DCA on 5/29/12 for using too much sidewalk space (caused by the over-seating on Mulberry St.), and also using loudspeakers in the café area, and

Whereas, at the time of the applicant’s last renewal, these issues were noted to the applicant’s representative, yet they continue unabated and it appears the applicant has no intention of properly managing the café seating or restricting the amount of seating to the 30 seats as approved,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan **STRONGLY** recommends **DENIAL** 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 St. (SE corner Mulberry St), with 15 tables & 30 seats, DCA# 1213603**

VOTE: Unanimous, with 45 Board members in favor.

- 5. **675 Hudson Vault, LLC d/b/a Dos Caminos, 675 Hudson St. (btw W 13th St & W 14th St), with 48 tables & 125 seats, DCA# 1159248**

Block:629Lot:1	Lot Frontage:167.83' Lot Depth:70
Year Built:1910(estimated)	Number of Buildings:1; Number of Floors:5
Residential Units:5Total # of Units:10	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, Wendy Schlazer, 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 there have been some issues recently with service stations being used in the café area as well as sidewalk space outside the café area and Ms. Schlazer committed to address the situation, and

Whereas, the committee noted there is a separate section of seating approved in a section of Hudson St at the south end of the restaurant that the operator is not using, but the applicant wishes to keep that space in the plan for the time-being,

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 **675 Hudson Vault, LLC d/b/a Dos Caminos, 675 Hudson St. (btw W 13th St & W 14th St), with 48 tables & 125 seats, DCA# 1159248**

VOTE: Passed, with 44 Board members in favor. And 1 recusal-(Schlazer)

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

6. Naco NYC, LLC d/b/a El Toro Blanco, 10 Downing (btw W. Houston St & Downing St), with 29 tables & 58 seats, DCA# 1446392

Block:527 Lot:27

Year Built:1940(estimated)

Residential Units:127 Total # of Units:137

Landmark Building: Yes

Ext. II

Lot Frontage:157.67' Lot Depth:284.83

Number of Buildings:1; Number of Floors:7

Zoning:R7-2R6; Commercial Overlay:C1-5

Historic District: Greenwich Village Historic Dist.

Whereas, the area was posted, community groups notified and there were community members present regarding this application and the applicant, John McDonald, and his architect, Gray Davis, were present, and

Whereas, the café is proposed for a sidewalk of substantial width that is constrained by a subway grate leaving 14' 6" of width and using 43' of frontage on 6th Ave at the south end of this large multi-use building, and

Whereas, the applicant stated the establishment is a Mexican restaurant with an SLA full On Premise license, and plans to operate 8:00 am – 1:00 am Sun-Wed and 8:00 am – 2:00 am Thurs-Sat, and

Whereas, the applicant was reminded that the sidewalk café cannot be open on Sunday until noon, and

Whereas, the plan presented was larger than either of the cafes approved for either of the previous two operators of the space with 4-top tables on either side of the service aisle. The committee questioned whether the awning could be extended enough to cover the outside row of tables and the applicant committed to ensuring that it does, or, if it does not, to reduce the café seating by that one row of 2-top tables, reducing the seating to 22 tables and 44 seats, similar to that approved for previous operators,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **APPROVAL** of this application for a NEW App. for revocable consent to operate an Unenclosed sidewalk café for **Naco NYC, LLC d/b/a Toro Blanco, 10 Downing (btw W. Houston St & Downing St), with 29 tables & 58 seats, DCA# 1446392**

CONDITIONAL UPON the café seating being covered fully by the awning, or if it is not the café being reduced to 22 tables and 44 seats by reducing the seven outer 4-seat configurations to a single row of 2-seat tables as noted in Whereas clause 4

VOTE: Unanimous, with 45 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. 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
Hannah Friedman, Community Liaison, Man. Boro. Pres. Office
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November 30, 2012

Janette Sadik-Khan, Commissioner
Division of Franchises, Concessions and Consents
55 Water St. Floor 9 West
New York, NY 10004

Dear Commissioner Sadik-Khan:

At its Full Board meeting November 29, 2012, Community Board #2, Manhattan, adopted the following resolution:

**App. to NYCDOT for revocable consents for:
Front stoop and fenced-in area at 134 West 4th Street (btw 6th Ave & Macdougall St)**

Block:543 Lot:50

Year Built:1900(estimated)

Residential Units:4 Total # of Units:4

Lot Frontage:22' Lot Depth:109

Number of Buildings:1; Number of Floors:4

Zoning: R7-2

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

Whereas, the applicant appears to have gone to great effort to return the stoop to this brownstone carefully matched to the partner house next door while making the needed adjustment to maintain the 3'3" sidewalk clearance between the stoop and a tree pit as required under ADA regulations,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **APPROVAL** of this application to NYC DoT for a **revocable consents for a front stoop and fenced-in area at 134 West 4th Street (btw 6th Ave & Macdougall St)**

VOTE: Unanimous, with 45 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. Thomas Duane, NY State Senator
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 - Hon. Deborah J. Glick, Assembly Member
 - Hon. Scott M. Stringer, Man. Borough President
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 - Hon. Rosie Mendez, Council Member
 - Hannah Friedman, Community Liaison, Man. Boro. Pres. Office
 - Pauline Yu, Community Assistance Unit