

David Gruber, *Chair*
Bo Riccobono, *First Vice Chair*
Jo Hamilton, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
Susan Kent, *Secretary*
Keen Berger, *Assistant Secretary*

COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE
NEW YORK, NY 10012-1899

www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org

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

October 28, 2013

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

Dear Commissioner Mintz:

At its Full Board meeting on October 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolutions:

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

- **PQ 550 Hudson, Inc., d/b/a Le Pain Quotidien, 550 Hudson St., with 13 tables & 26 seats, DCA # 1274769**

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

Whereas, this café has been operated for several years by this applicant with continuing issues with moving all seating that should be on the Perry side of the building to the Hudson side, and

Whereas, the improper layout results in no service aisle being maintained resulting in most service occurring from the public sidewalk and the blockage of a Siamese connection that requires 3' clearance, and

Whereas, these issues have consistently occurred almost since day one of this café's operation and despite multiple commitments from the applicant's representatives over the years to correct this issue, there has been no apparent effort made by the applicant to do so, and

Whereas, as it appears that the applicant does not wish to seat patrons on the Perry St side of the building, so has moved all seating approved there to the Hudson sidewalk and shows no interest in correcting this, the committee feels the only solution is to remove that seating from the license,

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

PQ 550 Hudson, Inc., d/b/a Le Pain Quotidien, 550 Hudson St., with 13 tables & 26 seats, DCA # 1274769

UNLESS all seating shown on the Perry St. side of the building – 5 tables & 10 seats – is removed from the café, thereby reducing the seating to the 8 tables & 16 seats that can be legally accommodated on the Hudson St. sidewalk

VOTE: Unanimous, with 38 Board members in favor.

- **RDK Restaurant Corp. d/b/a Bistro Les Amis, 180 Spring St., with 14 tables & 30 seats, DCA #110199**

Whereas, the area was posted, community groups notified and there was one community member present regarding this application, and the applicant and her representative, James Wanderstock, were present, and

Whereas, this café has been operated for several years by this applicant with continuing issues of mis-seating on both sides of the cafe, and

Whereas, the seating on Spring St often removes the required service aisle, and

Whereas, as the sidewalk on Thompson St is less than 12’ wide the seating here is allowed only because the café is grandfathered, and consists solely of 2-seat tables with tables and chairs immediately against the façade, and

Whereas, the applicant has continually seated 4-seat and even 6-seat tables on Thompson St whenever they desire to seat large parties, and the committee sees no willingness on the part of the applicant to cease this practice, and

Whereas, a member of the community supported the café as a important magnet for activity on a too-often deserted block, and

Whereas, while the committee recognizes the value of cafes in our neighborhoods, it also recognizes that operators who do not follow their license restrictions encourage other operators to do the same,

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 **RDK Restaurant Corp. d/b/a Bistro Les Amis, 180 Spring St., with 14 tables & 30 seats, DCA #110199**

UNLESS the applicant seats the café only as shown on the approved plans

VOTE: Unanimous, with 38 Board members in favor.

FYI Renewals:

Whereas, the renewals below were posted on the CB2 Manhattan website and there were no community members requesting these applications be heard, and

Whereas, these cafés have been operated for at least 2 years by these applicants and the Board has not been notified of any issues with their operation,

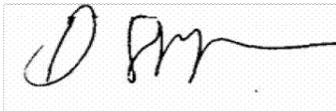
- SBAFO NYC, LLC, d/b/a Lievito Pizzeria, 581 Hudson St., with 9 tables & 20 seats, DCA # 1381707
- SUD 123, Incorporated, 178 Mulberry St., with 9 tables & 19 seats, DCA# 1382366
- 64 Greenwich Restaurant d/b/a The Meatball Shop, 64 Greenwich Ave., with 4 tables & 9 seats, DCA # 1385289
- J.P.G., LLC, d/b/a Phillip Marie, 569 Hudson St., with 9 tables & 18 seats, DCA # 1003313
- PQ Union Square d/b/a Le Pain Quotidien, 801 Broadway, with 19 tables & 38 seats, DCA # 1380933
- Akram Restaurant Management, Inc. d/b/a Da Gennaro, 129 Mulberry St., with 19 tables & 38 seats, DCA# 1249523
- La Mela Ristorante, 167-171 Mulberry Street, with 9 tables & 19 seats, DCA# 1274929
- Caffe Dante, Inc., d/b/a Caffe Dante, 81 MacDougal St., with 7 tables & 14 seats, DCA #1274769
- PGT Restaurant Corp., d/b/a Slainte, 304 Bowery, with 8 tables & 16 seats, DCA#1318806
- Canteloupe LLC, d/b/a Lovely Day, 196 Elizabeth St, with 2 tables & 5 seats, DCA# 1260966
- Schatzi Corp. d/b/a Wallse, 342-344 West 11th St., with 8 tables & 16 seats, DCA #1257073

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **APPROVAL** of the RENEWAL applications for revocable consent to operate an Unenclosed sidewalk café for the above applicants

VOTE: Unanimous, with 38 Board members in favor.

Please advise us of any decision or action taken in response to these resolutions.

Sincerely,



David Gruber, Chair
Community Board #2, Manhattan



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

DG/jrm

- c:
- Hon. Jerrold L. Nadler, Congressman
 - Hon. Brad Hoylman, NY State Senator
 - Hon. Daniel L. Squadron, NY State Senator
 - Hon. Sheldon Silver, Assembly Speaker
 - 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
 - Pauline Yu, Community Assistance Unit