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COMMUNITY BOARD NO. 2, MANHATTAN

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

September 25, 2013

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

Dear Commissioner Mintz:

At its Full Board meeting on September 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:

- **Gusto Grilled Organics, Inc. d/b/a Gusto Organics, 519-523 6th Ave. (btw W 13th St & W 14th St), with 17 tables & 36 seats, DCA 1382533**

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 no 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 **Gusto Grilled Organics, Inc. d/b/a Gusto Organics, 519-523 6th Ave. (btw W 13th St & W 14th St), with 17 tables & 36 seats, DCA 1382533**

VOTE: Unanimous, with 38 Board members in favor.

- **Lunella Ristorante, Inc. d/b/a Lunella Ristorante, 173 Mulberry St (btw Grand St & Broome St), with 4 tables & 8 seats, DCA 1072629**

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 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 **Lunella Ristorante, Inc. d/b/a Lunella Ristorante, 173 Mulberry St (btw Grand St & Broome St), with 4 tables & 8 seats, DCA 1072629**

VOTE: Unanimous, with 38 Board members in favor.

- **Rajmar Holdings, Inc. d/b/a Hudson Bar & Books, 636 Hudson Street, with 4 tables & 8 seats, DCA 1092103**

Whereas, the area was posted, community groups notified and there were community members present regarding this application, and the applicant’s Managing Partner, Adriana Daci, was present, and

Whereas, this café has been operated for several years by this applicant with some continuing issues, particularly two benches that the manager committed to remove at the applicant’s last renewal, but have never been removed, and this is particularly a problem as the benches have been used to increase the café seating by 50% while pushing the licensed chairs and tables further out on the sidewalk, and

Whereas, the applicant said she was not aware that while the business is a licensed tobacco bar, the café is not affected by that license, and as there is an awning over the café, whenever it is extended there can be no smoking in the café, and even if the awning is not extended, only 25% of the seating can be smoking, and

Whereas, Ms. Daci again committed to removing the benches and to determine the best course of action to be in compliance with sidewalk café smoking restrictions, particularly related to the use of the awning, and

Whereas, several members of the community expressed concerns about noise and smoking odors, particularly from cigars, it appeared that the applicant has made several changes in ongoing efforts to be responsive to neighboring residents,

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 **Rajmar Holdings, Inc. d/b/a Hudson Bar & Books, 636 Hudson Street, with 4 tables & 8 seats, DCA 1092103**

UNLESS the two benches in the sidewalk café area are removed and the café is operated in compliance with NYC DCA rules regarding smoking, particularly under an awning or umbrellas

VOTE: Unanimous, with 38 Board members in favor.

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

- **Kings 55 Group, Inc. d/b/a Le Philosophe, 55 Bond St. (btw Lafayette St & Bowery), with 7 tables and 14 seats, DCA# 1470765**

Block:529Lot:35
Year Built:1950(estimated)

Lot Frontage:44' Lot Depth:69.92
Number of Buildings:1;Number of Floors:2

Residential Units:0 Total # of Units:1
Landmark: NoHo Extension

Zoning:M1-5B

Whereas, the area was posted, community groups notified and there were community members present regarding this application, and the applicant’s attorney, Virgo Lee, was present, and

Whereas, this café is proposed for a site with a sidewalk width of 16’6” which has no legal obstructions further limiting the size of the cafe, and the café has a depth of 8’3”, and

Whereas, the proposed plan indicated a “waiter’s station” would be used and the committee pointed out these were not allowed under the rules and, in addition, the station was located directly in front of a Siamese connection which must have 3’ of clearance, and Mr. Lee committed to ensure the station is removed from the plan, and

Whereas, the committee also requested that all 4-seat seating be switched from the outside of the café to against the facade to help control noise from larger parties, and the removal of 5” wide planters along each side of the cafe, and Mr. Lee committed to requesting those changes as well with the applicant, and

Whereas, several members of the community on Bond St felt the café had too much seating for the space and requested that if the café was approved, seating and operating hours be reduced; but the committee felt the seating was workable and that reduced operating hours would create an unequal playing field for this operator, and the reduction in hours would not be enforced by DCA in any case, and

Whereas, one member of the community raised questions about the C of O for this space – the lot includes an additional business immediately to the west of this applicant – but it appeared to the committee that this issue primarily involved changes being made at 53 Bond St and did not affect this application,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **DENIAL** of this NEW application for revocable consent to operate an Unenclosed sidewalk café **Kings 55 Group, Inc. d/b/a Le Philosophe, 55 Bond St. (btw Lafayette St & Bowery), with 7 tables and 14 seats, DCA# 1470765**

UNLESS the plan is changed to:

- **remove the “Waiter’s Station” and show the required 3’ clearance from the Siamese connection**
- **switch the two 4-seat table settings from the outside of the café to against the façade**
- **remove the planters from the two sides of the cafe**

VOTE: Unanimous, with 38 Board members in favor.

- **Vigu, Inc., d/b/a 628 Hudson Café, 628 Hudson St. (btw Jane St & Horatio St), with 4 tables and 8 seats, DCA # 1471523**

Block:626Lot:23
Year Built:1900(estimated)
Residential Units:3Total # of Units:4
Landmark: Greenwich Village

Lot Frontage:19’Lot Depth:56
Number of Buildings:1; Number of Floors:4
Zoning:C1-6

Whereas, the area was posted, community groups notified and there were community members present regarding this application, and the applicant's representative, Marc Glazer, was present, and

Whereas, this café is proposed for a site with a sidewalk width of 19'6", but is directly across from both a phone booth and raised tree pit border which reduce the allowable depth of the cafe to 6'4", and

Whereas, the café is shown as being 9'2" wide, but as this area of the façade is approximately 10' wide and all that space will no doubt be used by the café, this appears to be nothing more than an attempt to reduce the café fees paid to the city, and the committee requested the plan be altered to show use of that entire façade area which will slightly increase the square footage of the cafe, and

Whereas, given the restricted nature of this space, the committee requested the tables be changed from 20"x24" tables to 20"x20" square tables to ensure there is no misplacement of the larger tables which would impact the required public clearance to the phone booth and tree pit border, and

Whereas, there were several members of the community present who stated there have been ongoing issues with this applicant involving the unenclosed café at another business on the same block and that they were particularly concerned given this café was restricted by obstructions in the same way the other café is, and

Whereas, while the committee shares the community's concerns, it notes this café includes no railings or planters between the service aisle and the public sidewalk, which should help to reduce clearance issues that have sometimes occurred at the other premises, known as Mole,

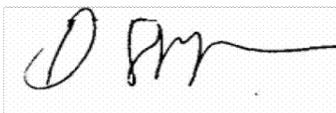
THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **DENIAL** of this NEW application for revocable consent to operate an Unenclosed sidewalk café for **Vigu, Inc., d/b/a 628 Hudson Café, 628 Hudson St. (btw Jane St & Horatio St), with 4 tables and 8 seats, DCA # 147152**

UNLESS the café area is shown as being all the way to the north end of the property and the table size is changed from 20"x24" to 20"x20" square tables

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
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October 4, 2013

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

Dear Commissioner Mintz:

At its Full Board meeting on September 24, 2013, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolutions that were voted on at the August Executive Committee meeting:

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

- **151 Bleecker, LLC d/b/a The Red Lion, 151 Bleecker St. (NE corner Thompson St), with 7 tables & 13 seats, DCA # 1348216**

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 but somewhat improving issues with the use of A-frame signs,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **APPROVAL** of this RENEWAL application for revocable consent to operate an Enclosed sidewalk café for **151 Bleecker, LLC d/b/a The Red Lion, 151 Bleecker St. (NE corner Thompson St), with 7 tables & 13 seats, DCA # 1348216**

VOTE: Unanimous, with 38 Board members in favor.

- **Zonor Restaurant Corp. d/b/a Riviera Café, 225 West 4th St. (NE corner 7th Ave S), with 17 tables & 36 seats, DCA # 0629616**

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

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

Whereas, the applicant was reminded again, as they were when their Unenclosed café was recently renewed, to not place A-frame signs on the public sidewalk,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **APPROVAL** of this RENEWAL application for revocable consent to operate an Enclosed sidewalk café for **Zonor Restaurant Corp. d/b/a Riviera Café, 225 West 4th St. (NE corner 7th Ave S), with 17 tables & 36 seats, DCA # 0629616**

VOTE: Unanimous, with 38 Board members in favor.

- **Red Bamboo on 7th Ave, Inc. d/b/a Soy & Sake Village Vegetarian Café, 47-49 7th Ave. South (btw Morton St & Bleecker St), with 21 tables & 52 seats, DCA # 1301309**

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

Whereas, this café has been operated for several years by this applicant with no known issues,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **APPROVAL** of this RENEWAL application for revocable consent to operate an Enclosed sidewalk café for **Red Bamboo on 7th Ave, Inc. d/b/a Soy & Sake Village Vegetarian Café, 47-49 7th Ave. South (btw Morton St & Bleecker St), with 21 tables & 52 seats, DCA # 1301309**

VOTE: Unanimous, with 38 Board members in favor.

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

- **Clew Z Angus (USA) Inc. d/b/a Niu Noodle, 15 Greenwich Ave. (btw Christopher St & W. 10th St), with 5 tables & 10 seats, DCA# 1432061**

Block:610 Lot:56	Lot Frontage:20' Lot Depth:75
Year Built:1920(estimated)	Number of Buildings:1; Number of Floors:1
Residential Units:0 Total # of Units:2	Zoning:C1-6
Landmark District: Greenwich Village	

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

Whereas, this café has been operated for several years by this applicant with few known issues, but the license renewal was not filed in time, so a new application was required, and

Whereas, the applicant has been using an A-frame sign on the sidewalk and was reminded that this was not legal, and also that the door to the café should not be propped open into the public sidewalk,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **APPROVAL** of this NEW application for revocable consent to operate an Enclosed sidewalk café for **Clew Z Angus (USA) Inc. d/b/a Niu Noodle, 15 Greenwich Ave. (btw Christopher St & W. 10th St), with 5 tables & 10 seats, DCA# 1432061**

VOTE: Unanimous, with 38 Board members in favor.

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

- **Rustic Table, LLC d/b/a The Quarter, 522 Hudson St., with 18 tables & 36 seats, DCA# 1444395**

Block:620 Lot:1

Year Built:1950

Residential Units:24 Total # of Units:29

Landmark District: Greenwich Village

Lot Frontage:69.75' Lot Depth:99.83

Number of Buildings:1; Number of Floors:5

Zoning:C1-6

Whereas, the area was posted, community groups notified and there was one community member present regarding this application, and the applicant, Hakan Aktas, was present, and

Whereas, this café has been operated for several years by this applicant in a smaller form and this application is to extend the café south to the corner of the building at W. 10th St as the restaurant is being expanded to include that space, and

Whereas, the applicant was recently cited by DCA for 2 issues, plants over 30" tall and lack of a proper service aisle, both of which have been substantially addressed by the applicant, and

Whereas, the applicant also routinely uses an A-frame sign on the sidewalk and was reminded they can only be used folded and leaned flush against the building façade, and

Whereas, the committee has found that a 2-seat table setup requires 5' of space between tables for the café to be managed properly. The proposed plan of 6 table setups in the 26' of space between the restaurant entrance and the corner of the building is therefore too dense. The committee requested the reduction of this seating from 12 tables & 24 seats to 10 tables & 20 seats but the applicant stated he needed to discuss this with his partners,

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 **Rustic Table, LLC d/b/a The Quarter, 522 Hudson St., with 18 tables & 36 seats, DCA# 1444395**

UNLESS the café is reduced to 16 tables & 32 seats as noted in the 5th Whereas clause

VOTE: Unanimous, with 38 Board members in favor.

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

- **Bubby's MP LLC d/b/a Bubby's Highline, 71 Gansevoort St. (NE corner Washington St), with 39 tables & 82 seats, DCA# 1469750**

Block:644 Lot:30

Year Built:1920

Residential Units:0 Total # of Units:5

Landmark District: Gansevoort Market

Lot Frontage:80.08' Lot Depth:85.5

Number of Buildings:1; Number of Floors:3

Zoning:M1-5

Whereas, the area was posted, community groups notified and there were several community members present regarding this application and the CB2 office received several emails and a petition with 29 names opposing the size of this cafe, and the applicant, Will Shear and his representative, Michael Kelly, were present, and

Whereas, this café is proposed for a site including both Washington and Gansevoort Sts. On Washington St, the café is proposed as 6'10" deep on a sidewalk of 16'1", with the café terminating on the south end to allow clearance for a fire hydrant and street light at the corner. Another section of café is proposed for the corner and is limited by the street light on Washington St and the required 3' clearance to a ConEd vault sidewalk grating to its east on Gansevoort St. This section is proposed as 9'2" deep on a sidewalk (Gansevoort St) of 18'5" width. The 3rd and largest section is further east on Gansevoort St and is proposed with a café depth of 9'2" with a wait service aisle of 3'7 1/2" on a sidewalk of 18'5", which is also constrained on the west end by the ConEd gratings, and

Whereas, with input from several community members who were extremely concerned about the size of the café (as were all those who sent correspondence), the applicant agreed to move all 4-seat table configurations against the façade on Gansevoort St to help control noise, which somewhat reduces the seating in that section due to façade openings and the clearance required for the ConEd grating, and to reduce the wait service aisle to 3' thereby restoring the additional 7 1/2" to the public sidewalk, and

Whereas, due to concerns over crowding at the corner, the applicant agreed to reduce the seating to 2 tables & 4 seats arranged as one 4-top table directly adjacent to the corner of the building with service coming from the door on Washington St, and

Whereas, the seating section entirely on Washington St remains as proposed, so the changes agreed to result in a reduction in seating to a total of 33 tables & 70 seats,

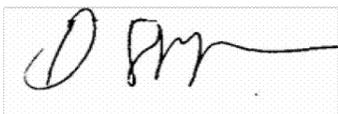
THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **DENIAL** of this NEW application for revocable consent to operate an Unenclosed sidewalk café for **Bubby's MP LLC d/b/a Bubby's Highline, 71 Gansevoort St. (NE corner Washington St), with 39 tables & 82 seats, DCA# 1469750**

UNLESS the café is reduced to 33 tables & 70 seats as noted in the 3rd, 4th and 5th Whereas clauses

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
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Hon. Rosie Mendez, Council Member
Pauline Yu, Community Assistance Unit
