

## Questions & Answers re :Open Restaurants

I see that EAS covers both sidewalk and roadbed. How do we respond to EAS and what is timeline?  
EAS's do not have a public process, all comments should be incorporated into the ULURP application/recommendation.

Will DOT enforcement for sidewalk cafes be same process as with Consumer Affairs—i.e. appeal with OATH?

The process will be the same until the end of the executive order, September 2022. DOT is developing the application process for a permanent program. Further details to come.

Will backyards be covered in text amendment as far as removing residential zoning restrictions  
No, the text amendment does not affect backyards.

how many grandfathered noncompliant commercial establishments there are in CD 3 that can be impacted and what are the numbers of grandfathered noncompliant establishments in the next 3 highest districts in the City. Where does CB3 rank in noncompliant grandfathered  
Under the emergency Open Restaurants program there are **674** cafes in **CB 3**. **191** of them would have been prohibited under current zoning, 134 located within a residential area.

- CB2 :215 prohibited by zoning (131 in a residential area)
- CB5: 204 prohibited by zoning (13 in a residential area)
- CB8: 97 prohibited by zoning (41 in a residential area)

DOT will be enforcing open restaurant regulations.

- Will this include sound enforcement
- Will this be joint with DOB?
- What will be NYPD role in any enforcement—particularly as NYPD is only agency that is always present locally and also can respond in real time.

DOT seems to handle issues differently in 5 boroughs depending on the Borough Commissioners. Will there be a central DOT office for open restaurants or will it be by boro?

DOT is developing the application process for a permanent program. Further details to come.