



COMMUNITY BOARD NO. 2, MANHATTAN

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September 23, 2025

Director
Licensing Issuance Division
NY State Liquor Authority 163 W. 125th Street
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on September 18, 2025, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

68 Perry St Corp dba Corner Bistro 331 W 4th St 10014 (OP–Restaurant) (Alteration: DONYC–Sidewalk) (Lic. ID # 0340-23-129908)

- i. **Whereas**, the Applicant will submit an application to the NYS Liquor Authority for an Alteration to the existing On-Premises Liquor License to add a sidewalk café seating to their licensed premises consisting of 20 seats in total as part of the Dining Out NYC program to their licensed premises; and
- ii. **Whereas** the Applicant came before CB2’s SLA Licensing Committee in [May/2025](#) to add roadway seating consisting of 22 seats which CB2’s full board unanimously recommended approving; and
- iii. **Whereas**, the licensed premises did not have any outdoor seating under the old DCWP sidewalk café program or any stipulations in place regarding the emergency pandemic-era dining program or use of the new Dining Out NYC program, the combined proposed outdoor seating (sidewalk and roadway café) adding 42 seats to the exterior of the premises on a residential block where no outdoor seating previously existed; the Applicant not having filed for an expansion of the licensed premises under the [NYSLA June 30/2022](#) guidance regarding Chapter 165 of 2022 stating that all licensees wishing to incorporate the municipal property into their licensed premises must notify the municipality but has operated with both roadway and sidewalk seating during the pandemic to the present;
- iv. **Whereas**, according to the sidewalk café plans submitted to CB2, the proposed sidewalk café on Jane Street consisting of 7 tables and 14 seats and the proposed sidewalk café on West 4th Street consisting of 3 tables and 6 seats are both only one foot, ten inches (1' 10") wide which is less than thirty-six inches (36") and is therefore non-compliant with [§403.5.1](#) of the 2010 ADA Standards for Accessible Design which states “the clear width of walking surfaces shall

be 36 inches (915 mm) minimum,” the Dining Out NYC rules [§5-10\(h\)](#) requiring “A sidewalk cafe and roadway cafe must be directly accessible to persons with physical disabilities. The design of such cafe shall comply with applicable requirements of the Americans with Disabilities Act and rules promulgated thereunder.”; and

- v. **Whereas**, there is a large residential building (127 residential units) across the street from the premises and a three (3)-story tenement style resident building next door with a number of single-family brownstone buildings adjacent to the licensed premises on West 4th Street, the intersection of West 4th and Jane Streets being heavily trafficked by both pedestrians and cars with Jane Street being a main vehicular westbound artery into the Meatpacking District and West 4th dead-ending into Jane Street at the corner where the premises is located, the entry to the premises occupying the corner which is often congested with patrons entering and exiting the premises on a daily basis and is further congested in the evenings due to the presence of security checking IDs before patrons enter; the Jane Street Block Association speaking in opposition to the instant application, stating that the Applicant is unable to maintain the designated clear path on the sidewalk with the proposed sidewalk café being only one foot, ten inches wide (1' 10") and not providing proper allowance for wait staff which forces wait staff onto the public sidewalk, the residents feel that the addition of the 22 seats in the roadbed is a compromise between the licensee/applicant and the resident in this area where there had never been outdoor seating prior to the pandemic; and

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the Alteration Application for Municipal Expansion for both sidewalk cafés for **68 Perry St Corp dba Corner Bistro 331 W 4th St 10014**; and

THEREFORE BE IT FURTHER RESOLVED that should this application be considered by the NYSLA, CB2, Manhattan respectfully requests that this item be calendared to appear before the Full Board of the NYSLA.

Vote: Unanimous, 33 Board Members in favor.

We respectfully request that your agency take action consistent with the positions expressed in the above.

Sincerely,



Donna Raftery, Chair
SLA Licensing 1 and 2 Committees
Community Board #2, Manhattan



Valerie De La Rosa, Chair
Community Board #2, Manhattan

VDLR/em

cc: Hon. Daniel Goldman, Congressman
Hon. Brad Hoylman-Sigal, NY State Senator
Hon. Brian Kavanagh, NY State Senator
Hon. Deborah J. Glick, NY State Assembly

Hon. Grace Lee, State Assembly Member

Hon. Brad Lander, NYC Comptroller

Hon. Michael Levine, Man. Borough President

Hon. Erik Bottcher, NYC Council Speaker

Hon. Christopher Marte, NYC Council Member

Thomas Donohue, Deputy Commissioner of Licensing, NY State Liquor Authority