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COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

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

September 19, 2014

Julie Menin, Commissioner
NYC Department of Consumer Affairs
42 Broadway
New York, NY 10004

Dear Commissioner Julie Menin:

At its Full Board meeting on September 18, 2014, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution that was voted on at the August Executive Committee meeting:

AUGUST MEETING

App. to Dept of Consumer Affairs for Newsstands at:

1. 1 Prince St. Northwest Corner, Bowery and Prince St. (9786-2014-ANWS)

Whereas,

- a. the area was posted, community groups notified, there were community members present regarding this application, and the applicant, Sabiha Sultana, was **not** present, and
- b. the newsstand is proposed for the west side of the Bowery, 18' north of its intersection with Prince St., and is to be 5' x 12' on a site with a retail entrance to its north and a traffic signal to its south as the primary limiting factors, with roughly 19' between them, and
- c. the applicant did not appear at the meeting, but the Chair was notified afterward by the CB2 office that they were not contacted to do so and are being requested to appear at the Sept 2014 meeting of this committee, and
- d. there was also no one from the immediately adjacent property owner or the current retail tenant in attendance, and
- e. despite the absence of the applicant, the committee took comments from several members of the community who appeared to express their opposition to the newsstand, primarily due to the location of a full-service news dealer – Bouwerie Iconic Magazine – just one block away at the corner of Rivington St, which over 18 months at that location and 22 years at

their original location on Spring & Lafayette Sts. have been highly valued members of the Little Italy/NoLiTa community, and

- f. the committee was also given a letter from the Bowery Alliance of Neighbors strongly opposing a newsstand at this location due to its potential impact on this long-time neighborhood business, and
- g. the operators of Bouwerie Iconic Magazine were also present and confirmed that their store already sells all the products that would be available at the newsstand, including newspapers, magazines (including a much wider selection), cigarettes, lottery tickets, drinks, candy, etc,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan is delaying its recommendation on an application for a newsstand on **Bowery, near Northwest Corner with Prince St. (9786-2014-ANWS)** until the applicant is properly notified by CB2 and the item is heard in September 2014.

VOTE: Unanimous, with 40 Board Members in favor.

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

2. Pearl & Ash LLC, 220 Bowery (btw Rivington St & Prince St), with 12 tables & 25 chairs (9935-2014-ASWC)

Block:492 Lot:25

Year Built:1927

Residential Units:0 Total # of Units:2

Lot Frontage:50.08' Lot Depth:100

Number of Buildings:1; Number of Floors:4

Zoning:C6-1

Whereas,

- a. the area was posted, community groups notified and there were community members present regarding this application, and the applicant, Brandon McRill, and his representative, Steve Wygoda, were present, and
- b. this café is proposed for a sidewalk of 22'1" on the Bowery with a Siamese connection and standpipe at the north end of the café area being its only obstructions, and
- c. the supplied print showed 4 tables & 10 chairs in front of a door in the south half of the café which Mr. McRill confirmed belongs to the neighboring property at 218 Bowery, and Mr. Wygoda committed to correcting the error in a subsequent print, and
- d. the committee was also concerned about the confusing seating arrangement in the north half of the café and Mr. Wygoda promised to look at making it more sensible, and
- e. several members of the community were present to object to the application, based primarily on the café's location adjacent to R Bar at 218 Bowery, which they stated has become solely a late night club with the attendant velvet ropes and crowds, and its proximity to the Bowery Mission and the homeless men who have for many years congregated and slept on the sidewalk immediately north of this property, and
- f. Mr. McRill stated that he was also a partner at R Bar and that due to the lack of business through much of the week, it would be closing within the next few months and it had not been decided what type of business would replace it, and
- g. Mr. McRill further stated he felt his customers' and staffs' presence on the sidewalk might be a stabilizing influence on this rapidly changing block,

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 **Pearl & Ash LLC, 220 Bowery (btw Rivington St & Prince St), with 12 tables & 25 chairs (9935-2014-ASWC)**

UNLESS the applicant provides to the committee and files with DCA a new plan removing the seating in front of the neighboring property's door, and redesigning the seating in the north half of the café for a total seating of approximately 16 seats as noted in the Whereas clauses (c) and (d)

VOTE: Unanimous, with 40 Board Members in favor.

David Gruber, *Chair*
Bo Riccobono, *First Vice Chair*
Terri Cude, *Second Vice Chair*
Bob Gormley, *District Manager*



Antony Wong, *Treasurer*
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September 19, 2014

Julie Menin, Commissioner
NYC Department of Consumer Affairs
42 Broadway
New York, NY 10004

Dear Commissioner Julie Menin:

At its Full Board meeting on September 18, 2014, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

SEPTEMBER MEETING

App. to Dept of Consumer Affairs for Newsstands at:

1. Bowery, near Northwest Corner with Prince St. (9786-2014-ANWS)

Whereas,

- h. the area was posted, community groups notified, there were community members present regarding this application, and the applicant, Sabiha Sultana, was **not** present, and she was represented by her husband, Muhammed Uddin, who said she did not speak English well and he would be the primary operator of the business, and
- i. the newsstand is proposed for the west side of the Bowery, 18' north of its intersection with Prince St., and is to be 5' x 12' on a site with a retail entrance to its north and a traffic signal to its south as the primary limiting factors, with roughly 19' between them, and
- j. the committee was particularly concerned that the applicant did not appear at the meeting, and we could not get a satisfactory answer as to why she is the applicant if she speaks little English and her husband said he would be the primary operator, and
- k. there was also no one from the immediately adjacent property owner or the current retail tenant in attendance, and the committee was given no evidence that they were notified by the applicant of the application as required under the NYC Administrative Code, and
- l. despite the absence of the applicant, the committee took comments from several members of the community who appeared to express their opposition to the newsstand, primarily due

to the location of a full-service news dealer – Bouwerie Iconic Magazine – just one block away at the corner of Rivington St, which over 18 months at that location and 22 years at their original location on Spring & Lafayette Sts. have been highly valued members of the Little Italy/NoLiTa community, and

- m. the committee was also given a letter from the Bowery Alliance of Neighbors strongly opposing a newsstand at this location due to its potential impact on this long-time neighborhood business, and
- n. the operators of Bouwerie Iconic Magazine were also present and confirmed that their store already sells all the products that would be available at the newsstand, including newspapers, magazines (including a much wider selection), cigarettes, lottery tickets, drinks, candy, etc,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends DENIAL of this application for a newsstand on **Bowery, near Northwest Corner with Prince St. (9786-2014-ANWS)**

FURTHER BE IT RESOLVED that CB2 requests DCA investigate why the application was filed under the name of a person who does not speak English and apparently will not be the operator of the newsstand

VOTE: PASSED

In favor: 39 Board Members

Against: 1 Board Member (Berger)

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

2. Double Dip LLC, Bar Bolonat, 611 Hudson St. aka 317 W. 12th St., with 11 tables & 26 chairs (1473879-DCA)

Block:625 Lot:15

Year Built:1910 (estimated)

Residential Units:4 Total # of Units:5

Lot Frontage:24.5' Lot Depth:37

Number of Buildings:1; Number of Floors:3

Zoning:C1-6

Whereas,

- h. the area was posted, community groups notified and there were no community members present regarding this application, and the applicant, Amir Rozen, was present, and
- i. this café is a complete reconstruction of an existing café structure that had been vacant for approximately 3 years, and
- j. Mr. Rozen stated that after applying to the LPC and the Dept of City Planning to renovate the café enclosure they discovered that virtually nothing was salvageable, at which point the entire café was demolished and an entirely new café enclosure was built, and Mr. Rozen stated they considered that the totally new construction fell within their existing permits, and
- k. but the applicants were subsequently cited by the Dept. of City Planning for violating the extent of their permits and building the new café in a way that was non-compliant with the enclosed sidewalk café requirements, and
- l. The committee noted that the new café enclosure leaves several inches less than the required 8' clear pedestrian path between its outer wall and a street light directly opposite it, and, as shown on the supplied print, also uses more than half of the unobstructed 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 **Double Dip LLC, Bar Bolonat, 611 Hudson St. aka 317 W. 12th St., with 11 tables & 26 chairs (1473879-DCA)**

VOTE: PASSED

In favor: 35 Board Members

Against: 5 Board Members (Tyree, Booth, Schott, Secunda, Bordonaro)

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,

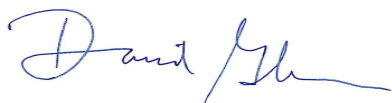
- Naco NYC LLC, d/b/a El Toro Blanco, 10 Downing St., with 29 tables & 58 chairs (1446392-DCA)
- Grotta Azzurra Inn Inc., 177 Mulberry St., with 20 tables & 40 chairs. (1150943-DCA)
- Restaurant Ventures of NY, Inc., d/b/a Savore Ristorante, 200 Spring St., with 10 tables & 20 chairs (0920983-DCA)
- Half Pint on Thompson LLC, d/b/a The Half Pint, 234 Thompson St., with 9 tables & 18 chairs (1279573-DCA)
- 343 Broome Street Restaurant Inc., d/b/a Randolph Beer, 343 Broome St., with 6 tables & 14 chairs (1426393-DCA)
- Cereli Inc., d/b/a Mole, 57 Jane St., with 7 tables & 16 chairs (1343516-DCA)
- La Ripaille Corp, d/b/a La Ripaille Restaurant, 605 Hudson St., with 4 tables & 11 chairs (1010686-DCA)
- AYZA Upper West Side Inc., d/b/a AYZA Wine & Chocolate Bar, 1 7th Avenue South, with 18 tables & 36 chairs (1416689-DCA)
- Mottsu Cuisine Inc., d/b/a MOTTSSU, 285 Mott St., with 6 tables & 12 chairs (1376493-DCA)

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


VOTE: Unanimous, with 40 Full Board Members in favor.

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

Sincerely,



David Gruber, Chair



Maury Schott, Chair

Community Board #2, Manhattan

Sidewalks & Public Access Committee
Community Board #2, Manhattan

DG/EM

c: Hon. Jerrold L. Nadler, Congressman
Hon. Nydia Velázquez, Congresswoman
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. Gale Brewer, Man. Borough President
Hon. Corey Johnson, Council Member
Hon. Margaret Chin, Council Member
Hon. Rosie Mendez, Council Member