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COMMUNITY BOARD NO. 2, MANHATTAN

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

October 27, 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 October 23, 2014, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolutions:

App. to Dept of Consumer Affairs for Newsstands at:

1. 299 W. Houston St. bet Greenwich St & Hudson St (12085-2014-ANWS)

Whereas,

- a. the area was posted, community groups notified, there were community members present regarding this application, and the applicant, Kei Man Wong, was **not** present, but was represented by Ronnie Cyan, and
- b. the newsstand is proposed for the south side of Houston St, just west of midblock between Greenwich St & Hudson St., and is to be 6' x 12' on a site with an office entrance and street light to its east and a tree pit to its west as the primary limiting factors, and
- c. while the supplied plan shows the width of the sidewalk from curb to building line to be roughly 28', this building was built set back from the property line and city records show that more than half of the pavement is private property and the **public** sidewalk is roughly 13'6" at this location, and
- d. as the newsstand must be 1'6" from the curb and free clear pedestrian path must be at least 9'6", there would only be 2'6" of public sidewalk left which would not allow for even the smallest newsstand model (4' deep), and
- e. a representative of the Hudson Square Connection appeared and provided the committee with a site plan showing this block is slated for additional tree installations as part of a pre-existing agreement with the Parks Dept under the aegis of the Green Infrastructure Plan,

and one of the new trees as well as permeable pavers is slated for this location under that plan,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends DENIAL of this application for a newsstand on **299 W. Houston St. bet Greenwich St & Hudson St (12085-2014-ANWS)**

VOTE: Unanimous, with 46 Board Members in favor.

2. 169 Bowery, on Kenmare St near southwest corner of Bowery

Whereas,

- a. the area was posted, community groups notified, there were community members present regarding this application, and the applicant, Gulshanara Khanom, was **not** present, and she was represented by Moin Uddin, and
- b. the newsstand is proposed for the south side of Kenmare St, 17'3" west of its intersection with Bowery, and is to be 5' x 12' on a site with the property corner to its east and a street sign to its west as the primary limiting factors, with roughly 42' between them, and
- c. there was 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
- d. 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 an existing newsstand diagonally across the Bowery/Kenmare intersection, 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. has been a highly valued member of the Little Italy/Nolita community, in addition to several other businesses within 2 blocks that meet this need, and
- e. 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
- f. 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 **169 Bowery, on Kenmare St near southwest corner of Bowery (13143-2014-ANWS)**

VOTE: Unanimous, with 46 Board Members in favor.

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

3. Wogie's Inc., d/b/a Wogie's, 39 Greenwich Ave., with 16 tables & 32 chairs (1160623-DCA)

Block:612 Lot:65

Year Built:1900(estimated)

Residential Units:12 Total # of Units:14

Lot Frontage:26.83' Lot Depth:82.17

Number of Buildings:1; Number of Floors:5

Zoning:C1-6

Whereas,

- a. 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
- b. the committee requested the applicant appear for this renewal as there have been consistent issues with the seating in the café and the committee discovered the existing plans showed the building width as roughly 38' wide while it is in fact only 28' wide, and
- c. Mr. Kelly provided the committee with a new plan with corrections that reduce the seating to 8 tables & 16 chairs on Greenwich Ave and 6 tables & 12 seats on Charles St for a new total of 14 tables & 28 chairs, and
- d. the committee pointed out to Mr. Kelly that the seating on Charles St. is only legal with service occurring from the front entrance, but it has consistently occurred from the back entrance on Charles St. which often leaves little more than 6' pedestrian clear path, and Mr. Kelly committed to discussing this with the applicant,

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 **Wogie's Inc., d/b/a Wogie's, 39 Greenwich Ave., with 16 tables & 32 chairs (1160623-DCA)**

UNLESS the corrected print is filed with DCA and the license is reduced to 14 tables & 28 chairs

VOTE: Unanimous, with 46 Board Members in favor.

4. PPF Holdings LLC, d/b/a McCoy's, 89 MacDougal St., with 14 tables & 28 chairs (2008312-DCA)

Block:526 Lot:25

Year Built:1900(estimated)

Residential Units:15 Total # of Units:17

Lot Frontage:25' Lot Depth:98

Number of Buildings:1; Number of Floors:6

Zoning:R7-2 ; Commercial Overlay:C1-5

Whereas,

- a. the area was posted, community groups notified and there were no community members present regarding this application, and the applicant's manager, Bolivar Paredes, was present, and
- b. the committee requested the applicant appear for this renewal as there have been consistent issues with the seating in the café with tables migrating from the Bleecker St side to the Macdougal St side causing the pedestrian path to be reduced to roughly 6' even before wait service is considered, and

- c. the applicant has also once again placed rubber mats over ConEd vault gratings with adjacent tables which does not maintain the required 3' clearance from the vault, while the mats present a tripping hazard for patrons and pedestrians, and
- d. Mr Paredes committed to discussing these issues with the applicant but apparently was not authorized to correct the situations himself,

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 **PPF Holdings LLC, d/b/a McCoy's, 89 MacDougal St., with 14 tables & 28 chairs (2008312-DCA)**

UNLESS the applicant immediately and consistently returns to the seating arrangement shown on its approved plan

VOTE: Unanimous, with 46 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,


- C & O Coffee Shop, Inc., 28 8th Ave., with 5 tables & 10 chairs (1277859-DCA)
- Caffè Silvestri, Inc., 191 Hester St., with 21 tables & 42 chairs (0956923-DCA)
- Babu Foods, Inc., 468 Hudson St., with 17 tables & 37 chairs (1157473-DCA)
- Olio Restaurants, LLC d/b/a Olio, 3 Greenwich Ave., with 21 tables & 46 chairs (1344146-DCA)
- Pasta Bistro Grill, Inc., 93 MacDougal St., with 5 tables & 10 chairs (1311319-DCA)
- Dessyn Bakery Corp., d/b/a Millefeuille Bakery, 552 LaGuardia Pl., with 5 tables & 10 chairs (1431733-DCA)
- Zestful Management Corp. d/b/a Bar 6, 502 Avenue of the Americas, with 4 tables & 12 chairs (0919619-DCA)
- Zossima, Inc., d/b/a Doma Na Rohu, 27 ½ Morton St., with 6 tables & 12 chairs (1424566-DCA)
- 172 Bleecker St. Rest., Inc. d/b/a Café Español, 190 Sullivan St., with 4 tables & 8 chairs (1080119-DCA)
- 172 Bleecker St. Rest., Inc. d/b/a Café Español, 172 Bleecker St., with 3 tables & 6 chairs (0920629-DCA)
- 151 Bleecker LLC., 151 Bleecker St., with 8 tables & 6 chairs (1348223-DCA)
- 400 West 14th Inc., d/b/a Gaslight, 400 W. 14th St. , with 24 tables & 48 chairs (1346493-DCA)
- Metizo Inc., d/b/a Good Restaurant, 89 Greenwich Ave., with 7 tables & 16 chairs (1160579-DCA)

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

VOTE: Unanimous, with 46 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/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