

Manhattan Community Board 4

(All Fields Must Be Completed)

NYS Liquor License/DOT Dining Out Stipulations Application

CORPORATION NAME		DOING BUSINESS AS (DBA)	
La Bergamote Inc.		La Bergamote	
STREET ADDRESS		CROSS STREETS	ZIP CODE
177 Ninth Avenue		West 20, 21 Streets	10011
Applicant <i>(Attach a list of all individuals that will be listed/associated with the license)</i>	NAME: Romain Lamaze	ATTORNEY/ REPRESENTATIVE	NAME: Michael Ferrari
	PHONE: 212 627 9010		PHONE: (212) 972-7040
	EMAIL: labergamote177@yahoo.com		EMAIL: mferrari@newyorktrial.com
MANAGER	NAME: Romain Lamaze	LANDLORD	NAME: Chelsea West 21st LLC c/o The Brodsky Organization
	PHONE: 347 642 0623		PHONE: 833 693 5093
	EMAIL: labergamote177@yahoo.com		EMAIL: bfishman@brodsky.com
APPLICATION TYPE (____ <i>New York State Liquor License</i> <u> x </u> <i>Dept. of Transportation Dining Out</i>)			
<input type="radio"/> New	Has applicant owned or managed a similar business?	YES	NO
	What is/was the name and address of establishment?		
	What were the dates applicant was involved with this former premise?		
<input type="radio"/> Corp Change/Class Change/Method of Operation Change/Removal	What is the license # and expiration date?		
	Is applicant making any alterations or operational changes?	YES	NO
	If alterations or operational changes are being made, please describe/list all changes.		
<input checked="" type="radio"/> Alteration	What is the current license # and expiration date?	0240-23-140879; 5/31/2025	
	Please list/describe the nature of all the changes and attach the plans:	Sidewalk Cafe	
METHOD OF OPERATION			
TYPE OF ALCOHOL	<input type="radio"/> Liquor/Wine/Beer & Cider <input type="radio"/> Beer & Cider <input checked="" type="radio"/> Wine/Beer & Cider		
ESTABLISHMENT TYPE	<input checked="" type="radio"/> Restaurant <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input type="radio"/> Bar/Tavern <input type="radio"/> Catering Establishment <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Club (Fraternal Organization – Members Only)		
Has applicant filed with the SLA? If yes, when? If no, when does applicant plan to file?	YES	<input checked="" type="radio"/> NO	Once applicant is approved by DOT.
Is the 500 Foot Rule applicable? If yes, please attach a diagram of the On-Premise liquor license establishments within a 500 foot radius of the establishment and the Public Interest Statement.	YES	<input checked="" type="radio"/> NO	This establishment is licensed for service of wine, beer and cider only.
Is the 200 Foot Rule applicable? If yes, please attach a diagram of the schools and houses of worship within a 200 foot radius of the establishment.	YES	<input checked="" type="radio"/> NO	
Has applicant/owner(s) read MCB4 Policy Regarding Concentration and Location of Alcoholic-Serving Establishments?	<input checked="" type="radio"/> YES	NO	

OPERATIONAL DETAILS (*Closing time will be when establishment is vacated of all patrons)									
HOURS of Operation		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY	
	Indoors	7am - 10pm	7am - 10pm	7am - 10pm	7am - 10pm	7am - 10pm	7am - 10pm	7am - 10pm	7am - 9pm
	Outdoors	7am - 10pm	7am - 10pm	7am - 10pm	7am - 10pm	7am - 10pm	7am - 10pm	7am - 10pm	7am - 9pm
	Kitchen	8am - 10pm	8am - 10pm	8am - 10pm	8am - 10pm	8am - 10pm	8am - 10pm	8am - 10pm	8am - 9pm
	Music (indoors)	7am - 10pm	7am - 10pm	7am - 10pm	7am - 10pm	7am - 10pm	7am - 10pm	7am - 10pm	7am - 9pm
<div> <div>If yes, what type(s)? (Circle all that apply)</div> <div> <div>BACKGROUND</div> <div>LIVE MUSIC</div> <div>DJ</div> <div>JUKE BOX</div> <div>KARAOKE</div> </div> </div>									
OCCUPANCY									
	Capacity Pursuant to Certificate of Occupancy	Maximum Occupancy (Including Employees)	Number of Tables	Number of Seats	Number of Service-Only Bars	Number of Stand-Up Bars	Number of Seats at Stand-Up Bar		
INSIDE	181	181	14	30		1	8		
OUTSIDE <i>(Rooftop/Rear Yard/Patio/Terrace /Garden; within the premises)</i>									
DOT Dining Out: Sidewalk Cafe			7	14					
DOT Dining Out: Roadway									
How frequently will the owner(s) be at the establishment?					5 days a week				
Will there be dancing?					YES	NO			
Will applicant have bottle or table service for alcohol beverages other than wine?					YES	NO			
Will applicant be hosting private promotional or corporate events?					YES	NO			
Will outside promoters be used on a regular basis? If yes, please describe.					YES	NO			
Will applicant have a security plan? If yes, please attach.					YES	NO			
Will security plan be implemented?					YES	NO			
Will State certified security personnel be used?					YES	NO			
Will New York Nightlife Association and NYPD Best Practices be followed?					YES	NO			
Does applicant agree to notify MCB4 prior to making changes to its method of operation?					YES	NO			
Will applicant be using delivery bicycles? If yes, how many? Please describe where delivery bicycles will be parked when picking up deliveries?					YES	NO			

Will delivery bicycles be clearly marked with the name of the restaurant and will staff wear attire clearly marked with the name as described by NYC Law?	YES	NO	N/A
Where will applicants' own delivery bicycles be parked when not making deliveries?	N/A		
If applicant is using third party delivery service, where will third party delivery bicycles park?	There is ample room outside the restaurant on the sidewalks		
Where will applicant store its garbage containers when not in use?	Trash room		
Where will applicant lay out garbage containers and at what time?	Curb after closing time		

LOCATION & ZONING

Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	<input checked="" type="radio"/> YES	NO	Chelsea Historic District
Does the building have a Certificate of Occupancy ("C of O") or a Letter of No Objection?	<input checked="" type="radio"/> YES	NO	
Is a Public Assembly permit required?	<input checked="" type="radio"/> YES	NO	
Are your plans filed with DOB?	<input checked="" type="radio"/> YES	NO	
What is the zoning designation for this location?	R7B, C2-5		

Community Notification/Relations

NOTIFICATION: List all block associations; tenant associations, co-op boards or condo boards of residential buildings; and community groups that applicant has notified regarding its application. For each, please list both the organization and individual you contacted.	# 1	See rider annexed as Exhibit C. We sent emails notifying all of the associations as instructed by Community Board 4.		
	# 2			
	# 3			
	# 4			
	# 5			
When did applicant post the notice that was provided?		03/17/25		
Where did applicant post the notice that was provided?		Store front / on our block street light pole		
Please provide dates when applicant met with the groups listed above.		To date, we have not received a response from any of the block associations or otherwise.		
Who was your contact person at each group you met with?		N/A		
Will applicant provide a cell phone number to neighbors and respond to complaints that arise? If yes, please provide.		<div>YES</div>	NO	347 642 0623
Will applicant inform the Community Board office of its job openings and/or provide a hyperlink to applicant's jobs webpage?		<div>YES</div>	NO	

MULTIPLE SPACES/FLOORS BREAKDOWN								
Space/Floor	Description/ Use of Space	Capacity	Hours	# of Tables	# of Seats	# of Service- Only Bars	# of Stand-Up Bars/Seats at Bar	Music

BUILDING DESIGN			
State the name and type of business previously located in the space.	Applicant was first tenant		
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.	YES	<input checked="" type="radio"/> NO	
Do you plan any changes to the existing façade? If yes, please describe.	YES	<input checked="" type="radio"/> NO	
Has the applicant/owner(s) read MCB4 ADA Guidelines Memo?	<input checked="" type="radio"/> YES	NO	
Is the entrance ADA Compliant?	<input checked="" type="radio"/> YES	NO	
Do you plan any changes to the existing façade? If yes, please describe.	YES	<input checked="" type="radio"/> NO	
Will applicant have a vestibule within the establishment?	YES	<input checked="" type="radio"/> NO	
Will applicant use a storm enclosure?	YES	<input checked="" type="radio"/> NO	
Does applicant agree to keep the sidewalk clear of all items or obstructions, such as sandwich boards, sidewalk signs, freestanding menus and plants, as per the law?	<input checked="" type="radio"/> YES	NO	
Will applicant comply with the NYC noise code?	<input checked="" type="radio"/> YES	NO	
Will the establishment have any of the following: (circle all that apply)	FRENCH DOORS	GARAGE DOORS	WINDOWS THAT CAN BE OPENED
Will applicant close all windows, French doors, garage doors when any music or amplified sound (including televisions) is played inside the establishment?	<input checked="" type="radio"/> YES	NO	
Will applicant close all windows, French doors, garage doors by 11 p.m. Friday and Saturday and 10 p.m. on all other days even if no music or amplified sound is played inside the establishment?	<input checked="" type="radio"/> YES	NO	
Has applicant obtained an acoustical report from a certified sound engineer to assess potential noise disturbance to the neighboring residents and buildings?	YES	<input checked="" type="radio"/> NO	
Will applicant follow the recommendations of a certified sound engineer to mitigate potential noise disturbance to the neighboring residents and buildings, including placing speakers on the floor of the establishment?	YES	<input checked="" type="radio"/> NO	
Will the kitchen exhaust system extend to the roof?	<input checked="" type="radio"/> YES	NO	
Will the establishment have an illuminated sign?	YES	<input checked="" type="radio"/> NO	
Will the establishment have a pole-supporting canopy extending over the sidewalk?	YES	<input checked="" type="radio"/> NO	
Where will the air conditioner be located? What type is it?	Ceiling unit		
When was the air conditioner installed?	2007		

OUTDOOR PRIVATE PROPERTY – ROOFTOP, REAR YARD, TERRACE			
Has the applicant/owner(s) read MCB4 Rear Yard Rooftop Policy?	YES	NO	N/A; applicant does not operate a rooftop, rear yard or terrace.
Will applicant use any outdoor spaces: rooftop, rear yard, patio, porch, balcony, pavilion, tents, deck, gazebo? If yes, which one(s)?	YES	NO	
Are the floorplans for the outdoor space(s) included?	YES	NO	
Will applicant close and vacate the outdoor space(s) by 11 p.m. on Friday & Saturday and 10 p.m. on all other days?	YES	NO	
Will the service and consumption of alcohol in any outdoor space only be via seated food service?	YES	NO	
Will applicant prohibit patrons from drinking in any outdoor space(s)?	YES	NO	
Will there be no amplified music, as per the law?	YES	NO	
If amplified sound is played inside the establishment, will windows and doors be closed?	YES	NO	
Will applicant agree to post signs outside asking customers to respect the neighbors?	YES	NO	
Will applicant agree to train staff to encourage a peaceful environment?	YES	NO	
Will applicant provide effective sound control (landscaping enclosure, soundproofing tenants; apartments)	YES	NO	
Will there be a lighting plan that allows safe usage of the outdoor space without disrupting neighbors?	YES	NO	

DEPARTMENT OF TRANSPORTATION DINING OUT: SIDEWALK			
Has the applicant read MCB4 Sidewalk Café Policy?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant be applying for sidewalk seating now or in the future?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
If you answered no to the question above, jump to the next page			
Did applicant submit an application and dimension site plan at scale to NYC Dept. of Transportation? Please attach a copy of application and plans.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant close and vacate the sidewalk and roadway seating by 11 p.m. on Friday & Saturday and 10 p.m. on all other days?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant respect trees and tree pits and insure the health of the tree?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will the service and consumption of alcohol in any outdoor space only be via seated food service?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant prohibit patrons from drinking in any outdoor space(s) or adjacent sidewalk?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant permit NO wait lines or smoking outside?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will there be no amplified music, as per the law?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
If amplified sound is played inside the establishment, will windows and doors be closed?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will there be a staff person responsible to ensure no loitering, noise or crowds outside?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant agree not to use propane heaters?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant agree to abide by all applicable fire codes, including not blocking fire escapes?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will the outdoor dining deposit its garbage in a container on the parking lane?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will the café have a 3 foot-wide serving aisle running the entire length of the sidewalk seating?	<input checked="" type="radio"/> YES	<input checked="" type="radio"/> NO	
Will the sidewalk seating have a platform?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	
Does applicant agree to keep the sidewalk clear of all items or obstructions, such as sandwich boards, sidewalk signs, freestanding menus and plants, as per the law?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will there be a lighting plan that allows safe usage of the outdoor space without disrupting neighbors?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will the sidewalk seating block subway grate, utility hardware or Siamese water connection?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	
If construction or construction protection has reduced the sidewalk width, will applicant always maintain an 8-foot clear path of sidewalk between the perimeter of the café and the closes obstruction including construction barricades?			Yes

DEPARTMENT OF TRANSPORTATION DINING OUT: ROADWAY

Did applicant submit an application and dimension site plan at scale to NYC Dept. of Transportation? Please attach a copy of application and plans.	YES	<input checked="" type="radio"/> NO	Sidewalk only
If you answered no to the question above, jump to the next page			
Will the roadway structure extend on top of the curb or pedestrian refuge? By how much?	YES	NO	
Will the roadway structure have an ADA compliant ramp (not in the bike lane)?	YES	NO	
Will the roadway structure extend in the striped zone along the bike lane? By how much?	YES	NO	
Will the electric wires be brought over at the roof level?	YES	NO	
Will applicant dismantle and dispose of a shed that is no longer in use, along with its furniture?	YES	NO	
Will there be no music or amplifies sound in any outdoor seating, as per law?	YES	NO	
Will applicant have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	
Will applicant close and vacate the sidewalk and roadway seating by 11 p.m. on Friday & Saturday and 10 p.m. on all other days?	YES	NO	
Will the Outdoor Dining Sidewalk & Roadway provide no standing space for drinking or smoking?	YES	NO	
Will the service and consumption of alcohol in the Outdoor Dining Sidewalk/Roadway only be via seated food service?	YES	NO	
Will applicant prohibit patrons from drinking in any outdoor space(s) or adjacent sidewalk?	YES	NO	
If amplified sound is played inside the establishment, will windows and doors be closed?	YES	NO	
Will applicant permit NO wait lines or smoking outside?	YES	NO	
Does applicant agree to keep the sidewalk clear of all items or obstructions, such as sandwich boards, sidewalk signs, freestanding menus and plants, as per the law?	YES	NO	
Will applicant respect trees and tree pits and insure the health of the tree?	YES	NO	
Will applicant permit NO wait lines or smoking outside?	YES	NO	
Will there be a staff person responsible to ensure no loitering, noise or crowds outside?	YES	NO	
Will applicant agree not to use propane heaters?	YES	NO	
Will the outdoor dining deposit its garbage in a container on the parking lane?	YES	NO	

ADDITIONAL STIPULATIONS: (Office Use Only)

To the extent any additional stipulation on pages 9 and 10 of this application conflicts with any response on pages 1 – 11 of this application, the stipulations on pages 9 and 10 control.

ADDITIONAL STIPULATIONS: (Office Use Only), *Continued*

To the extent any additional stipulation on pages 9 and 10 of this application conflicts with any response on pages 1 – 11 of this application, the stipulations on pages 9 and 10 control.





<p>Manhattan Community Board 4 (MCB4) recommends: <i>(MCB4's recommendation is based on a vote taken at its May 7, 2025 full board meeting, with 39 members voting in favor of the recommendation, 0 members opposed, 0 members abstaining and 0 present but not eligible)</i></p>		<p><input checked="" type="checkbox"/> Denial unless all stipulations agreed to by applicant/owner are part of the method of operation</p> <p><input type="radio"/> Denial <input type="radio"/> Approval</p>	
<p>MCB4 REPRESENTATIVES</p>			
 <p>Nelly Gonzalez MCB4 Assistant District Manager</p>	 <p>Frank Holozubiec MCB4 BLP Committee Co-Chair</p>	 <p>Wendy Gonzalez MCB4 BLP Committee Co-Chair</p>	
<p>APPLICANT AGREEMENT WITH THE COMMUNITY</p>			
<p>Applicant agrees to these stipulations as the basis for the community support of this application and acknowledges that all of these stipulations are essential prerequisites to the MCB4 recommendation regarding this application. Applicant agrees to have these stipulations incorporated in the method of operation of its liquor license. The stipulations in this application constitute the entire agreement between MCB4 and applicant and may only be altered in writing signed by MCB4 representatives and applicant. These stipulations supersede any oral statements, representations, or prior iterations in connection with this application.</p>			
<p>SIGN HERE →</p>	<p>Romain Lamaze</p> <p>PRINT NAME OF APPLICANT</p>	<p>DocuSigned by:  0BEC0C15B8474D8 SIGNATURE OF APPLICANT</p>	<p>3/31/2025</p> <p>DATE</p>

EXHIBIT A₁

Site Plan Diagram Form (20th Street)

SECTION 1: Site Plan

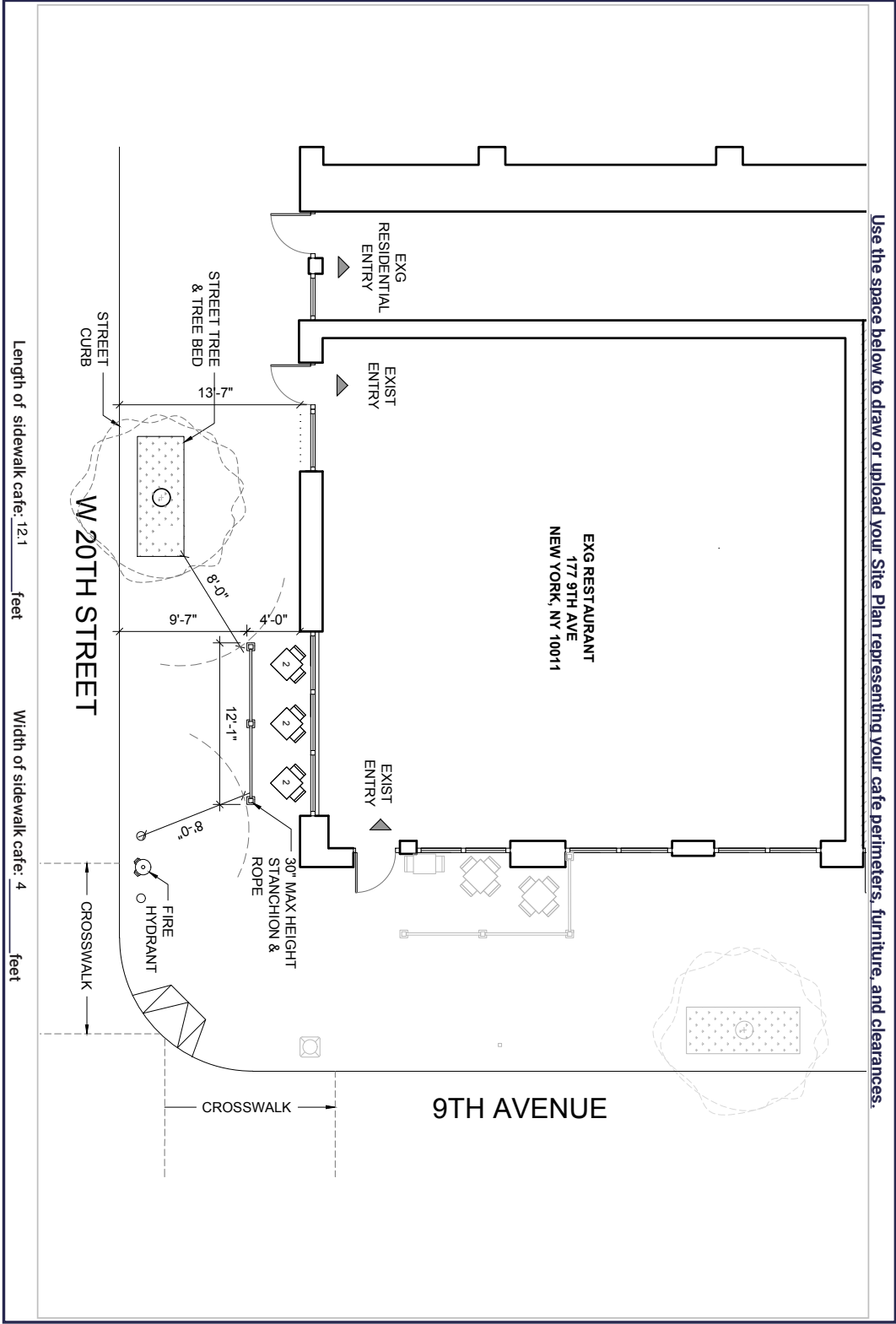
- This Site Plan form is required to be uploaded in the "Sidewalk Site Plan" field of your online application.
- Refer to the [How to Apply](#) page in the Dining Out NYC website for more information about the application process.

Identify Clear Path Requirements:

- Clear path requirement for your sidewalk cafe can be found by identifying your corridor type on the DOT's Pedestrian Mobility Plan [Pedestrian Demand Map](#) on Open Data.
- ☐ C1 - Global Corridor (12 feet Clear Path)
 - ☐ C2 - Regional Corridor (10 feet Clear Path)
 - ☒ C3 - Neighborhood Corridor (8 feet Clear Path)
 - ☐ C4 - Community Connector (8 feet Clear Path)
 - ☐ C5 - Baseline Street (8 feet Clear Path)

Setup Area Identification :

- ☐ Please check this box if you plan to have outdoor dining located within private property. If so, indicate the property line in the site plan drawing below.
- ☐ Please check this box if all or part of your sidewalk cafe is in a sidewalk widening area, developed pursuant to the NYC Zoning Resolution. If so, indicate the property line in the site plan drawing below.





NEW YORK CITY



Eric Adams

Mayor

Yvonne Rodriguez

Commissioner

Sidewalk Cafe

Site Plan Form

Applicant Name:

Restaurant Name: La Bergamote

FSEP Number: _____

Drawing Requirements

Food service establishment frontage shown by:

- Line representing space occupied in building
- Labels

Street names:

- Labels on each street

Sidewalk shown as:

- Line representing street curb
- Width measured from building line to curb line

Primary building entrance shown as:

- Label
- Distance from proposed setup

Cafe perimeter shown as:

- Line
- Length and width
- _____ (Dashed line) representing Private Property Line

Set-up furniture (tables, chairs, etc.) shown as:

- Lines or symbols at approximate location within setup

Sidewalk elements or objects shown as:

- Lines or symbols
- Labels
- Distance from cafe perimeter

Utility coverings shown as:

- Symbols representing the approximate shape of the covering within the setup
- ☐ MANHOLE COVER
- ☒ UTILITY COVERING

SECTION 2: Required Clearances

- Please provide distances from the following objects.
- Only provide a distance if the listed object is within 15 feet of your proposed setup.
- Leave box blank if not applicable.
- Refer to the [Setup Guides](#) in the Dining Out NYC website for more information regarding clearances.

Elements with minimum 15 feet clearance from sidewalk cafe:

☐ S01- Subway Stair: Open End _____ feet

Elements with minimum 10 feet clearance from sidewalk cafe:

☐ S02- Subway Elevator Entrance _____ feet ☐ S04- MTA Curb Cut _____ feet
☐ S03- Exhaust Duct _____ feet ☐ S05- FDNY Curb Cut _____ feet

Elements with minimum 8 feet clearance from sidewalk cafe:

☒ S06- Street Tree Bed _____ 8 _____ feet ☐ S13- Newsstand _____ feet
☐ S07- Mailbox _____ feet ☐ S14- Streetlight _____ feet
☐ S08- LinkNYC Kiosk _____ feet ☐ S15- Bus Stop Pole _____ feet
☐ S09- Wayfinding Kiosk _____ feet ☒ S16- Fire Hydrant _____ 8 _____ feet
☐ S10- E-charging Station _____ feet ☐ S17- Bus Stop Shelter _____ feet
☐ S11- Parking Meter _____ feet ☐ S18- Traffic Signal _____ feet
☐ S12- Select Bus Service Fare Machine _____ feet

Elements with minimum 5 feet clearance from sidewalk cafe:

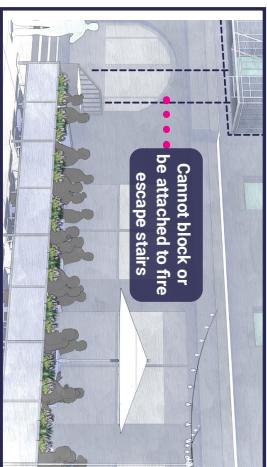
☐ S19- CitiBike/Bike Share Station _____ feet ☐ S24- Emergency Exit Hatch _____ feet
☐ S20- Bike Corral _____ feet ☐ S25- Subway Stair: Closed End _____ feet
☐ S21- Micromobility Station _____ feet ☐ S26- Subway Elevator: Non-Entry _____ feet
☐ S22- Primary Building Entrance _____ feet ☐ S27- Siamese Connection _____ feet
☐ S23- Curb Cut _____ feet

Elements with minimum 3 feet clearance from sidewalk cafe:

☐ S28- Elevated Train Infrastructure _____ feet
☐ S29- Transformer Vault _____ feet

Elements with minimum 1 foot 6 inches clearance from sidewalk cafe elements:

☐ S30- Vent Infrastructure _____ inches



SECTION 3: Material Requirements

- Please indicate which of the following materials will be part of your sidewalk cafe by checking the box next to the category. If applicable, please confirm the materials comply with the Dining Out NYC requirements by checking the box next to the associated requirement.
- Refer to the [Setup Guides](#) in the Dining Out NYC website for more information regarding materials.

Materials Checklist:

Required*

☒ Perimeter Demarcation

- ☒ Perimeter demarcation must be clear and visible by using a lightweight and removable self-supporting base wall, railing, planter, fence, or stanchion and rope.
☒ Maximum height is 2 feet 6 inches (excluding planting(s)).
☒ Not affixed to the sidewalk.

Optional - Only check the material categories you intend to use in your sidewalk cafe.

☒ Furnishings

- ☒ Lightweight and easily movable.
☒ Not affixed to the sidewalk.

☒ Awnings (Physically attached to the building)

- ☐ Minimum 8 feet height from the ground and does not exceed 10 feet height.
☐ Easily removable, comprised of fire-grade and wind resistant materials.
☐ Does not extend beyond the perimeter of the sidewalk cafe.
☐ Complies with the New York City Building Code and the requirements of the Landmarks Preservation Commission, as applicable.

☒ Overhead Coverings/ Umbrellas

- ☒ Minimum 7 feet height from the ground and does not exceed 10 feet height.
☒ Easily removable, comprised of fire-grade and wind resistant materials.
☒ Does not extend beyond the perimeter of the sidewalk cafe.
☒ The umbrella/overhead covering has a weighted base and any supports are not affixed to the sidewalk.
☒ Any support structures are of sufficient size and strength, made of durable materials, and free of defects.

☒ Lighting and Electrical Connections

- ☐ Any lighting is outdoor rated, properly secured, and lightweight.
☐ Connection is directly connected to ground floor restaurant's power source and within the perimeter of the cafe.
☐ Does not extend beyond the perimeter of the sidewalk cafe.
☐ Does not exceed 10 feet in height.
☐ Not attached to any City property, including street trees.
☐ Electrical work complies with the applicable requirements set forth in the DOT's rules and the New York City Electrical Code.

☐ Please check this box if you are submitting additional documents for review. Documents may include technical drawings prepared by a licensed professional.

EXHIBIT A₂

Site Plan Diagram Form (9th Avenue)

SECTION 1: Site Plan

- This Site Plan form is required to be uploaded in the "Sidewalk Site Plan" field of your online application.
- Refer to the [How to Apply](#) page in the Dining Out NYC website for more information about the application process.

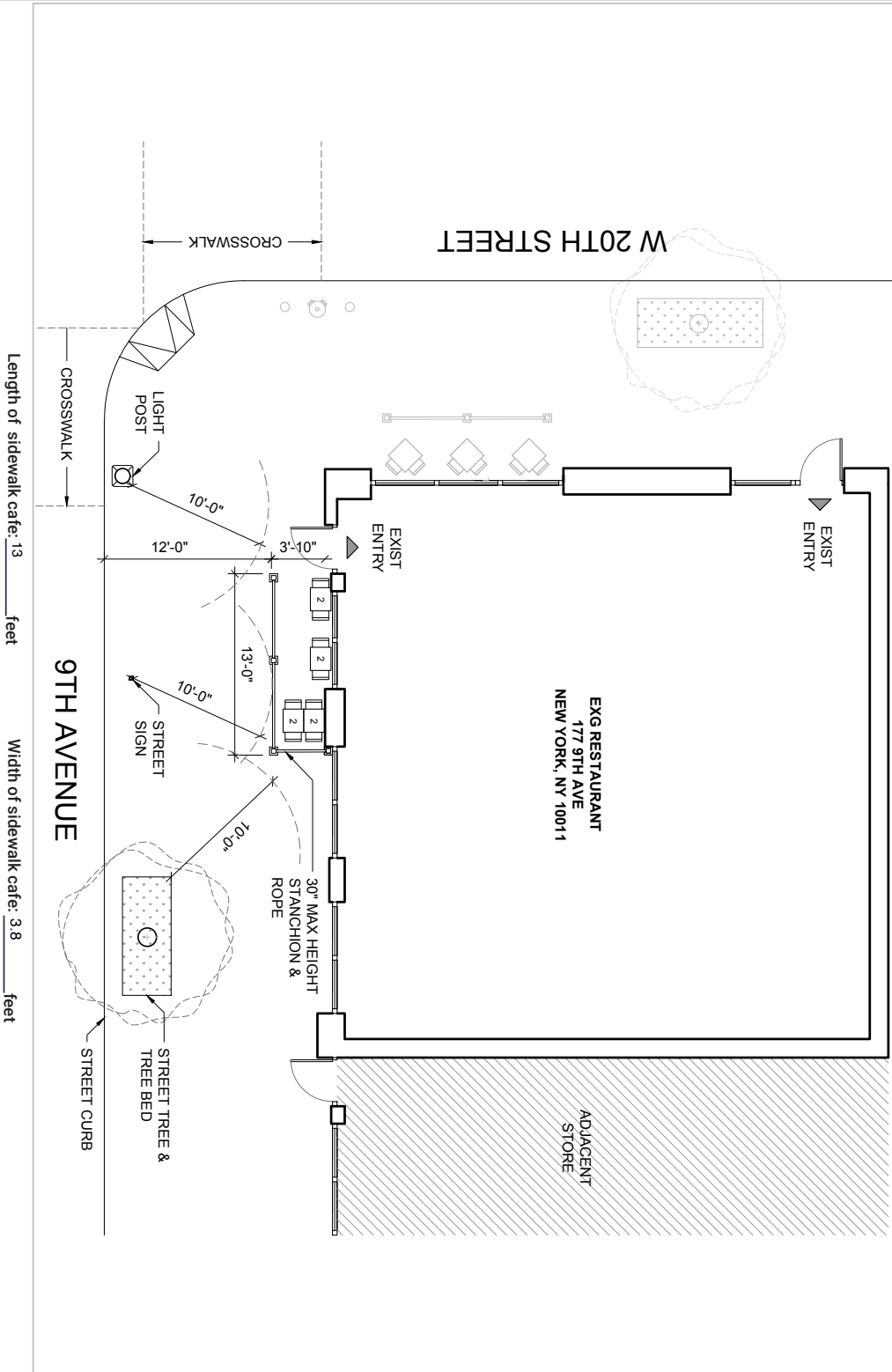
Identify Clear Path Requirements:

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☐ C5 - Baseline Street (8 feet Clear Path)

Setup Area Identification :

- ☐ Please check this box if you plan to have outdoor dining located within private property. If so, indicate the property line in the site plan drawing below.
- ☐ Please check this box if all or part of your sidewalk cafe is in a sidewalk widening area, developed pursuant to the NYC Zoning Resolution. If so, indicate the property line in the site plan drawing below.

Use the space below to draw or upload your Site Plan representing your cafe perimeters, furniture, and clearances.



Sidewalk Cafe Site Plan Form



Applicant Name: La Bergamote, Inc.

Restaurant Name: La Bergamote

FSEP Number: 41512057

Drawing Requirements

Food service establishment frontage shown by:

- Line representing space occupied in building
- Labels

Street names:

- Labels on each street

Sidewalk shown as:

- Line representing street curb
- Width measured from building line to curb line

Primary building entrance shown as:

- Label
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Cafe perimeter shown as:

- Line
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Set-up furniture (tables, chairs, etc.) shown as:

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Sidewalk elements or objects shown as:

- Lines or symbols
- Labels
- Distance from cafe perimeter

Utility coverings shown as:

- Symbols representing the approximate shape of the covering within the setup
- ☐ MANHOLE COVER
- ☒ UTILITY COVERING

SECTION 2: Required Clearances

- Please provide distances from the following objects.
- Only provide a distance if the listed object is within 15 feet of your proposed setup.
- Leave box blank if not applicable.
- Refer to the [Setup Guides](#) in the Dining Out NYC website for more information regarding clearances.

Elements with minimum 15 feet clearance from sidewalk cafe:

☐ S01- Subway Stair: Open End _____ feet

Elements with minimum 10 feet clearance from sidewalk cafe:

☐ S02- Subway Elevator Entrance _____ feet ☐ S04- MTA Curb Cut _____ feet
☐ S03- Exhaust Duct _____ feet ☐ S05- FDNY Curb Cut _____ feet

Elements with minimum 8 feet clearance from sidewalk cafe:

☒ S06- Street Tree Bed _____ 10 feet ☐ S13- Newsstand _____ feet
☐ S07- Mailbox _____ feet ☐ S14- Streetlight _____ 10 feet
☐ S08- LinkNYC Kiosk _____ feet ☐ S15- Bus Stop Pole _____ feet
☐ S09- Wayfinding Kiosk _____ feet ☒ S16- Fire Hydrant _____ feet
☐ S10- E-charging Station _____ feet ☐ S17- Bus Stop Shelter _____ feet
☐ S11- Parking Meter _____ feet ☐ S18- Traffic Signal _____ feet
☐ S12- Select Bus Service Fare Machine _____ feet

Elements with minimum 5 feet clearance from sidewalk cafe:

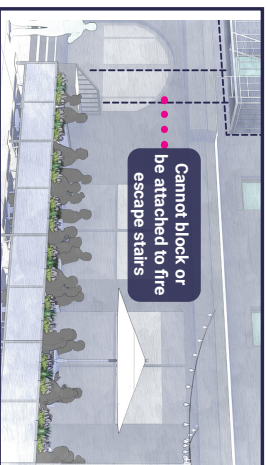
☐ S19- CitiBike/Bike Share Station _____ feet ☐ S24- Emergency Exit Hatch _____ feet
☐ S20- Bike Corral _____ feet ☐ S25- Subway Stair: Closed End _____ feet
☐ S21- Micromobility Station _____ feet ☐ S26- Subway Elevator: Non-Entry _____ feet
☐ S22- Primary Building Entrance _____ feet ☐ S27- Stamese Connection _____ feet
☐ S23- Curb Cut _____ feet

Elements with minimum 3 feet clearance from sidewalk cafe:

☐ S28- Elevated Train Infrastructure _____ feet
☐ S29- Transformer Vault _____ feet

Elements with minimum 1 foot 6 inches clearance from sidewalk cafe elements:

☐ S30- Vent Infrastructure _____ inches



SECTION 3: Material Requirements

- Please indicate which of the following materials will be part of your sidewalk cafe by checking the box next to the category. If applicable, please confirm the materials comply with the Dining Out NYC requirements by checking the box next to the associated requirement.
- Refer to the [Setup Guides](#) in the Dining Out NYC website for more information regarding materials.

Materials Checklist:

Required*

☒ Perimeter Demarcation

- ☒ Perimeter demarcation must be clear and visible by using a lightweight and removable self-supporting base wall, railing, planter, fence, or stanchion and rope.
☒ Maximum height is 2 feet 6 inches (excluding planting(s)).
☒ Not affixed to the sidewalk.

Optional - Only check the material categories you intend to use in your sidewalk cafe.

☒ Furnishings

- ☒ Lightweight and easily movable.
☒ Not affixed to the sidewalk.

☒ Awnings (Physically attached to the building)

- ☐ Minimum 8 feet height from the ground and does not exceed 10 feet height.
☐ Easily removable, comprised of fire-grade and wind resistant materials.
☐ Does not extend beyond the perimeter of the sidewalk cafe.
☐ Complies with the New York City Building Code and the requirements of the Landmarks Preservation Commission, as applicable.

☒ Overhead Coverings/ Umbrellas

- ☒ Minimum 7 feet height from the ground and does not exceed 10 feet height.
☒ Easily removable, comprised of fire-grade and wind resistant materials.
☒ Does not extend beyond the perimeter of the sidewalk cafe.
☒ The umbrella/overhead covering has a weighted base and any supports are not affixed to the sidewalk.
☒ Any support structures are of sufficient size and strength, made of durable materials, and free of defects.

☒ Lighting and Electrical Connections

- ☐ Any lighting is outdoor rated, properly secured, and lightweight.
☐ Connection is directly connected to ground floor restaurant's power source and within the perimeter of the cafe.
☐ Does not extend beyond the perimeter of the sidewalk cafe.
☐ Does not exceed 10 feet in height.
☐ Not attached to any City property, including street trees.
☐ Electrical work complies with the applicable requirements set forth in the DOT's rules and the New York City Electrical Code.

☐ Please check this box if you are submitting additional documents for review. Documents may include technical drawings prepared by a licensed professional.

EXHIBIT B

Photos of the Exterior







EXHIBIT C

Rider to Community Notification/Relations:

Email notification as sent to all of the associations.



Maxwell Horowitz <mhorowitz@newyorktrial.com>

La Bergamote Inc. Sidewalk Cafe Notice

Maxwell Horowitz <mhorowitz@newyorktrial.com>

Wed, Mar 26, 2025 at 11:48 AM

To: negonzalez@cb.nyc.gov

Cc: Michael Ferrari <mferrari@newyorktrial.com>

Bcc: "dwbeard421@me.com" <dwbeard421@me.com>, "mglassman63@gmail.com" <mglassman63@gmail.com>, "donna@donnalangman.com" <donna@donnalangman.com>, "pgroncki@gmail.com" <pgroncki@gmail.com>, "alberttaylor@mac.com" <alberttaylor@mac.com>, "chelseaw200ba@gmail.com" <chelseaw200ba@gmail.com>, "dianne2ns@gmail.com" <dianne2ns@gmail.com>, "germanygerald@aol.com" <germanygerald@aol.com>, "pjcooke@me.com" <pjcooke@me.com>, "bkd8@cornell.edu" <bkd8@cornell.edu>, "andrew@gvshp.org" <andrew@gvshp.org>, "mwalshtny@gmail.com" <mwalshtny@gmail.com>, "wborock@hotmail.com" <wborock@hotmail.com>, "wade2084@gmail.com" <wade2084@gmail.com>, "info@w15ba.com" <info@w15ba.com>, "Resimke@gmail.com" <resimke@gmail.com>, "cott@habitatmag.com" <cott@habitatmag.com>, "judyk999@gmail.com" <judyklein999@gmail.com>, "tenants@lta.info" <tenants@lta.info>, "ccba.prez@gmail.com" <ccba.prez@gmail.com>, "antonellacipollone2000@yahoo.it" <antonellacipollone2000@yahoo.it>, "chelseawest300ba@gmail.com" <chelseawest300ba@gmail.com>, "amyklein724@gmail.com" <amyklein724@gmail.com>, "w400ba@gmail.com" <w400ba@gmail.com>, "west25thstreetproject@gmail.com" <west25thstreetproject@gmail.com>, "eleanor@quiltedcorner.com" <eleanor@quiltedcorner.com>, "education@pennsouth.coop" <education@pennsouth.coop>, "jeremy.carmel@gmail.com" <jeremy.carmel@gmail.com>, "steve@w15ba.com" <steve@w15ba.com>, "fdenthunter@gmail.com" <fdenthunter@gmail.com>, "sandrajacobus@gmail.com" <sandrajacobus@gmail.com>, "kimon@w15ba.com" <kimon@w15ba.com>, "maybin.jennifer239@gmail.com" <maybin.jennifer239@gmail.com>, "dnehila@gmail.com" <dnehila@gmail.com>, "thuypham.200w23w24BA@gmail.com" <thuypham.200w23w24ba@gmail.com>, "300wba@gmail.com" <300wba@gmail.com>, "Tina@NakedEyeProductions.com" <tina@nakedeyeproductions.com>, "westchelseaba@gmail.com" <westchelseaba@gmail.com>, "davidsloss@gmail.com" <davidsloss@gmail.com>, "john.mudd@usa.net" <john.mudd@usa.net>, "bvh.drf@gmail.com" <bvh.drf@gmail.com>, "kjacobnyc@gmail.com" <kjacobnyc@gmail.com>, "dwatersh@gmail.com" <dwatersh@gmail.com>, "neil@neilselkirk.com" <neil@neilselkirk.com>, "Lttanews@gmail.com" <Lttanews@gmail.com>, "pamela@angel.net" <pamela@angel.net>, "palmermarshall@yahoo.com" <palmermarshall@yahoo.com>, "brianscottweber@gmail.com" <brianscottweber@gmail.com>, "hoffmandonj@hotmail.com" <hoffmandonj@hotmail.com>, "mig91360@yahoo.com" <mig91360@yahoo.com>, "david@dlessner.com" <david@dlessner.com>, "ccba1001920@gmail.com" <ccba1001920@gmail.com>, "info@2324chelsea.com" <info@2324chelsea.com>, "savvyflix@gmail.com" <savvyflix@gmail.com>, "200west22streetba@gmail.com" <200west22streetba@gmail.com>, "phyllis.waisman@gmail.com" <phyllis.waisman@gmail.com>, "m@melissa-stern.com" <m@melissa-stern.com>, "andyhummm@aol.com" <andyhummm@aol.com>, "mattbrob@aol.com" <mattbrob@aol.com>, "robert.simon2267@gmail.com" <robert.simon2267@gmail.com>, "ccba.veep@gmail.com" <ccba.veep@gmail.com>, "glowe@wohlfarth.com" <glowe@wohlfarth.com>, "jeanemuniz@gmail.com" <jeanemuniz@gmail.com>, "susanb1011@aol.com" <susanb1011@aol.com>, "beacon195@aol.com" <beacon195@aol.com>

Dear member of the community,

Our client, La Bergamote Inc. at 177 Ninth Avenue, has applied to Manhattan Community Board 4 for an outdoor seating permit for the sidewalk on the corner of 20th Street and 9th Avenue, in front of its restaurant. The Department Of Transportation has approved the plans as submitted and now awaits any community input. If you have any comments regarding this application please contact my office at mferrari@newyorktrial.com or (212) 972-7040, or contact Community Board 4 at (212) 736-4536.

Thank you,

Maxwell Horowitz
 Farber Balsam Papain Ferrari LLP
 261 Madison Avenue, 26 FL
 New York, NY 10016
 (212) 972-7040 (O)
mhorowitz@newyorktrial.com

EXHIBIT D

Proof of Mailing of Notice to Nearby Residents:

- Affidavit of Mailing
- Exhibit A to Affidavit: Letter to Community Members
- Public Notice as sent
- Exhibit B to Affidavit: Copies of mailed envelopes

STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

Affidavit of Mailing

MAXWELL HOROWITZ, being duly sworn, deposes and says:

I am over the age of 18 years, and reside in Nassau County, New York.

On the 27th day of March 2025, I mailed the annexed Exhibit A, Letter to local residential buildings along with the Community Board 4 Posting to the addressees on the envelopes, copies of which are annexed as Exhibit B, by depositing true copies of same, via USPS First Class Mail, enclosed in post-paid wrappers, in an official depository under the exclusive care and custody of the United States Postal Service to the addresses below:

Chelsea Enclave, Building Management, 177 Ninth Avenue, New York, NY 10011
Building Management, 152 Ninth Avenue, New York, NY 10011
Building Management, 160 Ninth Avenue, New York, NY 10011
Building Management, 161 Ninth Avenue, New York, NY 10011
Building Management, 165 Ninth Avenue, New York, NY 10011
Building Management, 170-176 Ninth Avenue, New York, NY 10011
Building Management, 445 West 20th Street, New York, NY 10011
Building Management, 429 West 20th Street, New York, NY 10011
Building Management, 422 West 20th Street, New York, NY 10011
Building Management, 421 West 20th Street, New York, NY 10011
Building Management, 420 West 20th Street, New York, NY 10011
Building Management, 419 West 20th Street, New York, NY 10011
Building Management, 418 West 20th Street, New York, NY 10011
Building Management, 417 West 20th Street, New York, NY 10011
Building Management, 416 West 20th Street, New York, NY 10011
Building Management, 414 West 20th Street, New York, NY 10011
Building Management, 412 West 20th Street, New York, NY 10011
Building Management, 410 West 20th Street, New York, NY 10011
Building Management, 408 West 20th Street, New York, NY 10011
Building Management, 406 West 20th Street, New York, NY 10011
Building Management, 404 West 20th Street, New York, NY 10011
Building Management, 400 West 20th Street, New York, NY 10011

MAXWELL HOROWITZ

Sworn before me this
27th day of March, 2025



Westchester

EXHIBIT A



261 Madison Avenue, 26th Floor
New York, New York 10016
(212) 972-7040 (o) • (212) 922-1939 (f)
www.newyorktrial.com

MICHAEL FERRARI, PARTNER
MFERRARI@NEWYORKTRIAL.COM

March 26, 2025

VIA USPS First Class Mail
ATTN: Building Management

Re: Notification of Application for Outdoor Seating Permit
La Bergamote Inc. d/b/a La Bergamote
177 Ninth Avenue
New York, NY 10011

Dear Community Members,

Our client, La Bergamote, at 177 Ninth Avenue, has applied to the Department of Transportation ("DOT") for an outdoor seating permit for the sidewalk in front of the restaurant on the corner of 20th Street and Ninth Avenue. The DOT has approved the application as submitted and now awaits any community input.

If you have any comments or questions regarding this application, please contact Community Board 4 at (212) 736-4536 or my office at mferrari@newyorktrial.com / (212) 972-7040. There will be a meeting held by Community Board 4 ("CB4") on Tuesday April 8, 2025 at 6:30 pm. See the Public Notice form from CB4 regarding attendance at the meeting either virtually or in person.

Sincerely,

FARBER BALSAM PAPAIN FERRARI LLP

By: 
Michael Ferrari, Partner



JESSICA CHAIT
Chair

JESSE BODINE
District Manager

CITY OF NEW YORK
MANHATTAN COMMUNITY BOARD No. 4
424 W 33rd Street, Suite 580 New York, NY 10001
tel: 212-736-4536
<https://cbmanhattan.cityofnewyork.us/cb4/>

PUBLIC NOTICE

Business Licenses and Permits Committee
will discuss an application submitted by

La Bergamote
177 9th Avenue

A Dept. Transportation Dining Out
Sidewalk Application:
9th Avenue: Tables: 4/Seats: 8
W 20th Street: Tables: 3/Seats: 6

DATE: Tuesday, April 8, 2025

TIME: 6:30 PM

PLACE: Hybrid Meeting:



Video/Phone Conference Registration:
<https://tinyurl.com/mcb4-blp-committee>

In-Person:
MCB4 Office
424 W 33rd Street, Suite 580

To follow public health best practices,
building protocols and due to limited
space, we encourage all members of the
public to participate remotely via Zoom. If
you would like to attend in person, please
email Assistant District Manager Nelly
Gonzalez at negonzalez@cb.nyc.gov by
10am, Monday, April 7th.

We invite you to attend this meeting and learn more about this application.
Alternately, you should email your comments by 12 p.m. Monday, April 7th or for
more information, to Assistant District Manager Nelly Gonzalez
negonzalez@cb.nyc.gov.

Posted according to the Administrative Code of the City of New York section 10-119. Please do not remove until after the above meeting date.

EXHIBIT B

Farber Balsam Papain Ferrari LLP
261 Madison Avenue, FL 26,
New York, NY 10016

Chelsea Enclave
Building Management
177 Ninth Avenue
New York, NY 10011

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Farber Balsam Papain Ferrari LLP
261 Madison Avenue, FL 26,
New York, NY 10016

Building Management
152 Ninth Avenue
New York, NY 10011

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Farber Balsam Papain Ferrari LLP
261 Madison Avenue, FL 26,
New York, NY 10016

Building Management
160 Ninth Avenue
New York, NY 10011

Farber Balsam Papain Ferrari LLP
261 Madison Avenue, FL 26,
New York, NY 10016

Building Management
161 Ninth Avenue
New York, NY 10011

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Farber Balsam Papain Ferrari LLP
261 Madison Avenue, FL 26,
New York, NY 10016

Building Management
170-176 Ninth Avenue
New York, NY 10011



Farber Balsam Papain Ferrari LLP
261 Madison Avenue, FL 26,
New York, NY 10016

Building Management
445 West 20th Street
New York, NY 10011



Farber Balsam Papain Ferrari LLP
261 Madison Avenue, FL 26,
New York, NY 10016

Building Management
429 West 20th Street
New York, NY 10011

Farber Balsam Papain Ferrari LLP
261 Madison Avenue, FL 26,
New York, NY 10016

Building Management
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New York, NY 10011

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Farber Balsam Papain Ferrari LLP
261 Madison Avenue, FL 26,
New York, NY 10016

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419 West 20th Street
New York, NY 10011

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Farber Balsam Papain Ferrari LLP
261 Madison Avenue, FL 26,
New York, NY 10016

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417 West 20th Street
New York, NY 10011

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Farber Balsam Papain Ferrari LLP
261 Madison Avenue, FL 26,
New York, NY 10016

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400 West 20th Street
New York, NY 10011

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Farber Balsam Papain Ferrari LLP
261 Madison Avenue, FL 26;
New York, NY 10016

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404 West 20th Street
New York, NY 10011

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261 Madison Avenue, FL 26,
New York, NY 10016

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406 West 20th Street
New York, NY 10011

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261 Madison Avenue, FL 26,
New York, NY 10016

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New York, NY 10011

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261 Madison Avenue, FL 26,
New York, NY 10016

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New York, NY 10011

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Farber Balsam Papain Ferrari LLP
261 Madison Avenue, FL 26,
New York, NY 10016

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New York, NY 10011

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Farber Balsam Papain Ferrari LLP
261 Madison Avenue, FL 26,
New York, NY 10016

Building Management
422 West 20th Street
New York, NY 10011



Farber Balsam Papain Ferrari LLP
261 Madison Avenue, FL 26,
New York, NY 10016

Building Management
420 West 20th Street
New York, NY 10011



Farber Balsam Papain Ferrari LLP
261 Madison Avenue, FL 26,
New York, NY 10016

Building Management
165 Ninth Avenue
New York, NY 10011

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Farber Balsam Papain Ferrari LLP
261 Madison Avenue, FL 26,
New York, NY 10016

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New York, NY 10011

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Farber Balsam Papain Ferrari LLP
261 Madison Avenue, FL 26,
New York, NY 10016

Building Management
418 West 20th Street
New York, NY 10011

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FROM 10016



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Farber Balsam Papain Ferrari LLP
261 Madison Avenue, FL 26,
New York, NY 10016

Building Management
416 West 20th Street
New York, NY 10011

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FROM 10016



B67206 02



Eric Adams
Mayor

Ydanis Rodriguez
Commissioner

COMMUNITY BOARD FEEDBACK PACKAGE

Please review this application and provide the required feedback.

Manhattan Community Board 4's (MCB4) recommendation is based on a vote at its May 7, 2025 Full Board Meeting with 39 members in favor of the recommendation, 0 member opposed, 0 members abstaining and 0 present but not eligible.

DINING OUT NYC

COMMUNITY BOARD RECOMMENDATION FORM

This form is to be used by community boards during the cafe review process. Any comments from the community board should be recorded on this form and submitted to NYC DOT. For information pertaining to specific cafe design requirements, visit the Dining Out NYC website for program legislation, rules, and Setup Guides.

Business Name: La Bergamote

Cafe Address: 177 9 AVENUE, NEW YORK, NY, 10011

Application Number: 20240722010016

CB Review Deadline (on date or next business day): 4/19/2025

NYCDOT Internal Use Only

Sidewalk Cafe Setup Feedback:

☐ Community Board chooses to **WAIVE** review

Comments related to the cafe's **physical footprint and dimensions**:

Comments related to **pedestrian flow** (i.e., visibility, safety, potential crowding):

Comments related to potential conflicts with **existing curb use** (i.e., planters, bike racks, bus stops):

Please check one of the recommendations below, either **approval**, **denial**, or **approval with modifications** relating to the above application:

☒ Community Board recommends **approval**

☐ Community Board recommends **denial**

☐ Community Board recommends **approval w/ modifications**

Recommended modifications (**only if approved w/ modifications**):

☐ Applicant acknowledges and agrees to modifications relating to the above referenced application

☐ Applicant acknowledges **BUT** does **NOT** agree with modifications relating to the above referenced application. If this box is checked, please provide NYC DOT with documentation of such agreement for NYC DOT's consideration.

Nelly Gonzalez

Community Board Authorizing Name

Community Board Authorizing Signature

4/18/25

Date

On 4/8/25 the Business Licenses & Permits Committee voted to recommend approval. This application is subject to ratification by MCB4 Full Board on Wednesday, May 7, 2025.

RESTAURANT DETAILS

Food Service Establishment Permit (FSEP)

FSEP#: 41512057

Expiration Date: 07/31/2025

DOHMH Status: CURRENT

Business Legal Name: LA BERGAMOTE INC.

Assumed Name: LA BERGAMOTE

Business Address: 177 9 AVENUE, NEW YORK, NY 10011

Venue Type: Restaurant (no bar)

Last updated from DOHMH: 03/03/2025

Restaurant Information

Entity Type: Corporation

Phone: (212) 627-9010

Email Address: labergamote177@yahoo.com

DOS Information

DOS ID#: 2110599

Process Name: Romain Lamaze

DOS Address: 177 9th Avenue, New York, New York 10011

NYS Liquor Authority Information

Establishment serves alcohol : No

Business hours

Sun: 7:00 AM- 9:00 PM

Mon: 7:00 AM- 10:00 PM

Tues: 7:00 AM- 10:00 PM

Wed: 7:00 AM- 10:00 PM

Thurs: 7:00 AM- 10:00 PM

Fri: 7:00 AM- 10:00 PM

Sat: 7:00 AM- 10:00 PM



SECTION 1: Site Plan

- This Site Plan form is required to be uploaded in the "Sidewalk Site Plan" field of your online application.
- Refer to the [How to Apply](#) page in the Dining Out NYC website for more information about the application process.

Identify Clear Path Requirements:

- Clear path requirement for your sidewalk cafe can be found by identifying your corridor type on the DOT's Pedestrian Mobility Plan [Pedestrian Demand Map](#) on Open Data.

- ☐ C1- Global Corridor (12 feet Clear Path)
- ☐ C2- Regional Corridor (10 feet Clear Path)
- ☐ C3- Neighborhood Corridor (8 feet Clear Path)
- ☐ C4- Community Connector (8 feet Clear Path)
- ☐ C5- Baseline Street (8 feet Clear Path)

Setup Area Identification:

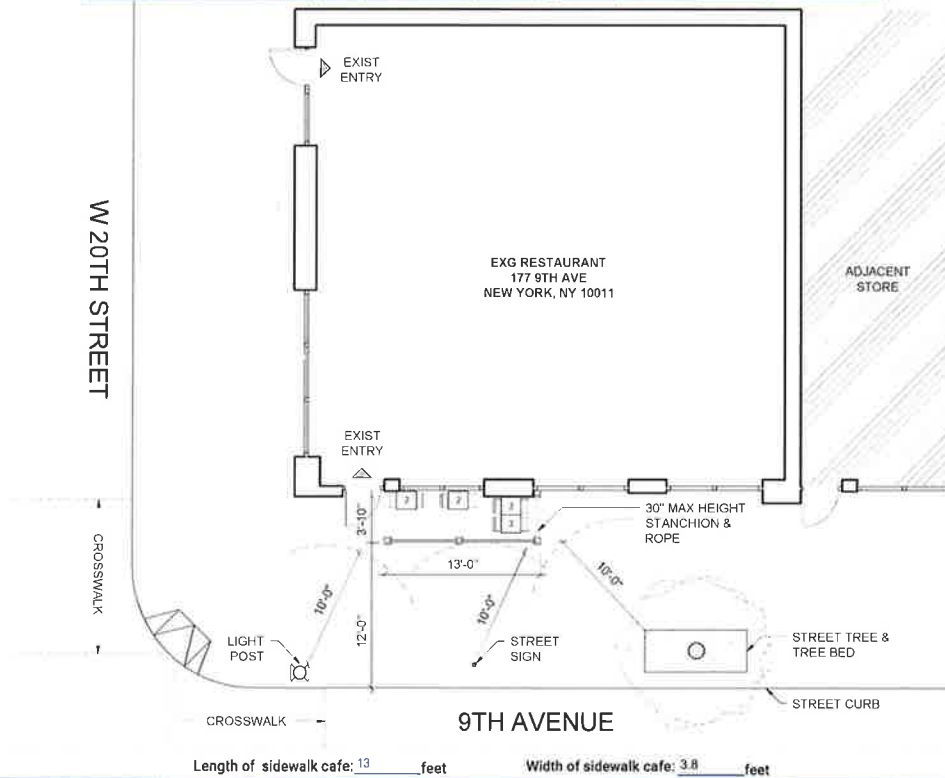
- ☐ Please check this box if you plan to have outdoor dining located within private property. If so, indicate the property line in the site plan drawing below.
- ☐ Please check this box if all or part of your sidewalk cafe is in a sidewalk widening area, developed pursuant to the NYC Zoning Resolution. If so, indicate the property line in the site plan drawing below.



Sidewalk Cafe Site Plan Form

Applicant Name: La Bergamote, Inc.
 Restaurant Name: La Bergamote
 FSEP Number: 41512057

Use the space below to draw or upload your Site Plan representing your cafe perimeters, furniture, and clearances.



Drawing Requirements

Food service establishment frontage shown by:

- Line representing space occupied in building
- Labels

Street names:

- Labels on each street

Sidewalk shown as:

- Line representing street curb
- Width measured from building line to curb line

Primary building entrance shown as:

- Label
- Distance from proposed setup

Cafe perimeter shown as:

- Line
- Length and width
- (Dashed line) representing Private Property Line

Set-up furniture (tables, chairs, etc.) shown as:

- Lines or symbols at approximate location within setup

Sidewalk elements or objects shown as:

- Lines or symbols
- Labels
- Distance from cafe perimeter

Utility coverings shown as:

- Symbols representing the approximate shape of the covering within the setup
- MANHOLE COVER
- UTILITY COVERING

SECTION 2: Required Clearances

- Please provide distances from the following objects.
- Only provide a distance if the listed object is within 15 feet of your proposed setup.
- Leave box blank if not applicable.
- Refer to the [Setup Guides](#) in the Dining Out NYC website for more information regarding clearances.

Elements with minimum 15 feet clearance from sidewalk cafe:

☐ S01- Subway Stair: Open End _____ feet

Elements with minimum 10 feet clearance from sidewalk cafe:

☐ S02- Subway Elevator Entrance _____ feet ☐ S04- MTA Curb Cut _____ feet
☐ S03- Exhaust Duct _____ feet ☐ S05- FDNY Curb Cut _____ feet

Elements with minimum 8 feet clearance from sidewalk cafe:

☒ S06- Street Tree Bed 10 feet ☐ S13- Newsstand _____ feet
☐ S07- Mailbox _____ feet ☒ S14- Streetlight 10 feet
☐ S08- LinkNYC Kiosk _____ feet ☐ S15- Bus Stop Pole _____ feet
☐ S09- Wayfinding Kiosk _____ feet ☐ S16- Fire Hydrant _____ feet
☐ S10- E-charging Station _____ feet ☐ S17- Bus Stop Shelter _____ feet
☐ S11- Parking Meter _____ feet ☐ S18- Traffic Signal _____ feet
☐ S12- Select Bus Service Fare Machine _____ feet

Elements with minimum 5 feet clearance from sidewalk cafe:

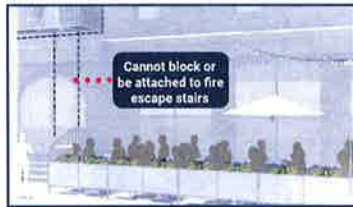
☐ S19- CitiBike/Bike Share Station _____ feet ☐ S24- Emergency Exit Hatch _____ feet
☐ S20- Bike Corral _____ feet ☐ S25- Subway Stair: Closed End _____ feet
☐ S21- Micromobility Station _____ feet ☐ S26- Subway Elevator: Non-Entry _____ feet
☐ S22- Primary Building Entrance _____ feet ☐ S27- Siamese Connection _____ feet
☐ S23- Curb Cut _____ feet

Elements with minimum 3 feet clearance from sidewalk cafe:

☐ S28- Elevated Train Infrastructure _____ feet
☐ S29- Transformer Vault _____ feet

Elements with minimum 1 foot 6 inches clearance from sidewalk cafe elements:

☐ S30- Vent Infrastructure _____ inches



SECTION 3: Material Requirements

- Please indicate which of the following materials will be part of your sidewalk cafe by checking the box next to the category. If applicable, please confirm the materials comply with the Dining Out NYC requirements by checking the box next to the associated requirement.
- Refer to the [Setup Guides](#) in the Dining Out NYC website for more information regarding materials.

Materials Checklist:

Required

☒ Perimeter Demarcation

- ☒ Perimeter demarcation must be clear and visible by using a lightweight and removable self-supporting base wall, railing, planter, fence, or stanchion and rope.
- ☒ Maximum height is 2 feet 6 inches (excluding planting(s)).
- ☒ Not affixed to the sidewalk.

Optional: Only check the material categories you intend to use in your sidewalk cafe

☒ Furnishings

- ☒ Lightweight and easily movable.
- ☒ Not affixed to the sidewalk.

☐ Awnings (Physically attached to the building)

- ☐ Minimum 8 feet height from the ground and does not exceed 10 feet height.
- ☐ Easily removable, comprised of fire-grade and wind resistant materials.
- ☐ Does not extend beyond the perimeter of the sidewalk cafe.
- ☐ Complies with the New York City Building Code and the requirements of the Landmarks Preservation Commission, as applicable.

☒ Overhead Coverings/ Umbrellas

- ☒ Minimum 7 feet height from the ground and does not exceed 10 feet height.
- ☒ Easily removable, comprised of fire-grade and wind resistant materials.
- ☒ Does not extend beyond the perimeter of the sidewalk cafe.
- ☒ The umbrella/overhead covering has a weighted base and any supports are not affixed to the sidewalk.
- ☒ Any support structures are of sufficient size and strength, made of durable materials, and free of defects.

☐ Lighting and Electrical Connections

- ☐ Any lighting is outdoor rated, properly secured, and lightweight.
- ☐ Connection is directly connected to ground floor restaurant's power source and within the perimeter of the cafe.
- ☐ Does not extend beyond the perimeter of the sidewalk cafe.
- ☐ Does not exceed 10 feet in height.
- ☐ Not attached to any City property, including street trees.
- ☐ Electrical work complies with the applicable requirements set forth in the DOT's rules and the New York City Electrical Code.

- ☐ Please check this box if you are submitting additional documents for review. Documents may include technical drawings prepared by a licensed professional.

SECTION 1: Site Plan

- This Site Plan form is required to be uploaded in the "Sidewalk Site Plan" field of your online application.
- Refer to the [How to Apply](#) page in the Dining Out NYC website for more information about the application process.

Identify Clear Path Requirements:

- Clear path requirement for your sidewalk cafe can be found by identifying your corridor type on the DOT's Pedestrian Mobility Plan [Pedestrian Demand Map](#) on Open Data.

- ☐ C1- Global Corridor (12 feet Clear Path)
- ☒ C2- Regional Corridor (10 feet Clear Path)
- ☐ C3- Neighborhood Corridor (8 feet Clear Path)
- ☐ C4- Community Connector (8 feet Clear Path)
- ☐ C5- Baseline Street (8 feet Clear Path)

Setup Area Identification:

- ☐ Please check this box if you plan to have outdoor dining located within private property. If so, indicate the property line in the site plan drawing below.
- ☐ Please check this box if all or part of your sidewalk cafe is in a sidewalk widening area, developed pursuant to the NYC Zoning Resolution. If so, indicate the property line in the site plan drawing below.



Sidewalk Cafe Site Plan Form

Applicant Name: La Bergamote, Inc.

Restaurant Name: La Bergamote

FSEP Number: 41512057

Drawing Requirements

Food service establishment frontage shown by:

- Line representing space occupied in building
- Labels

Street names:

- Labels on each street

Sidewalk shown as:

- Line representing street curb
- Width measured from building line to curb line

Primary building entrance shown as:

- Label
- Distance from proposed setup

Cafe perimeter shown as:

- Line
- Length and width
- (Dashed line) representing Private Property Line

Set-up furniture (tables, chairs, etc.) shown as:

- Lines or symbols at approximate location within setup

Sidewalk elements or objects shown as:

- Lines or symbols
- Labels
- Distance from cafe perimeter

Utility coverings shown as:

- Symbols representing the approximate shape of the covering within the setup
- MANHOLE COVER
- UTILITY COVERING

Use the space below to draw or upload your Site Plan representing your cafe perimeters, furniture, and clearances.

Length of sidewalk cafe: 13 feet Width of sidewalk cafe: 3.8 feet

SECTION 2: Required Clearances

- Please provide distances from the following objects.
- Only provide a distance if the listed object is within 15 feet of your proposed setup.
- Leave box blank if not applicable.
- Refer to the [Setup Guides](#) in the Dining Out NYC website for more information regarding clearances.

Elements with minimum 15 feet clearance from sidewalk cafe:

☐ S01- Subway Stair: Open End _____ feet

Elements with minimum 10 feet clearance from sidewalk cafe:

☐ S02- Subway Elevator Entrance _____ feet ☐ S04- MTA Curb Cut _____ feet
☐ S03- Exhaust Duct _____ feet ☐ S05- FDNY Curb Cut _____ feet

Elements with minimum 8 feet clearance from sidewalk cafe:

☒ S06- Street Tree Bed 10 feet ☐ S13- Newsstand _____ feet
☐ S07- Mailbox _____ feet ☒ S14- Streetlight 10 feet
☐ S08- LinkNYC Kiosk _____ feet ☐ S15- Bus Stop Pole _____ feet
☐ S09- Wayfinding Kiosk _____ feet ☐ S16- Fire Hydrant _____ feet
☐ S10- E-charging Station _____ feet ☐ S17- Bus Stop Shelter _____ feet
☐ S11- Parking Meter _____ feet ☐ S18- Traffic Signal _____ feet
☐ S12- Select Bus Service Fare Machine _____ feet

Elements with minimum 5 feet clearance from sidewalk cafe:

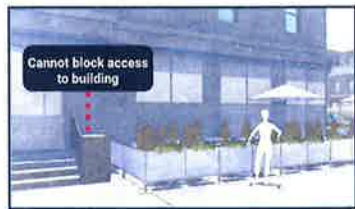
☐ S19- CitiBike/Bike Share Station _____ feet ☐ S24- Emergency Exit Hatch _____ feet
☐ S20- Bike Corral _____ feet ☐ S25- Subway Stair: Closed End _____ feet
☐ S21- Micromobility Station _____ feet ☐ S26- Subway Elevator: Non-Entry _____ feet
☐ S22- Primary Building Entrance _____ feet ☐ S27- Siamese Connection _____ feet
☐ S23- Curb Cut _____ feet

Elements with minimum 3 feet clearance from sidewalk cafe:

☐ S28- Elevated Train Infrastructure _____ feet
☐ S29- Transformer Vault _____ feet

Elements with minimum 1 foot 6 inches clearance from sidewalk cafe elements:

☐ S30- Vent Infrastructure _____ inches



SECTION 3: Material Requirements

- Please indicate which of the following materials will be part of your sidewalk cafe by checking the box next to the category. If applicable, please confirm the materials comply with the Dining Out NYC requirements by checking the box next to the associated requirement.
- Refer to the [Setup Guides](#) in the Dining Out NYC website for more information regarding materials.

Materials Checklist:

Required

☒ Perimeter Demarcation

- ☒ Perimeter demarcation must be clear and visible by using a lightweight and removable self-supporting base wall, railing, planter, fence, or stanchion and rope.
- ☒ Maximum height is 2 feet 6 inches (excluding planting(s)).
- ☒ Not affixed to the sidewalk.

Optional- Only check the material categories you intend to use in your sidewalk cafe

☒ Furnishings

- ☒ Lightweight and easily movable.
- ☒ Not affixed to the sidewalk.

☒ Awnings (Physically attached to the building)

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