



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

330 West 42nd Street, 26th floor New York, NY 10036

tel: 212-736-4536 fax: 212-947-9512

www.ManhattanCB4.org

JEAN-DANIEL NOLAND

Chair

ROBERT J. BENFATTO, JR., ESQ.

District Manager

November 15, 2007

Beverly Gotay
Assistant Director of Licensing
Department of Consumer Affairs
42 Broadway, 8th floor
New York, NY 10004

Re: Sidewalk Café [RENEWAL]

Applicant: Eisen & Son d/b/a Lasagna Ristorante
Location: 196 Eight Avenue (20th Street)
DCA License No.: 1193339
Type: Renewal Application – Unenclosed Sidewalk Café
Tables/Seats: (currently) 9 tables/ 18 seats

Dear Ms. Gotay:

At its October 17, 2007 meeting, Manhattan Community Board 4's Transportation Committee reviewed the application submitted by the above applicant to renew their permit for an unenclosed sidewalk café and recommended that the current sidewalk café permit not be renewed as is, but reissued with the following modifications:

- permit will be for 6 tables of 2 (3 less than current) with the reduction on Eight Avenue,
- permit will be for 15 chairs (3 less than current) with each table on Eight Avenue having up to three chairs,
- permit will explicitly mention " No Planters" on Eight Avenue.

According to resident's observations supported by photographs, this restaurant has a history of overstepping the boundaries of the sidewalk space assigned to them. They consistently set up tables of two in two separate rows, instead of having them joined per the plan. The extra space they used for this separation, plus the use of planters, clearly leaves insufficient pedestrian space. As the café is located along a subway grid on the sidewalk, proper clearance is of particular concern at this location.

When approached by residents and board members about their illegal use of additional sidewalk space, the owners have not been forthcoming. We feel that reducing the café permit by 3 tables and 3 chairs, a relatively small reduction in capacity, will be self-enforcing and will ensure that the proper pedestrian clearance will be respected.

The above has been discussed with one owner. He has been unable to commit to such plan in advance of our vote, since his co-owner is traveling.

We appreciate the help of your administration in enforcing DCA permits and in encouraging applicants to operate within the law and to respect the communities where they do business.

On November 7, 2007, the Full Board voted denial of the application unless the owners agree to the above in writing and submit an adjusted plan.

Sincerely,



Jean-Daniel Noland
Chair
Manhattan Community
Board No. 4
C.c. Applicant



Jay Marcus
Co-Chair
Transportation Planning
Committee



Christine Berthet
Co-Chair
Transportation Planning
Committee