

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.nyc.gov/mcb4

COREY JOHNSON
Chair

ROBERT J. BENFATTO, JR., ESQ.
District Manager

August 5, 2013

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

Re: Speak Integrated Corp.
d/b/a Bocca Di Bacco
167-169 9th Avenue (20)

Dear Ms. Gotay:

Manhattan Community Board 4 (MCB4) recommends **denial** of a new unenclosed sidewalk café license to **Speak Integrated Corp. d/b/a Bocca Di Bacco – 167-169 9th Avenue (20)** **unless** the following stipulations, agreed to by the applicant, are part of the method of operation for this establishment with 10 tables and 21 seats.

A signed copy of the questionnaire and stipulations are enclosed.

Sincerely,

Corey Johnson
Chair

[signed 7/31/13]
Paul Seres
Co-Chair
Business License & Permits
Committee

[signed 7/31/13]
Lisa Daglian
Co-Chair
Business License & Permits
Committee

Manhattan Community Board 4

Unenclosed Sidewalk Café Stipulations Application

APPLICANT Speak Integrate Corp	ADDRESS 167-169 9th Avenue	
DOING BUSINESS AS (DBA) Bocca Di Bocca	CROSS STREETS 20th St.	
DESCRIPTION OF APPLICATION sidewalk cafe		OWNER: Robert Motta
		LAWYER: N/A
		DCA LICENSE NUMBER: 1462267
		SLA LICENSE NUMBER: 1253082

ON SITE CONTACT: (Name, position & phone number):
Sarah Mavella 212 511 7012

Side-walk café hours of Operation	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
	12-11	12-11	12-11	12-11	12-11	12-10	12-11
DCA Hours Allowed	8-12	8-12	8-12	8-12	8-1	8-1	12-12

SEATING & TABLES	DESCRIPTION		NOTES
	SEATS	TABLES	
	21	10	sidewalk cafe

OPERATIONAL ISSUES

Will you follow the rule prohibiting speakers for music in the outdoor space?	YES	NO	N/A
Will you close all French doors and sliding windows when any interior amplified music is played (per law)?	YES	NO	N/A
The sidewalk café will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	YES	NO	N/A
Will you be serving alcohol on the sidewalk? If so, will you have waiter service as required by DCA?	YES	NO	N/A
The service and consumption of alcohol on the sidewalk café will be only via seated food service.	YES	NO	N/A
The sidewalk café will not provide standing space for drinking or smoking.	YES	NO	N/A
Will the outdoor furniture be removed when not in use?	YES	NO	N/A
Will the applicant be using delivery bicycles? If so, explain where you will store them since you'll have a sidewalk café.	YES	NO	N/A
Do you intend to use any portable natural gas heaters? If so, do you have the requisite approvals from DOB & the Fire Department?	YES	NO	N/A
Will applicant have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	N/A

SOUND ISSUES

<p>Will applicant do everything in their power to provide an effective sound baffling or sound controlled environment through landscaping or some type of enclosure, where possible; provided they do not violate any fire or building code regulations? This includes possibly working with landlords for soundproofing tenants apartments (such as installing soundproofing windows, acoustical tiles, etc.).</p>	<p><input checked="" type="checkbox"/> YES</p>	<p><input type="checkbox"/> NO</p>	<p>N/A</p>	
<p>Will applicant enforce a quiet environment in the outdoor space, so as not to disturb nearby residents (e.g. there will be no amplified music, as per the law, and windows and doors to areas that play amplified music shall be closed). The applicant will make every effort possible to limit the noise emanating from diners by posting signs outside and also on menus asking for respect of the neighbor's privacy and peace. The staff will also encourage a peaceful environment amongst the outdoor diners.</p>	<p><input checked="" type="checkbox"/> YES</p>	<p><input type="checkbox"/> NO</p>	<p>N/A</p>	

CAFE DESIGN

<p>Is the sidewalk a minimum of 12 feet? Subtracting the width of the proposed sidewalk café from the width of the entire sidewalk, do you at least leave 8 feet of clearance?</p>	<p><input checked="" type="checkbox"/> YES</p>	<p><input type="checkbox"/> NO</p>	<p>N/A</p>	
<p>Is there a minimum clearance of 8 feet between the sidewalk café and all sidewalk obstructions including parking meters, traffic signs and installed City-sanctioned street furniture (current DCA regs exempt those items)?</p>	<p><input checked="" type="checkbox"/> YES</p>	<p><input type="checkbox"/> NO</p>	<p>N/A</p>	
<p>Is there a minimum clearance of 8 feet between the sidewalk café and the tree trunk of a tree with a flush grate (regs exempt trees with flush grates)?</p>	<p><input checked="" type="checkbox"/> YES</p>	<p><input type="checkbox"/> NO</p>	<p>N/A</p>	
<p>Is there a minimum clearance of 4 feet between the sidewalk café and subway grating to be consistent with ADA standards (regs require 3 ft)</p>	<p><input checked="" type="checkbox"/> YES</p>	<p><input type="checkbox"/> NO</p>	<p>N/A</p>	
<p>Is there a minimum clearance of 3 feet between a sidewalk café and a residential building entrance (regs do not apply to residences)?</p>	<p><input checked="" type="checkbox"/> YES</p>	<p><input type="checkbox"/> NO</p>	<p>N/A</p>	
<p>Is there a minimum 3 feet wait service aisle to ensure no public space is used by the café to service its clientele?</p>	<p><input checked="" type="checkbox"/> YES</p>	<p><input type="checkbox"/> NO</p>	<p>N/A</p>	
<p>Are the sidewalk-café outer boundaries marked on the sidewalk as requested by DCA regulations?.</p>	<p><input checked="" type="checkbox"/> YES</p>	<p><input type="checkbox"/> NO</p>	<p>N/A</p>	
<p>If applicant decides to apply for alterations, as defined by SLA or DCA (as applicable), he/she will reappear before CB4 to describe these alterations.</p>	<p><input checked="" type="checkbox"/> YES</p>	<p><input type="checkbox"/> NO</p>	<p>N/A</p>	

ADDITIONAL INFORMATION: (Applicant Use)

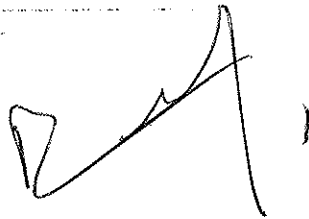
ADDITIONAL NOTES: (Office Use Only)

[Faint, illegible text in the additional notes section]

ADDITIONAL STIPULATIONS: (Office Use Only)

- asking to reduce # of tables by 1
 - eliminate corner table
- reduce hours of outdoor cafe to
10pm Sun - Thurs 11pm Fri's
Sat's

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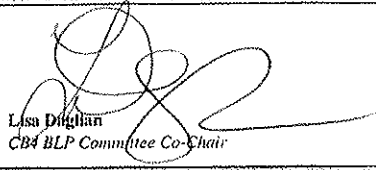


Manhattan Community Board 4 (MCB4) recommends:

Approval Denial unless all agreed to by applicant is part of the
method of operation Denial

CB4 REPRESENTATIVES

Nelly Gonzalez
CB4 Community Associate

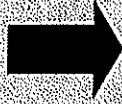

Lisa Duggan
CB4 BLP Committee Co-Chair

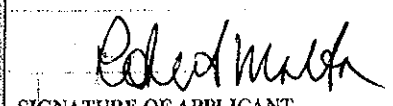

Paul Seres
CB4 BLP Committee Co-Chair

APPLICANT AGREEMENT WITH THE COMMUNITY

Pursuant to these stipulations, this applicant agrees to have these provisions incorporated in the method of operation of their liquor license. Additionally, the applicant agrees to the community agreements as the basis for the community supporting this application.

SIGN HERE




SIGNATURE OF APPLICANT

DATE

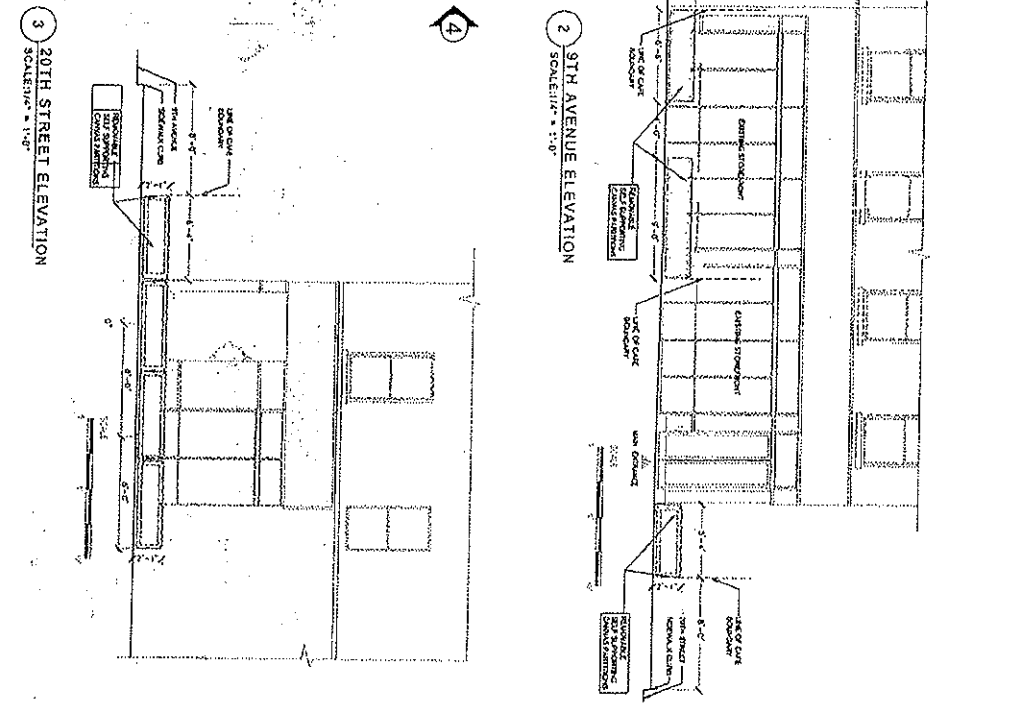
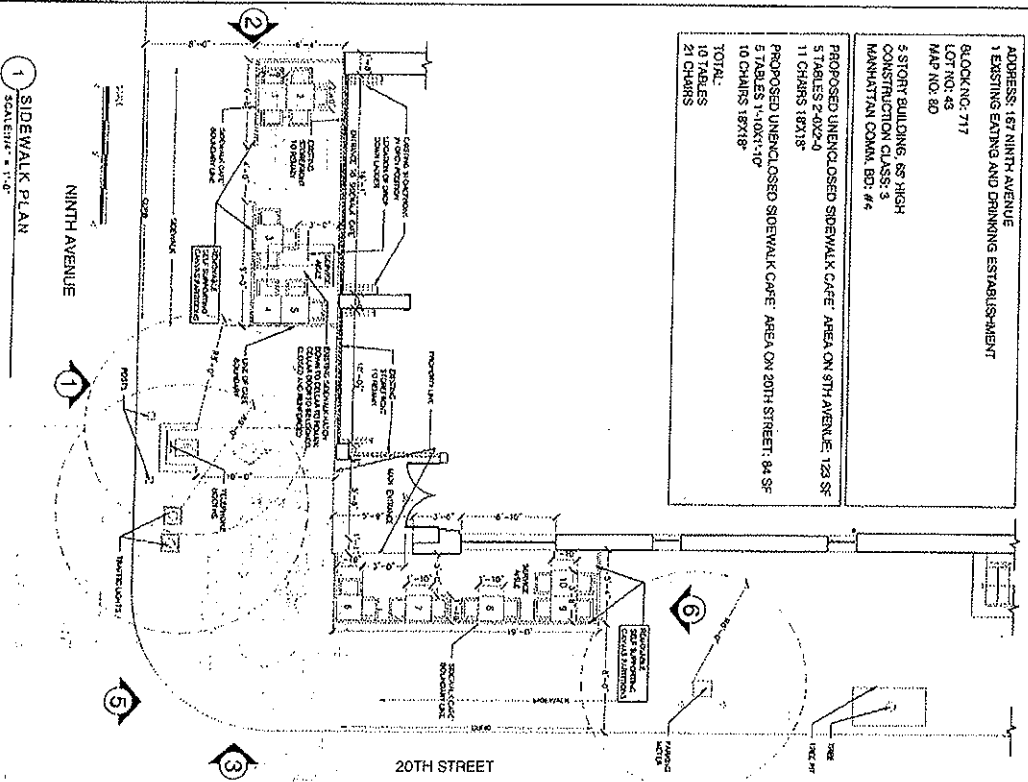
06/11/13

ADDRESS: 167 NINTH AVENUE
 1 EXISTING EATING AND DRINKING ESTABLISHMENT
 BLOCK NO. 717
 LOT NO. 43
 MAP NO. 8D
 5 STORY BUILDING, 65' HIGH
 CONSTRUCTION CLASS: 3
 MANHATTAN COMM. BD. #4

PROPOSED UNENCLOSED SIDEWALK CAFE AREA ON 9TH AVENUE: 125 SF
 5 TABLES: 2, 2X2.5
 11 CHAIRS: 18X15

PROPOSED UNENCLOSED SIDEWALK CAFE AREA ON 20TH STREET: 94 SF
 5 TABLES: 1-1, 10X1-1, 10'
 10 CHAIRS: 18X18

TOTAL:
 10 TABLES
 21 CHAIRS



SIDEWALK CAFE PLAN AND ELEVATIONS
 A-101.00
 2 OF 2
 01.04.2013

M.G. NEW YORK
 ARCHITECTURE, DESIGN & PLANNING
 167 NINTH AVENUE
 NEW YORK, NEW YORK 10011

SIDEWALK CAFE
 167 NINTH AVENUE
 NEW YORK, NEW YORK 10011

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