

## Manhattan Community Board Five

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Vikki Barbero, Chair

450 Seventh Avenue, Suite 2109  
New York, NY 10123-2199  
212.465.0907 f-212.465.1628

Wally Rubin, District Manager

June 10, 2020

Honorable Bill de Blasio  
Mayor  
City Hall  
New York, NY 10007

Dear Mayor de Blasio:

Manhattan Community Board Five enthusiastically supports the proposal to create expanded outdoor seating for our restaurants and bars. The unprecedented conditions present both temporary street use patterns that allow for reallocating our street space, as well as the economic crisis that necessitates creating opportunity for these businesses while indoor capacity is extremely limited by safety precautions.

Community Board Five supports allowing restaurants and bars to make use of their currently-permitted sidewalk cafe space, while requiring appropriate social distancing. Beyond that, Community Board Five supports a new, expedited permitting process for new outdoor operating areas for restaurants and bars that serve food to operate either on open space identified by the Department of Transportation, a sidewalk if they are currently zoned for a sidewalk cafe, or privately-owned spaces like parking lots, under the following principles:

1. We recommend that the City select streets or street lanes for closures in Community Board Five's district using criteria to maximize the benefit and minimize the disruption of these closures. We suggest that these criteria include:
  - Maximizing the number of restaurants adjacent to and in close proximity to the closed street or lane that would be able to take advantage of each closure
  - Minimizing adjacent residential housing to disrupt the lives of as few residents as possible
  - Minimizing the disruption of traffic flow through the district
  - Continuing to allow pedestrians flow through a street via a pathway at least eight feet wide
  - Continuing to allow access to the bike lane network
  - Permitting appropriate sanitation access and capacity
2. We recommend that the City work closely with NYPD and local BIDs to identify a security and maintenance partner for each closure, including identifying responsible parties for erecting barriers to protect the users of the space. Businesses should be provided clear requirements and protocols for the protection of their employees and for ensuring the social distancing of customers, and it should be incumbent on the business to properly implement these precautions and take responsibility for the safety of both customers and employees. Signage regulation should be eased to allow these businesses

to appropriately advertise themselves from the street during these extenuating circumstances. These closures should coordinate appropriately with food trucks so as not to inundate a single area.

3. We recommend standardizing quality of life rules across the district, including hours that newly-permitted outdoor seating may operate and the regulation of noise and music.
4. Finally, the implementation should allow for maximum adaptability, including elements such as 30-day review of businesses to ensure they are using these permits as intended. The implementation should sunset by October 31.

As all these considerations are taken into account, we strongly urge that transparency be part of every step of the process. The City should go into detail about how these streets and businesses have been chosen—which of the criteria have been met by the selected streets and businesses—and should then make an effort to help highlight and promote the areas and businesses selected to maximize success. The City should have a structure for reporting back at frequent intervals to the community on how the experiment is proceeding and which of the success metrics are being met. This is not a process that should take place in obscurity; it should be done with maximum exposure.

Expanded outdoor seating may be the only way for these businesses to survive the summer with enough customers to stay in business, and indeed may be the only way for citizens to safely socialize with some semblance of normalcy while maintaining social distance. A rapidly-implemented strategy will benefit all New Yorkers.

Sincerely,



Vikki Barbero  
Chair



Clayton Smith  
Chair, Parks & Public Spaces



Nicholas Athanail  
Chair, Public Safety & Quality of Life



E. J. Kalafarski  
Chair, Transportation/Environment

Cc: Hon. Corey Johnson, Speaker of the City Council  
Hon. Keith Powers, New York City Council  
Hon. Carlina Rivera, New York City Council  
Hon. Gale A. Brewer, Manhattan Borough President  
Dermot Shea, Commissioner, NYPD  
Polly Trottenberg, Commissioner, NYC DOT  
Sarah Feinberg, Interim President, MTA-NYC  
Business Improvement Districts  
DCA  
SAPO/CECM