



The City of New York

Manhattan Community Board 1

Catherine McVay Hughes CHAIRPERSON | Noah Pfefferblit DISTRICT MANAGER

**Council of the City of New York
Committee on Consumer Affairs
Hearing on Sidewalk Café Local Law**

**Testimony by
Evan Lacher
Community Liaison, Manhattan Community Board 1**

**Tuesday, May 7, 2013, 1:00 PM
250 Broadway - Committee Room, 16th Floor, New York, NY**

Good afternoon Chairman Garodnick and members of the Consumer Affairs Committee and Zoning and Franchises Subcommittee. I am Evan Lacher, Community Liaison of Manhattan Community Board One (CB1). Thank you for the opportunity to comment on the proposed amendments to the administrative code of the City of New York in relation to sidewalk cafés.

Community Boards play a pivotal role in the review and monitoring of sidewalk cafés. In 2012, Manhattan Community Board One reviewed a total of 26 sidewalk cafés, which brought the total number of sidewalk cafes within our district to 52. Sidewalk cafes provide economic benefits to local establishments and enhance the street life of our neighborhoods; at the same time, sidewalk cafés can have adverse effects on residents if not properly operated and monitored.

Unfortunately, the proposed amendment to reduce the Community Board review period to thirty days would severely limit the role of Community Boards in the review process for sidewalk café licenses. Community Boards operate on a monthly cycle and a 30-day review period is often incompatible with our operations. An application received at our office after the relevant monthly committee meeting must wait until the following month for a public hearing and resolution. Since the proposed amendment states that a Community Board would waive its right to comment if no resolution is provided within 30 days, the adoption of this amendment would make it impossible for a Community Board to comment on roughly half the applications it receives. Manhattan Community Board 1 requests that the committee retain the 45-day review period to provide sufficient time for Community Boards to review all sidewalk café licenses.

Additionally, extending the duration of the revocable consent permit from two to four years would severely limit a Community Board's ability to monitor a newly licensed sidewalk café. The first renewal application for a newly issued sidewalk café license provides a forum to discuss the operations of the sidewalk café and address any impacts on the quality of life of neighbors. Delaying this initial review by an additional two years would be detrimental to residents as well as establishments, which sometimes use renewals as an opportunity to increase the number of tables and chairs. Manhattan Community Board 1 requests that the committee retain the two year duration of revocable consent permits for new licenses and only extend it to four years after the first renewal.

Thank you for the opportunity to comment today.