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**The City of New York
Community Board 8 Manhattan**

May 19, 2022

Edward F. Pincar
Manhattan Borough Commissioner
Department of Transportation
59 Maiden Lane, 37th Floor
New York, NY 10038

RE: Additional General Permanent Open Restaurant Policies

Dear Commissioner Pincar,

At the Full Board meeting of Community Board 8 Manhattan held on May 18, 2022, the board **APPROVED** the following resolution by a vote of 39 in favor, 0 opposed, 2 abstentions and 0 not voting for cause:

WHEREAS; the Permanent Open Restaurants Environmental Assessment Statement included proposed administrative policies regarding health, safety and landmarks; and

WHEREAS; Community Board 8 supports such rules, as long as Community Board input is incorporated into the review process for open restaurants;

THEREFORE, BE IT RESOLVED, that Community Board 8 urges NYCDOT to establish the following proposed Permanent Open Restaurant Rules:

- Eligibility would be limited to restaurants with an active Department of Health and Mental Hygiene (DOHMH) food service establishment license and ground floor frontage;
- Participating restaurants shall adhere to all applicable guidance issued by NYCDOT, DOHMH, the New York State Department of Health, and the State Liquor Authority; and
- Seating within a Historical District would continue to be subject to LPC review and Community Board Input through LPC's FasTrack Service or a similar program, and LPC would issue guidance on what kinds of sidewalk or roadway restaurant seating perimeters would be approved for installation;
- The installation of sidewalk and roadway restaurant seating adjacent to an individual architectural resource or within a S/NR-listed or S/NR-eligible historic district would not be subject to LPC review (except in the unusual case where the Landmark site of an individual NYCL includes the sidewalk) but should require Community Board input.

Please advise us of any action taken on this matter.

Sincerely,

Russell Squire

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Craig Lader and Charles Warren

Craig Lader and Charles Warren
Co-Chairs, Transportation Committee

cc: Honorable Eric Adams, Mayor of the City of New York
Honorable Carolyn Maloney, 12th Congressional District Representative
Honorable Mark Levine, Manhattan Borough President
Honorable Liz Krueger, NYS Senator, 28th Senatorial District
Honorable José M. Serrano, NYS Senator, 29th Senatorial District
Honorable Dan Quart, NYS Assembly Member, 73rd Assembly District
Honorable Rebecca Seawright, NYS Assembly Member 76th Assembly District
Honorable Julie Menin, NYC Council Member, 5th Council District
Honorable Keith Powers, NYC Council Member, 4th Council District