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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: Permanent Open Restaurant Frontage 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 30 in favor, 9 opposed, 2 abstentions and 0 not voting for cause:

**WHEREAS;** the Permanent Open Restaurants Environmental Assessment Statement included proposed policies limiting the extent to which sidewalk cafes can operate to the frontage of their business; and

**WHEREAS;** the emergency Open Restaurants Program permitted restaurants to use sidewalk and roadway space of adjacent businesses with permission; and

**WHEREAS;** limiting restaurants to their frontage would put some businesses at a competitive disadvantage if they had a narrow storefront; and

**WHEREAS;** the Permanent Open Restaurant program would be more restrictive than the emergency program in regards to proximity to conflicting street/sidewalk uses or infrastructure; and

**THEREFORE, BE IT RESOLVED,** that Community Board 8 urges NYCDOT to establish Permanent Open Restaurant Rules that allow program participants to use their frontage and the frontage of one adjacent business (with the permission of the adjacent business) for both the sidewalk cafes program and roadway dining program if enacted.

Please advise us of any action taken on this matter.

Sincerely,

*Russell Squire*

Russell Squire  
Chair

*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