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

May 18, 2023

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

**RE: Restaurant Sidewalk Enclosures**

Dear Commissioner Pincar,

At the Full Board meeting of Community Board 8 Manhattan held on May 17, 2023, the board unanimously approved the following resolution by a vote of 38 in favor, 0 opposed, 0 abstentions and 0 not voting for cause:

**WHEREAS** Community Board 8 (CB8) is very concerned with the safety and security of its neighborhood and residents; and

**WHEREAS** CB8 is very troubled by the number and size of restaurant sidewalk enclosures which are not within the size requirements set forth by the Department of Transportation and that do not allow for the required clearance for pedestrians to safely use the sidewalk; and

**WHEREAS** CB8 is very concerned by the lack of enforcement by DOT to rectify this issue; and

**WHEREAS** CB8 is supportive of all food & drink establishments who operate in accordance with laws and regulations and CB8 wants all food & drink establishments to be good neighbors; therefore

**BE IT RESOLVED** that CB8 calls on the Department of Transportation to immediately take all steps necessary, including allocating additional resources, to resolve the issue and to enforce its own regulatory requirements and to have food & drink establishments modify or remove their sidewalk enclosures to comply with the law.

Please advise this office of any action taken regarding this matter.

Sincerely,

*Russell Squire*

Russell Squire  
Chair

*Abraham Salcedo*

Abraham Salcedo  
Chair, Street Life Committee

cc: Honorable Eric Adams, Mayor of the City of New York  
Honorable Mark Levine, Manhattan Borough President  
Honorable Jerry Nadler, 12th Congressional District Representative  
Honorable Liz Krueger, NYS Senator, 28th Senatorial District  
Honorable José M. Serrano, NYS Senator, 29th Senatorial District  
Honorable Edward Gibbs, NYS Assembly Member 68th Assembly District  
Honorable Alex Bores, NYS Assembly Member, 73rd Assembly District

Honorable Rebecca Seawright, NYS Assembly Member 76th Assembly District  
Honorable Keith Powers, NYC Council Member, 4th Council District  
Honorable Julie Menin, NYC Council Member, 5th Council District