

**NYC Department of Transportation Testimony Before the City Council Committees on
Consumer and Worker Protection and Transportation and Infrastructure
April 23, 2025**

Good morning, Chair Menin, Chair Brooks-Powers, and members of the Committees on Consumer and Worker Protection and Transportation and Infrastructure. I am Margaret Forgione, First Deputy Commissioner of the New York City Department of Transportation. With me today are Michelle Craven, Associate Deputy Commissioner for Cityscape and Franchises, and Rick Rodriguez, Assistant Commissioner for Intergovernmental and Community Affairs. Thank you for the opportunity to testify on behalf of Mayor Adams and Commissioner Rodriguez on the City's outdoor dining program.

During the pandemic, New Yorkers came to enjoy and appreciate outdoor dining in new ways. It was not only a critical lifeline for many restaurants and small businesses when indoor dining was prohibited, but it contributed to the vibrancy of our neighborhoods and improved the dining experience for so many people, especially on warm, sunny days. As the pandemic ended, New York City DOT worked closely with the City Council to make outdoor dining a permanent part of our city's streetscape, and we are pleased that the Council did so when it passed Local Law 121 of 2023. The law created seasonal roadway dining, preserved year-round sidewalk dining, and provided the framework for the future of outdoor dining. Just as we did during the emergency program, DOT has worked hard to help as many restaurants participate in the program as possible.

Three weeks ago, DOT launched the first season of Dining Out NYC. There were over 2,500 restaurants authorized to operate, including every restaurant that applied by the August 3, 2024 deadline and completed any required steps. While a new program and new rules bring new realities for restaurants, we are encouraged that the program is already well over double the size of the City's pre-pandemic program, is the largest outdoor dining program in the country, and has a similar participation rate to Paris, which also recently made elements of its outdoor dining program seasonal. Our team has been working tirelessly to get us to this point, and we are proud of all we have achieved so far.

Now to give some background on how we got here. The City's outdoor dining program has gone through several iterations – first, the pre-pandemic sidewalk cafe program managed by the Department of Consumer and Worker Protection (DCWP), then the pandemic-era temporary outdoor dining program authorized by mayoral emergency executive orders, and now the permanent Dining Out NYC program created in response to Local Law 121 of 2023. With each iteration, we built on lessons learned and took bold steps to reimagine the use of public space.

In the pre-pandemic era, around 1,200 restaurants participated in the sidewalk cafe program managed by DCWP. Restaurants were allowed to extend their dining onto the sidewalk as an unenclosed, or in certain cases, an enclosed cafe. Cafes complied with the Zoning Resolution—which prohibited sidewalk cafes entirely in many neighborhoods and on certain corridors. They also had to comply with the Building Code, obtain a revocable consent through DCWP, obtain approval from City Planning, and approval from the Landmarks Preservation Commission depending on the location of the restaurant. These regulations were confusing and restrictive,

creating barriers to small businesses trying to participate in the program, especially in the outer boroughs.

Then in 2020, the COVID-19 pandemic brought us challenges unlike any we'd seen before. The necessity of closing indoor dining for most of 2020 meant that restaurants were particularly impacted by the pandemic, losing thousands of staff and in many cases closing permanently. Balancing public health guidelines and the need to save the city's beloved restaurant industry, the City rapidly created a temporary Open Restaurants program so New Yorkers could safely dine outside. The program reimagined the use of public space to bring restaurant dining to streets and sidewalks across the city; during the peak of the pandemic, the program had between 6,000 and 8,000 restaurants participating and saved 100,000 jobs.

The temporary program was free for restaurants, suspended most pre-existing sidewalk cafe requirements, and allowed restaurants to self-certify that they met the temporary program's requirements—all with the goal of encouraging as many restaurants to participate as quickly as possible. While the program was overwhelmingly popular, it also brought about numerous quality of life concerns around noise and sanitation, among other issues.

Thus, when planning the permanent outdoor dining program, DOT worked to implement a program built around lessons learned from both the DCWP sidewalk cafe program, as well as the temporary Open Restaurants program. The goal that we shared with the Council was to strike a balance between the programs of the past: loosening requirements from the pre-pandemic program as much as possible to encourage wider participation throughout the city while updating regulations to address quality of life concerns. The program has significantly lower fees than the pre-pandemic sidewalk cafe program, with rates varying by location and setup size. Simultaneously, a Zoning Text Amendment also removed the pre-pandemic program's numerous geographic restrictions, allowing the restaurants to participate in areas of the city where outdoor dining was not allowed previously.

With the transition to the first year of Dining Out NYC, we are proud of the work the agency has done so far. DOT conducted extensive outreach, including 44 webinar presentations with question and answer sessions for restaurants, repeated email communications to every business with a food service establishment permit, and over 15,000 palm cards distributed in person. We also did extensive engagement with the news media and via social media to raise awareness about the program. DOT has received nearly 3,900 applications from over 3,200 restaurants, and our goal is to help all of these restaurants participate in the program. When an application is incomplete or includes errors, our staff doesn't just reject the application, we work with applicants to help them achieve approval.

To expedite the lengthy application process required by Local Law 121 and the other requirements of the Charter, and to allow as many restaurants to be up and running by April 1st as possible, DOT issued conditional approvals to restaurants applying to operate a roadway cafe that had already gone through DOT review, community board review, and had a public hearing. Thanks to this effort, the vast majority of restaurants that applied for a roadway cafe by the August 3, 2024 deadline were approved to operate. In addition, all restaurants that applied for a sidewalk cafe prior to the August 3rd deadline have been allowed to operate.

We are thrilled that outdoor dining is now a permanent part of the city's streetscape and we want to work with the Council to make this program as successful as possible. This includes listening to the concerns of restaurants about how to expand participation and to make the application process faster and easier.

We are just over three weeks into the first Dining Out NYC season, so I am sure there will be more lessons learned and additional feedback to consider. We look forward to discussing lessons from this first season with the Council and other stakeholders so we can work together to make outdoor dining a success for many years to come.

Thank you for the opportunity to testify before you today. We now welcome any questions.

April 23, 2025

NYC Hospitality Alliance comments to the NYC Council Committees on Consumer and Worker Protection and Transportation and Infrastructure on Oversight: Dining Out NYC Program

My name is Andrew Rigie and I'm the Executive Director of the New York City Hospitality Alliance, a not-for-profit association representing thousands of restaurants, bars and nightclubs across the five boroughs.

Dining Out NYC promised to make New York City's alfresco dining the envy of the world—turning streetscapes into vibrant public spaces, supporting small businesses, protecting jobs, and building the nation's premier outdoor dining program.

But that promise is slipping. Just 3,000 restaurants have applied according to a Department of Transportation (DOT) press release from February — far fewer than the 13,000 that participated during the pandemic, or even the 6,000–8,000 estimated to still be operating in summer 2024. Many of these small businesses face steep regulatory and financial hurdles. This summer, we may see little more outdoor dining than the 1,200 pre-pandemic sidewalk cafés—mostly still south of 96th Street in Manhattan, failing the new program's goal of citywide equity that was a hallmark of the pandemic-era program, and which lawmakers sought to replicate.

For example, before the pandemic, the Bronx had just 26 sidewalk cafés. During the pandemic, that number surged to 1,010 outdoor dining setups, including both sidewalk and roadway cafés. Now, under the new Dining Out NYC program, that figure has dropped dramatically to just 78.

According to DOT data, there are currently only 2,491 restaurants with outdoor dining citywide. Compared to previous pandemic numbers, that's nearly 7,300 fewer roadway cafés, 9,600 fewer sidewalk cafés, and about 10,300 fewer restaurants offering outdoor dining overall. Even with a few hundred applications still in the pipeline, no matter how you slice the data, it's clear this isn't the outdoor dining revolution we were hoping for.

But now is not the time for blame. It's time for the Mayor and City Council to join us at the outdoor dining table and fulfill the bold vision of Dining Out NYC. I'll briefly outline seven reforms we're proposing to help achieve this goal, and then our counsel, who has decades of experience with outdoor dining and has been advising many applicants, will speak in more detail, followed by restaurateurs who will share their personal experience with outdoor dining.

1. Year-round Roadway Dining Option
2. Reduce Fees
3. Sidewalk Café Enclosures
4. Clearances
5. Application Process
6. Scaffolding
7. Processing Time

Notwithstanding these challenges, under the leadership of DOT Commissioner Rodriguez, I want to strongly commend Pinny Ringel, Director of Public Engagement for Dining Out NYC, and his team at the Department of Transportation. They've gone above and beyond to support restaurants through this complex process when we connect with them, and we are truly grateful for their dedication.

New York City still has the potential to build a world-class outdoor dining program—but only if our government collectively steps up to fix the flaws. Without reform, we risk squandering a once-in-a-generation opportunity to reimagine our streets to benefit restaurants, workers, and the communities they serve, all while generating significant economic benefits for New York City. The mayor's administration and city council must act to ensure Dining Out NYC reaches its full promise to ensure we not only have the greatest restaurants in the world, but the greatest alfresco dining too!

Thank you for your consideration of our comments. If you have questions, I'm reachable at arigie@thenycalliance.org.

In addition to our comments, my submission includes a detailed overview of our seven proposed reforms, a spreadsheet comparing outdoor dining data by type and borough, the current outdoor dining fee structure, and survey responses from restaurateurs.

7 Proposed Reforms

1. Year-round Roadway Dining Option: One of the key challenges faced by small restaurants across the five boroughs is the seasonal only roadway dining option. The construction and storage costs associated make it too expensive and cumbersome for many restaurants. To address this issue, the city should allow roadway cafes that meet specific standards to remain open year-round. For others, the city should provide winter storage for the streeteries since these restaurants are paying the city fees for participating in the outdoor dining program.

2. Reduce Fees: While lower than under the old sidewalk café law, fees remain too high for many restaurants and should be reduced. The jobs created and tax revenue gained from lower fees exceeds the limited government revenue that's collected from far fewer applicants deterred by high costs. Additionally, annual fees should be payable in installments, as they were for decades, rather than requiring full upfront payment, which is too burdensome for many businesses.

3. Sidewalk Café Enclosures: Restaurants pay annual fees for sidewalk cafes so they should be allowed to enclose them, especially during the winter months using canvas, acrylic and glass vestibule style coverings to keep their customers and workers warm and protected from the elements of weather.

4. Clearances: The clearances requirements for sidewalk cafes should revert to the uncontroversial decade's old standard of half the sidewalk width or eight feet, whichever is greater. The new requirements reduced the number of seats many restaurants were allowed to have for years. Also, the way certain required clearances are measured should be changed to maximize allowable seating while preserving pedestrian clear path (e.g. measure to the tree trunk when tree beds are flush to grade).

5. Application Process: The online application process should be upgraded to allow features like letting restaurants save partially submitted applications to return to complete so they don't have to be filed at

once. The online only application option has also deterred some small restaurants from applying due to its complexity so the city should provide an in-person option to apply like they used to.

6. Scaffolding: Scaffolding by definition is temporary. Therefore, scaffolding put up above a sidewalk café must ensure its pedestrian clearance requirements and not prevent or limit a sidewalk café's footprint.

7. Processing Time: The City Council intended for a faster outdoor dining application process, but the city is now taking too long to determine if an application is complete before sending it to the community board, which begins the processing timeline, so speeding up this process is crucial.

		*Sidewalk Cafes (Pre-pandemic)	**Open Restaurants (Pandemic-era participation)	***Dining Out NYC (New program participation)	Change in Outdoor Dining +/- (Open Restaurants vs. Dining Out NYC)
	A	B	C	D	E
	Citywide (All)				
1	Roadway Cafes	n/a	7,963	683	-7,280
2	Sidewalk cafes	1,224	11,410	1,808	-9,602
3					
4	Total restaurants participating	1,224	12,803	2,491	-10,312
5					
6	Borough Breakdown				
7					
8	Bronx				
9	Roadway	n/a	358	16	-342
10	Sidewalk Café	26	652	62	-590
11					
12	Total restaurants participating	26	686	n/a	
13					
14	Brooklyn				
15	Roadway	n/a	1,938	219	-1,719
16	Sidewalk Café	198	2,800	392	-2408
17					
18	Total restaurants participating	198	3,138	n/a	
19					
20	Manhattan				
21	Roadway	n/a	4104	402	-3702
22	Sidewalk Café	863	5,500	1147	-4,352
23					
24	Total restaurants participating	863	6,304	n/a	
25					
26	Queens				
27	Roadway	n/a	1505	45	-1,460
28	Sidewalk Café	137	2274	205	-2,069
29					
30	Total restaurants participating	137	2,479	n/a	
31					
32	Staten Island				
33	Roadway	n/a	93	1	-92
34	Sidewalk Café	0	174	2	-172
35					
36	Total restaurants participating	0	186	n/a	
37					
38					
39	All Boroughs Total	1,224	12,803	n/a	
* Source: NYC DOT, City Planning Commission					
**Source: NYC Open Restaurants (4/21/2025 11:54:00): https://experience.arcgis.com/experience/ba953db7d541423a8e67ae1cf52bc698					
***Source: NYC DOT. Does not include sidewalk cafe applications submitted after August 3, 2024 and is not clear if all roadway applications are included.					

SIDEWALK AND ROADWAY DOT FEES

	SIDEWALK	ROADWAY
Application Fee	\$1,050	\$1,050
Publication Fee	\$0	\$728
Revocable Consent	\$6 - \$31 Per Sq F	\$5 - \$25 Per Sq F
Security Deposit	\$1,500	\$2,500
EXAMPLE		
	SIDEWALK	ROADWAY
Application Fee	\$1,050.00	\$1,050.00
Publication Fee	\$0.00	\$728.00
Revocable Consent*	\$3,600.00	\$3,136.00
Security Deposit	\$1,500.00	\$2,500.00
TOTAL	\$6,150.00	\$7,414.00

Based on a small sidewalk cafe of 200 SqFt in Zone 3 (\$18 per SqFt*) and a small roadway cafe of 224 SqFt in Zone 3 (*\$14 per SqFt*)

**Consent fee for a medium size sidewalk cafe of 300 SqFt would be \$5,400 and a large one of 400 SqFt would be \$7,200 in Zone 3.

NYC HOSPITALITY ALLIANCE SURVEY FINDS STRICTER CLEARANCE REQUIREMENTS, HIGH COST, & COMPLICATED APPLICATION, AS REASONS RESTAURANTS DID NOT APPLY FOR OUTDOOR DINING

40% of Restaurants That Didn't Apply Said Stricter Clearance Requirements Made Outdoor Dining Not Worthwhile, 38% Said Roadway Dining is Too Expensive Due to Winter Removal Costs, 31% Said Application Process Was Too Difficult

NYC Hospitality Alliance Releases Survey Highlighting Challenges with the New Outdoor Dining Program

The NYC Hospitality Alliance today released a survey of 477 establishments that highlights the challenges faced by restaurants and bars in navigating the city's new outdoor dining program. This program has sparked concerns among many in and out of the industry about high costs, stricter clearance requirements, and a complicated application process as barriers to restaurants applying for outdoor dining.

The survey found that of the 214 restaurants that didn't apply, 40% reported that stricter clearance requirements would not allow them to have enough tables or seats to make outdoor dining worthwhile; 38% noted that roadway dining was too expensive because structures must be removed and stored during the winter months; and 31% said the online application process was too difficult.

Despite the City's valiant efforts, only about 2,600 restaurants applied for the new program by August 3rd but have not yet been approved, while there were upwards of 10,000 across the city under the emergency rules established during the pandemic program. More than 6,000 restaurants still offered alfresco dining at summer's end. Before the pandemic, about 1,400 establishments had outdoor dining.

"While certainly an improvement from the pre-pandemic sidewalk café law, it's disappointing that so few restaurants applied for the new program," said Andrew Rigie, executive director of the NYC Hospitality Alliance. "It's clear from this survey that improvements need to be made to the rules and requirements so all restaurants that want to offer alfresco dining can and are not left out. Only then can we truly achieve the city's goal of having the biggest and best outdoor dining program around the country and globe."

During the pandemic, restaurants, bars and cafes were allowed to expand their presence into the streets and onto sidewalks so they could continue to serve patrons as the state and city leveled emergency rules designed to keep crowds to a minimum and slow the spread of COVID-19. The pandemic-era allowances upended the pre-pandemic, limiting and costly rules for outdoor dining and were always planned to be short-term. As the City moved past the pandemic, the NYC Hospitality Alliance worked with stakeholders, elected

and city officials to design an outdoor dining program that was more accessible and vibrant than the pre-pandemic program, balanced with efforts to ensure it worked for both small businesses and the neighborhoods they serve. Those efforts were a major step in the right direction and made progress, but the survey data makes a powerful case for the city to now use the lessons learned and improve the Dining Out NYC program.

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OFFICE OF THE BROOKLYN BOROUGH PRESIDENT

ANTONIO REYNOSO

Brooklyn Borough President

**City Council Committees on Transportation and Infrastructure
and Consumer and Worker Protection
Oversight Hearing: Dining Out NYC
April 23, 2025**

Good afternoon, Chairs Menin and Brooks-Powers, and thank you for holding this hearing today. When I was a member of the City Council, I was the lead sponsor of two bills – one that created the emergency Open Restaurants program, and a precursor to the bill that the Council ultimately passed in 2023 to make that program permanent. I'm very proud of what the original Open Restaurants program accomplished. It was a lifeline for small restaurants that struggled during the pandemic, saved approximately 100,000 jobs, allowed for people to interact socially in a safe setting, generated tax revenue for the City, and helped New Yorkers re-imagine what our streets can be.

It was wildly successful by any objective means. It is a shame to see that, because of changes that this Council adopted under the influence of car culture, the program now barely exists, with only about a third of restaurants that had approved emergency permits choosing to apply for the "permanent" program and barely a handful of those applications actually approved by DOT.

It is obvious that the new program has failed, and it is up to you all to fix these mistakes. Specifically, I am encouraging this Council to implement the following changes:

- 1. Restore a year-round outdoor dining program.** The seasonal program creates too many burdens on small businesses. The cost of purchasing an outdoor dining setup and paying to construct it, only to have to pay again to take it down and then pay again to store it for the off season is too high for many businesses and is the most cited reason why they are choosing not to participate. Allowing a year-round program would also encourage more creative designs, restore a consistent option for immunocompromised people to socialize safely, and create more jobs.
- 2. Expedite approvals.** It is unacceptable that DOT had processed and approved less than 1% of applications as of mid-February. Even allowing businesses with completed applications to proceed doesn't solve the issue because it creates confusion with the State Liquor Authority that could be disastrous for businesses'

bottom lines. In this budget cycle, the Mayor and the Council need to ensure that DOT has sufficient staff to review and approve applications in a timely manner.

Another important way to speed the process up is to remove the oversight role for community boards. To the extent allowed under the Charter, community boards should have little-to-no role in the approval process for both sidewalk cafes and roadway cafes. The agency-level requirements are sufficient to ensure safety, appropriateness, cleanliness, and accessibility, so applications should not require further review and approval.

3. Alleviate cost burdens for small businesses. My goal for outdoor dining was always to make it as easy as possible for small, outer-borough and immigrant-run businesses to participate without a major cost burden or too much red tape. The point of updating the zoning text along with the legislation was specifically to expand where outdoor dining is allowed to more parts of the city. Yet the Dining Out NYC program does the opposite, which we see from the fact that 59% of current applications are located in Manhattan. The Council can address this in a few ways:

- **Remove the public hearing notice fee.** It is ridiculous to require small businesses to pay up to \$800 to express their intent to put up a dining shed in a local newspaper. They can put a sign up in their window and let their neighbors know for free!
- **Ensure that application requirements are clear.** According to the New York Times, DOT has sent back hundreds of applications for being incomplete, often because of inadequate drawings. We specifically made sure that small businesses wouldn't need to hire an architect or engineer to create these drawings, which means DOT needs to provide clearer guidance so that if a business can't afford to hire a professional, they understand how to do this on their own.
- **Create a process for expansion in front of adjacent businesses.** In some cases, restaurants have storefronts so small that their space can only support one or two tables. DOT should create a process so that if an adjacent business is not eligible for outdoor dining or not interested in participating, restaurants have the opportunity to expand into their space.
- **Remove the liquor liability requirement.** One liquor license and associated liability insurance per establishment should suffice.

Thank you again for holding this hearing today. I look forward to working with the Council to make this program successful.

Valerie De La Rosa, Chair
Eugene Yoo, First Vice Chair
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Testimony for the April 23, 2025 City Council Oversight Hearing:
Dining Out NYC Program in Joint Committee Meeting with
the Committee for Transportation and Infrastructure and
the Committee for Consumer and Worker Protection

Good morning, Chairs Brooks-Powers and Menin and members of the Committee on Transportation and Infrastructure and the Committee on Consumer and Worker Protection. I am Valerie De La Rosa, Chair of Manhattan Community Board 2, and I am speaking on behalf of the board.

Manhattan Community Board 2 has held public hearings for 308 roadway and sidewalk cafe applications to date. We are hearing 36 more applications tonight.

So far, 40% of roadway cafe applications in CB2 do not meet the required 15-foot emergency travel lane with 99 roadway cafe applications in CB2 referred by DOT to FDNY for travel lane waivers – FDNY is evaluating roadway cafe setups on our narrow streets on a case-by-case basis with no agency overseeing an overall block-by-block analysis – we have some blocks with as many as 10 roadway cafe setups on one single block where the 15-foot travel lane is not met.

Outdoor dining has been a resounding success in CB2. Revocable consent fees are 55% cheaper than before Covid for most of CB2.

CB2 has 564 sidewalk and roadway cafe applications expected – the most across all five boroughs – and we have reviewed 60% of those applications so far. CB2 had the most Sidewalk Cafes before COVID, during COVID and now in Dining Out NYC.

Outlier Issue in CB2

However, we need to talk about ways that the one-size-fits-all Dining Out program doesn't meet the needs of our mixed-use and residential-only communities. Here are a few examples:

- A bar with 80 seats outside – more than 53% more seats than inside.
- Hotels with roadway dining in their loading zones. Now, all of the hotel loading and unloading occurs in the street.
- Primary building entrance clearances of 5 feet are defined in the rules that are not met.
- Sidewalk cafe applications that propose non-ADA compliant cafe widths of 1 foot, 9 inches – not only is that unworkable – it is illegal under federal ADA law.

Further, ADA requirements are hidden on a 311 knowledge page for Outdoor Dining Complaints related to Accessibility. And recently, NYC DOT removed the bullet point requiring a 36-inch accessible route within outdoor seating areas. Again, this is not a NYC DOT guideline – this is federal ADA law.

What Works: DONYC Rules

Now, for what is working:

- **Seasonal roadway dining works in Manhattan Community Board 2.**
 - Year-round roadway dining ends up being used as seasonal storage for the establishment. **Seasonal roadway dining is what we want in our neighborhoods, not seasonal storage.**
 - Year-round roadway dining impedes construction and snow plowing.
 - Year-round roadway dining rapidly turns into a building with doors, windows, electricity, heating elements, air conditioners, and generators.
- **Unenclosed sidewalk cafes also work in CB2.** Open-air dining opens up the public realm. The Dining Out NYC legislation ensures that sidewalk cafes remain open air and that is what we want. Allowing canvas enclosures or wooden structures to once again harbor sidewalk seating under a roof and four walls does not embody the intended goals of the Dining Out NYC program.
- **Clear Path requirements** – Dining Out NYC rules work in CB2. With narrow streets and sidewalks, off-grid configurations, and the most sidewalk and roadway cafes across all five boroughs – the clear path requirements are based on the good urban planning laid out in the NYC DOT Pedestrian Mobility Plan and work well in our community that varies from small to busy streets. The model used to calculate the corridor categories for 32,000 streets incorporates eight data sets, including:

retail area density, office area density, residential density, restaurant density, parks, school frontages, subway stations, and hospitals.

- ▶ The clear path requirements in the Dining Out NYC rules protect pedestrians, residents and other businesses and institutions outside of the industry so that we can all get around the city.

Obstruction clearances in the Dining Out NYC program also work in CB2.

- 5-Foot Clearances between Primary building entrances and sidewalk cafes protect the main point of egress for a building, what matters is that the 5-foot clearances are enforced at the **start** of the application process.
- **5-Foot Clearances between Primary building entrances** and sidewalk cafes protect the main point of egress for a building, what matters is that the 5-foot clearances are enforced at the start of the application process.
- **Tree bed clearances measured from the outside of the tree bed** protect our trees instead of covering up the tree pits to benefit businesses, especially on narrow sidewalks.

Changes needed: DONYC

So we talked about what's working, here is how we can improve the process:

- **Give Community Board staff access to the Dining Out NYC application portal.** Remember how I told you we've reviewed 308 sidewalk and roadway cafe applications so far? Imagine trying to wade through your email to find applications attached in 3-4 emails a week, with all of those applications.

- ▶ Community Boards were trained by DOT on the Portal over a year ago. So far, no community boards have access to the Portal to download applications referred on a weekly basis or upload feedback forms. On average, CB2 has 20 Dining Out applications referred to us every week. Often with mistakes, mismatched due dates, incomplete applications – missing a site plan, or no disclosure that a roadway cafe application was referred to FDNY for an emergency travel lane waiver. In addition, the application distribution via email also leads to boards receiving applications intended for other boards.
 - This mismanagement leads to increased processing time for applicants who have already waited on average of 10 months for the application to be referred only to appear for optional CB2 public hearing and realize that NYC DOT did not refer the complete application to the community board, resulting in NYC DOT sometimes taking an additional 2 weeks to re-refer an application back to CB2 so the applicant's complete and accurate application is reviewed on top of an already delayed process.

Refer complete and accurate applications to community boards faster

- **On average, it has taken 324 days for our local businesses in CB2 to have a sidewalk or roadway cafe application be referred** – that is 324 days from the day they submitted their application to the day DOT refers the application to CB2 – compare that to the pre-pandemic sidewalk cafe program under DCWP where applications were processed on average 177 days from application submittal to agency approval in 2019 – that is over 90%

increase in processing time for operators in CB2. With only 30 days for community board review of roadway cafes and 40 days to review sidewalk cafe applications – the hold-up is not at the community board level. After CB review, applicants continue through the rest of the Dining Out NYC application process. **CBs do not delay this process.**

- ▶ CB2 informs applicants our hearings are optional for them to attend, it is optional for them to consider any proposed modifications, and that if possible, we'd like to reach consensus on sidewalk cafe applications to get to an approval with modifications so that the operator can bypass a DOT public hearing which adds 30 days to the process and an extra cost of \$500-1000. Most modifications are errors overlooked by DOT during the 300 days they had the applications.

What we need to see first

Today, you've heard – and will continue to hear – ways to make changes to the Dining Out NYC program. We strongly urge you to **wait to understand if and how the enforcement process will work** before broadening aspects of the Dining Out NYC program. **The key to a successful program is following the rules.**

In closing

CB2 asks this joint body to remember that Local Law 121 of 2023, which enacted the Dining Out NYC program, tasked NYC DOT, specifically, in § 19-160, with “preventing undue obstruction of the street, and to ensure good order, public safety and general welfare [in order] to secure the beneficial purpose of opening streets to outdoor dining.”

The Dining Out NYC rules protect areas like CB2 where the geographic expansion of where cafes can be sited on our narrow mixed-use and residential streets and where we more than doubled the number of outdoor dining cafes in our district from the pre-pandemic sidewalk cafe program. In the Dining Out NYC program, CB2 has 36% of sidewalk and roadway cafes in Manhattan and 23% of sidewalk cafes and roadway cafes across all five boroughs.

Thank you for your time this morning.



Regarding Dining Out NYC

Good morning. My name is Kathleen Irwin, and I am the NYC Government Affairs Manager for the New York State Restaurant Association (NYSRA). We are a trade association representing food and beverage establishments in New York City and State. We are the largest hospitality trade association in the state, and we have advocated on behalf of our members for 90 years. We represent independent restaurant operators as well as chain brands, including both corporate and franchise models, across the five boroughs.

Today, we thank the Committees on Consumer and Worker Protection and Transportation and Infrastructure for providing the opportunity to discuss the transition and implementation of Dining Out NYC, now that the first spring season for this program is underway. We recognize that codifying and instituting a new permanent program is a major undertaking and would like to begin by thanking the Department of Transportation (DOT) for the work they have done to support the transition. Specifically, we want to acknowledge the willingness of the DOT to educate and engage with restaurants through the extensive visual guides and resources published online, and the many information sessions and trainings they have held. We appreciate the DOT effort to collect, vet, and list vendors through the marketplace database, which provides some peace of mind for restaurants, knowing that vendors have also been trained in Dining Out NYC rules. We also applaud the partnership and support of the Department of Small Business Services (SBS) in creating the financial cost and revenue estimator tool, which is innovative and useful.

That being said, we have witnessed a number of issues with the transition and implementation of Dining Out NYC. These include: the incentive and timing structure for applications creating a backlog; coordination with other entities such as the SLA being limited and delayed; and the difficulty of the application process causing a reliance on private expeditors, contributing to the high cost of the program. Seasonality of roadway dining creates another major set of expenses – rather than constructing one high-quality café and paying for maintenance, restaurants are expected to pay to build, maintain, deconstruct, and store their cafes every year. Furthermore, strict siting guidelines have prevented or downsized cafes that had existed without issue for years prior, with no opportunity for waivers or exceptions.

One example of timeline mismanagement relates to the pace of roadway café approvals and the announcement of conditional approvals. While DOT put out a press release promoting the marketplace and setup menu as part of “60-days-out” outreach before roadway café season, they only announced the step of conditional approvals on Feb 28, and began sending out notices to conditionally approved restaurants on March 3, providing 3 weeks’ notice or less for restaurants to prepare their roadway cafés (with setup allowed to begin on March 25). For a department with well over a year of visibility to prepare for the process of application review, and months to actually execute it, there is no reason to leave businesses waiting until the last minute to know whether or not they will be making a major business capital and operational investment.

Looking ahead to the rest of this year and the years to come, we recognize that the backlog problem of applications will slow as more first-time applicants are approved, and this should not be a problem next year when the volume of new applicants is lower. Outside of that concern, we have a number of short and long term recommendations to improve Dining Out NYC:

1. We strongly recommend the opportunity for year-round roadway cafes – if restaurants are able to invest in a high-quality roadway café once, and then pay to maintain it, compared to paying to construct, deconstruct, and store a roadway café every year, that will result in a more affordable and accessible roadway dining program and more beautiful, clean, and creative cafes that preserve the heightened design and sanitation standards that Dining Out NYC has mandated.
2. We recommend additional city assistance with the application process, so that private expeditors are not needed for restaurants to feel confident in their applications.
3. We suggest more flexible siting standards, with the ability to appeal and seek waivers under certain circumstances (including successfully having a café so located under the Open Restaurants program with no safety incidents).
4. We recommend tracking Dining Out NYC restaurants by borough and neighborhood with an eye for increasing participation in areas with lower participation rates. This could look like targeted technical assistance, lowering or waiving application fees, and/or providing up-front grants to help restaurants with the initial investment of creating a Dining Out NYC-compliant café.
5. Furthermore, we recommend identifying neighborhoods that would be well-suited to additional pedestrianization to become “Dining Out NYC districts,” to combine the pursuit of additional open space with more formal encouragement and marketing of Dining Out NYC, as a draw for locals and visitors alike.

Thank you for taking the time to consider our input today. We understand and appreciate all the work and stakeholder engagement that has already gone into the creation of Dining Out NYC, and we look forward to being part of an ongoing effort to make it the best outdoor dining program possible.

Respectfully Submitted,

Kathleen Reilly Irwin

NYC Government Affairs Manager

New York State Restaurant Association

401 New Karner Road

Albany, New York 12205



Good Morning Chairs Menin and Brooks-Powers and Members of the City Council,

My name is Sandra Jaquez, and I am the President of the NYS Latino Restaurant Bar & Lounge Association. I am here today on behalf of many small business owners who have embraced outdoor dining as a lifeline — not just during the pandemic, but as an essential part of how we serve our communities.

Outdoor dining has brought new energy and life to our neighborhoods, provided jobs, supported local economies, and created safe, welcoming spaces for both residents and visitors. However, as the program stands today, many of its rules and costs create unnecessary obstacles for small businesses — especially independent restaurants, cafes, and bars.

For outdoor dining to truly succeed in the long term, the program must be revised to reflect the real-world challenges faced by small businesses:

- Year-round dining should be allowed for roadway structures that meet safety and design standards. Seasonal-only rules make the high cost of setup and removal too great for many to afford.
- Fees need to be reduced and payment flexibility restored. Many small businesses cannot manage large upfront payments, especially after years of economic uncertainty.
- Businesses should be allowed to enclose sidewalk cafés in the colder months to protect both customers and staff from harsh weather conditions.
- The application process must be easier to navigate, with in-person help available for business owners who struggle with the current online-only system.
- Scaffolding, which is often beyond a restaurant's control, should not prevent permitted sidewalk cafés from operating.

These revisions will not only help small businesses survive but allow them to grow — creating jobs, supporting tax revenue, and enriching the character of our neighborhoods.

Small businesses are the backbone of New York City, and outdoor dining has become an essential part of that story. We urge the Council to adopt thoughtful changes that will make the program fair, flexible, and accessible for all.

April 22, 2025

To Whom it May Concern,

We are writing to ask that you oppose year-round outdoor roadway dining and roadway dining in general in a R6 zone neighborhood.

It seems people forget that before there was a zoning text amendment no outdoor dining was allowed in residential (R6 zoned) neighborhoods, but now it is okay? Why? Nothing has changed it is still a residential zone where the effects of roadway dining immensely affects the resident's quality of life because of **noise**, rats, garbage etc. If a proper environmental impact study was done this would be obvious and there would not be any outdoor dining here.

Below is not a key challenge faced by restaurants, it is a key challenge faced by residents of R6 zoned neighborhoods that have to live with these sheds.

Year-round Roadway Dining Option: One of the key challenges faced by small restaurants across the five boroughs is the seasonal only roadway dining option.

Outdoor dining has gained 100s of miles in the 5 boroughs many at the expense of residents.

Please DO NOT ALLOW roadway sheds in R6 zone residential neighborhoods any day of the week.

Thank you,

Mary Ann Pizza-Dennis

Lloyd Dennis

Members of the Bedford Downing Block Association



CENTRAL VILLAGE BLOCK ASSOCIATION

The Central Village Block Association is a forum for residents of Barrow, Jones, Cornelia, Leroy, Bleecker, West 4th Streets & Sheridan Square

EMAIL: CVBA.NYC10014@GMAIL.COM

April 23 2025

To: **City Council Hearing 4/23/2025**
Fr: CVBA (Central Village Block Association)
Re: Opposition To Change Dining Out NY Rules

Dear City Council,

I attended the Hearing 04/23/25 10 AM, and listened and watched our City Council leaders give full attention and support to lobbyist leaders and lawyers of the Hospitality Alliance. There was plenty of back and forth questions and answering. Not a sign of any residents representation at the panel's table. Residents spent 5 years trying to participate, however marginalized, uninvited and excluded they were throughout the process. Eventually permanent rules were decided by City Council. All were expected to live with it as best we can. Now, we see a concerted effort this past 6 months by this industry circling back to the DOT and City Council to demand a rewrite of key Rules that were designed to protect public safety and residents quality of life. These include doing away with seasonal setups to make them year round, eliminating the FDNY's 15' minimum emergency traffic lane clearance and sidewalks clear path guidelines on undersize streets and sidewalks, allowing elaborate permanent roadbed setups that immediately fail the "easily removable" guideline, and doing away with "revocable consent".

City Council has a responsibility to listen to the residents in affected neighborhoods and respect their concerns and experience with regards to commercial threats to quality of life, public access and personal safety. Residents will bear the brunt of impact if City Council removes these protections against well known and well documented community opposition.

Please uphold the Rules. Just as residents were expected to learn to live with them, so too should this industry.

Thank you,
Leif Arntzen, Cornelia Street, NYC
Central Village Block Association

CHEKPEDS Testimony on Open Restaurants Hearings
April 23rd, 2025.

Chekpedes is a non-profit advocacy for pedestrian safety in New York City. Here are some lessons learnt from the six months of evaluating and approving numerous sidewalk and street cafés that might be applied to improve the program, make it more transparent and simpler to run. [1]

Allow the Roadway cafes to remain open all year round.

Roadway cafés ought to be open for a full year. The main advantage of the roadway cafés is that they don't obstruct the clear path for pedestrians. They could increase the operators' and the city's revenue by at least 30%. Since many operators would choose that solution, everyone would benefit. The furnishings in the roadside café may remain in situ and be utilized on most days.

Reduce the sidewalk café licensing fee by 25% concurrently. Applicants for sidewalk cafés pay for a license that allows them to use the sidewalk for a full year, but the winter weather prevents them from operating. A nine-month operation without enclosures during the winter should be reflected in their prices. As in the past, the sidewalk café's few tables and chairs could be readily stored away or stacked against the wall.

Do not sacrifice pedestrians: it is imperative to enforce the pedestrian Clear Path.

Unlike roadway cafes, sidewalk cafés frequently cause problems with pedestrians. 99% of streets require an 8-foot unobstructed path, just like they did before COVID. For regional corridors on a few avenues and broad streets with a high pedestrian volume., the clear path was extended by 2 feet from 8 feet to 10 feet. Keep cafes unenclosed.

Be transparent and publish all guidelines: The legacy clearances descriptions do not, however, align with the new Clear Path. For instance, the guidelines don't specify how to measure (straight line versus radius) or handle recesses. DOT developed cryptic interpretations that they apply selectively without adequate disclosure.

To ensure that there is ALWAYS a sufficient, clear passage for pedestrians, particularly at the corners of the cafes, all the rules should be in writing and standardized.

Simplify applications for roadway cafés and adhere to the cycle of Community Board meetings:

The review schedule should be adjusted to give enough time for the applications to be reviewed and decided upon at the monthly full Community Board sessions, something that the current schedule usually does not permit. For the applicants, saving one or two weeks in the cycle is most likely meaningless. We could even go one step farther and eliminate the Roadway cafe reviews from the Community boards since these simple applications are professionally reviewed by DOT and FDNY. However, since DOT's evaluation appears to be at most superficial, the sidewalk café applications are intricate and need local review.

Make sure sidewalk cafe drawings are accurate.

Ninety percent of the DOT-received drawings that CB4 examined were flagrantly incorrect: the sidewalk's size was incorrect, the numbers did not match up, obstacles were missing, etc. Applicants are obviously unqualified to create proper plans, and they shouldn't be required to. However, the agencies shouldn't expect Community Board volunteers to travel to eight or ten cafés each month and carry out back-and-forth in order to adjust the drawings. In the past, an architect's drawing was needed for sidewalk café applications under DCA. It is time to return to the tried-and-true professional method and have the architects create the plans for sidewalk cafés. Roadways structures are much simpler and do not require professional design.

In conclusion, the procedure will be simpler, more logical, and easier to manage with a less costly sidewalk café license, an easier approach to have roadside eating approved, and plain and unambiguous laws that safeguard the pedestrian clear passage. Benefits will accrue to the applicants, the city, and pedestrians.

[1] [for complete information This column is based on my experience as a member of the Manhattan Community Board 4 (MCB4) Business License and Permit committee, which analyzes those applications. However, I am speaking for myself and not the Community Board. As an example, since the program's inception, MCB4 has supported outdoor dining and rejected just two applications.]

Testimony before the NYC Council Committee on Consumer and Worker Protection &
Committee on Transportation and Infrastructure
April 23, 2025

Dear council members,

My name is Anna Humphrey, and I am the Transportation Community Organizer with the Center for Independence of the Disabled, New York (CIDNY). Thank you for the opportunity to testify today to the expansion of outdoor dining in NYC.

Outdoor dining has been a crucial support for local businesses, particularly during the pandemic and its aftermath. However, as New York City moves forward with the permanent Dining Out NYC program, it is essential that accessibility remains a central concern. While the program is cutting red tape for restaurants, we must ensure that it does not inadvertently create additional barriers for people with disabilities and senior citizens navigating the sidewalks and public spaces.

Sidewalk space is a critical component of an accessible city. New Yorkers with disabilities—including wheelchair users, blind and low-vision pedestrians, and those with mobility impairments—rely on unobstructed pathways to travel safely and independently. Many sidewalk dining setups currently do not comply with the Americans with Disabilities Act (ADA) or local accessibility guidelines, leading to narrowed pedestrian routes, blocked curb cuts, and hazardous conditions that make it difficult or impossible for people with disabilities to move freely. Additionally, we must ensure that these outdoor dining facilities are built to accommodate people who use motorized wheelchairs. These wheelchairs can be several hundred pounds and we must ensure that the flooring for the outdoor dining facility is reenforced to sustain the weight of the motorized wheelchair and the person sitting in the wheelchair.

To address these issues, CIDNY urges the City Council and the NYC Department of Transportation to implement the following measures:

- **Strict Enforcement of Sidewalk Clearances** – Restaurants must adhere to strict guidelines ensuring that at least 8 feet of clear, unobstructed pedestrian space is maintained, as required by the Dining Out NYC rules. The city should conduct initiative-taking inspections to ensure compliance rather than relying solely on complaints.
- **Accessible Pathways & Curb Cuts** – Outdoor dining structures should never block curb cuts or accessible ramps.

- Transparent Accessibility Standards – The city should issue clear, easily understandable guidelines for restaurant owners on ensuring accessibility in their outdoor dining setups, including ADA-compliant table spacing and pathway width.
- Enforcement & Penalties – Sidewalk obstructions due to outdoor dining must be treated as serious violations, with meaningful penalties for noncompliance.
- Outdoor Dining facilities must follow the ADA-requirements for architectural design.

Dining Out NYC is an important program for our city's economy, but it cannot come at the expense of disabled New Yorkers' right to safe, accessible streets. By ensuring that sidewalk dining is inclusive and compliant with accessibility laws, the city can create a program that works for all residents.

This testimony is supported by Sharon McLennon-Wier, Ph.D., MEd., CRC, LMHC, Executive Director for CIDNY.

Thank you for your time and consideration.

Sincerely,

Anna Humphrey

Transportation Community Organizer

Center for Independence of the Disabled, New York



New York Lawyers for the Public Interest
151 West 30th Street, 11th Floor
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**Testimony of Madison Pinckney, Legal Fellow
New York Lawyers for the Public Interest, Disability Justice Program
To the New York City Council, Committees on Transportation and Infrastructure and
Consumer and Worker Protection
Oversight Hearing: Dining Out NYC Program
April 23, 2025**

My name is Madison Pinckney, and I am a Legal Fellow in the Disability Justice Program at New York Lawyers for the Public Interest (NYLPI). Thank you, Chair Brooks-Powers, Chair Menin, and members of the Council, for the opportunity to testify today.

The Dining Out NYC program promises vibrant community growth and engagement, but it must do so while maintaining the accessibility of sidewalks and offering accessible dining for people with disabilities.

Importance of Sidewalk Accessibility to the Disability Community

Sidewalk accessibility is paramount to people with disabilities navigating New York City. Therefore, particularly for the disability community, sidewalks must be accessible to ensure that New Yorkers with disabilities can get to work and school, community and cultural events, and other everyday life activities.

If not properly monitored, Dining Out NYC could inhibit sidewalk navigation for people with disabilities, including those who use wheelchairs and other mobility devices as well as people with visual impairments. When sidewalks and corners are blocked, not just by dining setups but also by staff and patrons, people with disabilities are forced into the City's busy streets, endangering themselves and others.

Dining Out NYC Accessibility Requirements

The New York City Mayor's Office for People with Disabilities provides specific accessibility guidelines to ensure that restaurants utilizing the Dining Out NYC program comply with city, state, and federal disability laws.¹

First, the guidelines require restaurants to maintain an "unobstructed path on the sidewalk for pedestrian circulation."² The width of this path depends on where the restaurant is located within

¹ <https://www.nyc.gov/assets/mopd/downloads/pdf/Open-Restaurant-Accessibility.pdf>.

² <https://www.diningoutnyc.info/rules/sidewalk/siting-setup-area>.

the City's Pedestrian Mobility Plan – a framework responsive to pedestrian needs developed by the NYC DOT³ – but can be no narrower than eight feet.⁴

Second, the guidelines require restaurants to maintain a 36-inch-wide accessible route throughout their seating areas, and restaurants must have ramps for elevation changes greater than ½ inch.⁵ The program specifies ramp gradient and handrail requirements.

Third, the guidelines require that street platforms are stable, firm, slip-resistant, and level with the sidewalk or include a ramp to street level.⁶

Lastly, at least five percent, but no fewer than one table, must be accessible for people with disabilities in outdoor seating areas.⁷

Enforcement of Accessibility Requirements

The City must robustly enforce these accessibility requirements to ensure that New Yorkers with disabilities can safely navigate sidewalks and also have equal access to restaurants participating in the Dining Out NYC program.

Enforcement of accessibility violations is complaint-driven – in other words, the responsibility largely rests with the public.⁸ Individuals are encouraged to call 311 or report an accessibility complaint online via NYC.gov.⁹ Without dedicated City enforcement staff, the City must, at the very least, allocate sufficient resources to respond to and investigate each public complaint. Otherwise, the accessibility of the City's sidewalks and the Dining Out NYC program itself will be at risk.

NYLPI Recommendations

1. Allocate sufficient funding and personnel to timely respond to, and investigate, each accessibility complaint related to the Dining Out NYC program.
2. Draft and publicize an annual report of accessibility complaints, including a description of the accessibility issue and the City's response.
3. Actively advertise the complaint process for the Dining Out NYC program to ensure the public is aware of where to submit a complaint.

Thank you for hearing my testimony today. I am happy to discuss any of these issues further. Please feel free to contact NYLPI at 212-244-4664 or by email to Mpinckney@NYLPI.org.

³ <https://www.nyc.gov/html/dot/html/pedestrians/pedestrian-mobility.shtml>.

⁴ <https://rules.cityofnewyork.us/wp-content/uploads/2024/02/DOT-Notice-of-Adoption-DOT-Dining-Out-NYC-Rules-Accessible.pdf>.

⁵ <https://www.nyc.gov/assets/mopd/downloads/pdf/Open-Restaurant-Accessibility.pdf>.

⁶ *Id.*

⁷ *Id.*

⁸ <https://www.diningoutnyc.info/enforcement#:~:text=If%20your%20food%20establishment%20received,of%20the%20notice%20or%20summons.>

⁹ <https://portal.311.nyc.gov/article/?kanumber=KA-03321>.

About New York Lawyers for the Public Interest

For nearly 50 years, NYLPI has fought to protect civil rights and achieve lived equality for communities in need. Led by community priorities, we pursue disability, health, immigrant, and environmental justice. NYLPI combines the power of law, organizing, and the private bar to make lasting change where it is needed most.

NYLPI's Disability Justice Program works to achieve equality of opportunity, self-determination, and independence for people with disabilities. In the past five years alone, NYLPI disability advocates have represented thousands of individuals and won campaigns improving the lives of hundreds of thousands of New Yorkers. Much of our advocacy focuses on physical accessibility in New York City, including the City's public transit systems, and its state and federal court houses. We believe that every New Yorker has the right to participate in and navigate the City with dignity, and we fight to make that belief a reality.

For more information visit: www.nylpi.org.

Testimony on 4/23/25 Committee on Consumer and Worker Protection & Transportation and Infrastructure Joint Hearing

Open Plans writes today in regard to the Dining Out NYC program. Outdoor dining is a vibrant use of public space, and has helped keep many local restaurants afloat. We have been excited to see the program codified, but have serious concerns about the flaws present in the permanent program. Our recent publication, [*Digging In To Dining Out*](#), in which we spoke to dozens of restaurateurs about their experience with the program, revealed important findings. These findings and more detailed comments are below:

- **The lack of a year-round option has drastically lowered participation.** Many restaurants we spoke to mentioned the lack of a year-round option as a barrier. Seasonal dining results in thousands in additional costs to take down, store, and set up structures. Many restaurants do not have the space to store materials over the winter months, making participation nearly impossible. These additional costs result in lower and unequal participation; as of March 26th, less than a week before the start of the program, 93% of officially and conditionally approved roadway licenses were concentrated in only Manhattan and Brooklyn. The Council should amend the legislation to provide a year-round option to restaurants to increase participation, and provide more New Yorkers the opportunity to dine outside.
- **Existing frontage regulations limit participation from restaurants and cafes with less frontage.** The current legislation and rules only permit outdoor structures that match the frontage of the restaurant. However, for restaurants with small frontage, these structures are not worth the cost (particularly without a year-round option). During the temporary program, restaurants and cafes made informal agreements to use the frontage of neighboring businesses. The Council should permit these agreements to be formally made, increasing the viability of curbside dining for many restaurants.
- **The veto given to the City Council by the existing legislation is a misplaced use of the Council's power.** Community input is vital to the planning process. However, veto power is not input; it is an override. One Council Member (with member deference) should not be able to simply decide whether a restaurant should have an outdoor set up. This veto power should be removed.
- **Agency power can be used to ease the process for participants:**

- DOT should provide an upfront cost estimate that accounts for all fees, to better convey to restaurants the total cost of the program.
- The online application should be able to be saved in the middle of filling it out, rather than having to complete the entire application in one sitting.
- The added requirement of liquor liability insurance by DOT serves as a financial burden for restaurants when such liability is likely unnecessary, given that these establishments often already have this insurance for indoor sales of alcohol.
- The design requirements were right to be standardized, but they could be more flexible in order to allow restaurateurs to flex their creativity in a cost-effective and safe way.
- **We believe the current program incentivizes sidewalk cafes over roadway dining.** While sidewalk cafes are an important part of a vibrant public realm, they create challenges on crowded sidewalks and can impede pedestrian flow. Furthermore, many restaurants do not have wide enough sidewalks to participate in the sidewalk cafe program. We believe the city should ensure that restaurants can easily participate in the roadway cafe program to support restaurants and pedestrians. The changes outlined above will work to ensure that.
- **We support Int. 857-A.** Far too often, vehicles and objects are left abandoned or otherwise in disrepair in the curb, potentially presenting a safety danger to road users. Providing a tangible time frame for these obstructions to be removed works towards accountability and making our streets work for people.

Respectfully,
Open Plans

Sara Lind
Co-Executive Director
sara@openplans.org

Jackson Chabot
Director of Advocacy and Organizing
jacksonchabot@openplans.org

Michael Sutherland
Senior Policy & Legislative Analyst
michael@openplans.org

Testimony of Lindsey Vigoda, New York Director, Small Business Majority

RE: Dining Out NYC

Chair Menin and members of the committee,

Thank you for giving us time today to talk about the importance of outdoor dining to our city's small business community. My name is Lindsey Vigoda and I am the New York Director at Small Business Majority. We are a national organization with a mission to empower small business owners to build a thriving and equitable economy.

During the COVID-19 pandemic, we revolutionized outdoor dining in this city. It allowed businesses to serve their customers safely, it increased the capacity of restaurants to make up for lost profits from the early stages of the pandemic and it brought life back to the streets of New York. Between the high costs of commercial leasing, housing, and healthcare, the current and impending threats of tariffs, and continual recovery from outstanding pandemic debts, running a business in this city has become unbearably expensive for small business owners. And continued, new regulations have made outdoor dining licenses inaccessible to thousands of small businesses.

To support our city's entrepreneurs, we are seeking a few key measures. The first, and potentially most important, is through the reduction of fees. The licensing is currently too slow and fees remain too high for many restaurants to pay upfront or at all. These fees should be reduced and available to pay in installments. This will not only increase revenue for the city, but also increase accessibility for our small business restaurant owners who already run on thin margins. Additionally, we must speed up the processing time for these licenses. Outdoor dining is a lifeline for restaurant owners who need to grow their business without an option to move locations. The slower the process takes, the more likely we will see our struggling small business restaurants closing.

Additionally, many small businesses invested thousands into their outdoor dining enclosures during the pandemic. These structures are expensive to construct and difficult to store. New York City must allow roadway cafes that meet specific standards to remain open year-round. For those who do not meet these standards, the city should provide winter storage as part of the fees businesses are already paying to participate in the outdoor dining program.

As the cost of doing business in New York City skyrockets, we must do everything we can for our city's entrepreneurs to support them as they change and grow. New Yorkers are begging for third spaces, and small businesses are ready to provide them. Our small restaurant and storefront owners have always been and always will be the soul of our neighborhoods. To ensure we don't lose this heart, we must streamline applications, make outdoor dining more accessible and keep costs low for restaurant owners who are looking at this avenue to grow their business and revenue.

Thank you for supporting this bill. I look forward to continuing this conversation and collaborating to continue to remove barriers to entrepreneurship in our great city.

Dear city representatives:

We are responding to Andrew Rigie's <https://www.thenycalliance.org/news-item/Outdoor-Dining-Improvements/> which will be heard at the City Council meeting on April 23.

Our block association represents about 80 residents who live on our narrow residential side street in the East Village.

When the pandemic hit, outdoor dining was a savior - not only for restaurants, but also for residents who were advised against and afraid of eating indoors.

Unfortunately, the sheds created were mostly jerry-rigged shanties where rats, trash, water > mosquitos collected and proliferated, along with various and sundry other unsavory behavior.

The pandemic is now over. Street dining should be over too. Yes, it is nice to be able to sit outside at a cafe or restaurant where it is quiet and there is ample room for pedestrians, along with being easily accessible for strollers and wheelchairs. But NYC is not Paris, or any other European city that has broad boulevards and avenues to accommodate such seating. There is often not even the required eight feet of space that should be made available to pedestrians on a massive number of NYC's streets, especially in our neighborhood.

Our block of East 9th Street had a total of six ramshackle and eyesores of shanties until last November, along with the noise each emitted. It has been heavenly to have our block mostly back to normal.

New York/ers should not have to endure this monstrous program year-round. The eight months touted for this new program is already too long.

Nor should we be responsible for ponying up for restaurants' winter storage. There are many MUCH more important things that our tax dollars should be spent on. This should absolutely not be NYC tax payers' responsibility.

And reduce fees? Why should fees be reduced when fees are a fraction of what they were pre-pandemic?

Lastly, this is PUBLIC space that we as New Yorkers pay taxes to keep up and use. It should not be made available for private use ever, in any way shape or form.

Sincerely,
Kate Puls & Judith Zaborowski, Co-Chairs
The 9th Street A-1 Block Association

From: [Aaron Ashe](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Friday, April 11, 2025 8:00:12 AM

[REDACTED]

Dear Testimony Council,

It's a disgrace to see what the city are trying to do to so many small businesses. These bars and restaurants are what give our neighbourhoods character and should have a better opportunity to operate without restraint.

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

1. Year-round Roadway Dining Option: One of the key challenges faced by small restaurants across the five boroughs is the seasonal only roadway dining option. The construction and storage costs associated make it too expensive and cumbersome for many restaurants. To address this issue, the city should allow roadway cafes that meet specific standards to remain open year-round. For others, the city should provide winter storage for the streeteries since these restaurants are paying the city fees for participating in the outdoor dining program.
2. Reduce Fees: While lower than under the old sidewalk café law, fees remain too high for many restaurants and should be reduced. The jobs created and tax revenue gained from lower fees exceeds the limited government revenue that's collected from far fewer applicants deterred by high costs. Additionally, annual fees should be payable in installments, as they were for decades, rather than requiring full upfront payment, which is too burdensome for many businesses.
3. Sidewalk Café Enclosures: Restaurants pay annual fees for sidewalk cafes so they should be allowed to enclose them, especially during the winter months using canvas, acrylic and glass vestibule style coverings to keep their customers and workers warm and protected from the elements of weather.
4. Clearances: The clearances requirements for sidewalk cafes should revert to the uncontroversial decade's old standard of half the sidewalk width or eight feet, whichever is greater. The new requirements reduced the number of seats many restaurants were allowed to have for years. Also, the way certain required clearances are measured should be changed to maximize allowable seating while preserving pedestrian clear path (e.g. measure to the tree trunk when tree beds are flush to grade).

5. Application Process: The online application process should be upgraded to allow features like letting restaurants save partially submitted applications to return to complete so they don't have to be filed at once. The online only application option has also deterred some small restaurants from applying due to its complexity so the city should provide an in-person option to apply like they used to.

6. Scaffolding: Scaffolding by definition is temporary. Therefore, scaffolding put up above a sidewalk café must ensure its pedestrian clearance requirements and not prevent or limit a sidewalk café's footprint.

7. Processing Time: The City Council intended for a faster outdoor dining application process, but the city is now taking too long to determine if an application is complete before sending it to the community board, which begins the processing timeline, so speeding up this process is crucial.

Sincerely,

Aaron Ashe

132 2nd Ave

New York, NY 10003

aaron@cafemaud.com

Good morning – I want to thank the City Council for taking time to revisit the the current state of the outdoor dining program.

Currently, the program as written is extremely onerous and discourages business owners from participating. While I agree that these businesses need to compensate the city, as a resident of the UES I love the energy that outdoor dining brings to our streets.

Please rework this policy so that a better balance is struck.

Thanks,

Albin

From: [Alex Massoud](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Tuesday, April 15, 2025 11:20:10 AM

[REDACTED]

Dear Testimony Council,

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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7. Processing Time: The City Council intended for a faster outdoor dining application process, but the city is now taking too long to determine if an application is complete before sending it to the community board, which begins the processing timeline, so speeding up this process is crucial.

Sincerely,

Alex Massoud

236 5th Ave

New York, NY 10001

alex@ililirestaurants.com

As you know, New York City created its outdoor dining program — including its seasonal roadway program — through years of a painstaking process. That process included a 2021 Zoning Text Amendment — with Community Board, City Planning Commission and City Council hearings that lasted nearly a year. That process also included legislation — City Council Intro 31C that was passed on August 3, 2023 and became Local Law 121 — which made roadway dining seasonal by law. That process also included a rule-making process governed by the Charter of the City of New York that included a public comment period and Community Board hearings throughout New York City.

It would appear that you are working in partnership with the New York City Hospitality Alliance Executive Director Andrew Rigie who said — while Intro 31C was under consideration — “Now, after two years of discussions and negotiations with the mayor’s administration and the City Council, led by our attorney . . . Rob Bookman, a new outdoor dining program is coming.” It is clear from this contemporaneous quote that Mr. Rigie enjoyed unusual behind-the-scenes influence in creating the city legislation that you are now trying to skirt. In short, your partner is now trying to “reform” a law that he and his powerful lobby had an outsized hand in creating in the first place.

We submit that it is not up to the New York State Assembly to reverse New York City's decision to make roadway dining seasonal. For us, these last months of no roadway dining have been a relief and a blessing. Those winter months have given our communities a chance to have our roads cleaned and repaired, stopped the proliferation of rats in our streets and reduced the noise that invaded our homes nightly.

To every extent possible, residents and community boards and community organizations participated in the democratic and administrative and legislative processes available to them in creating legislation that is now a law and rules that conform to requirements of the New York City Charter. Your attempt to make an end run around those processes is disappointing, unwelcome and will be opposed by those community organizations who rightfully relied on the legal and legislative procedures of our city.

Andrea Meyer
[REDACTED]
[REDACTED]

Member of :
West Village Residents Association

From: [Arafat Rizvi](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Wednesday, April 16, 2025 5:20:10 PM

[REDACTED]

Dear Testimony Council,

This has been an extremely tedious and confusing proposal from DOT. We have been only paying fees to the City, attorneys and contractors for demolishing old structures and setting up new one. The DOT has not even given an in principal approval to the Dining out application, the SLA wants us to make the structure and send pictures before they give an approval. With the limitations and cost associated for the whole setup and maintenance unfortunately this may not be a sustainable plan.

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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Sincerely,

Arafat Rizvi

115 E 18th St

New York, NY 10003

arafat@gupshupnyc.com

From: [Arnyce Foster-Hernandez](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Friday, April 11, 2025 7:10:32 PM

[REDACTED]

Dear Testimony Council,

Hello, I am a small business owner in Harlem, NY. I do not have roadway seating. I do have sidewalk seating, four seats. The process for the very small footprint and cost is egregious and unnecessarily cumbersome. Not to mention our application hasn't been processed since the July 1, 2024 deadline. I support other small businesses and the NYC Hospitality Alliance's reform suggestions. I will own a larger footprint one day and hope the issues brought forth before the Council are resolved expeditiously.

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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Sincerely,

Arnyce Foster-Hernandez

236 W 135TH ST # 5

NEW YORK, NY 10030

arnyce@featuringculinaryarts.com

From: [Bryan Delaney](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Thursday, April 10, 2025 11:20:08 AM

[REDACTED]

Dear Testimony Council,

We are already dealing with a huge reduction in the amount of outdoor seating we were going to be allowed to offer customers. Now the delays are costing us even more! It makes me lose faith in government and I really struggle to understand why they would kill a program that brought joy to overwhelming majority of residents and increased tax revenue for a City that is always short on funds! Please do everything in your power to streamline the process and get this program working! Thank you

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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Sincerely,

Bryan Delaney

48 Spring St

New York, NY 10012

bryan.delaney@rcn.com

From: [Burak Karacam](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Thursday, April 17, 2025 4:52:48 PM

[REDACTED]

Dear Testimony Council,

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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Sincerely,

Burak Karacam

54 Thompson St

New York, NY 10012

pera@peranyc.com

From: [Carlos Suarez](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Thursday, April 10, 2025 10:30:06 AM

[REDACTED]

Dear Testimony Council,

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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Sincerely,

Carlos Suarez

181 W 10th St

New York, NY 10014

carlos@casanela.com

From: [Carrie Rodman](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Thursday, April 17, 2025 9:30:04 AM

[REDACTED]

Dear Testimony Council,

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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Sincerely,

Carrie Rodman

39 Greenwich Ave

New York, NY 10014

carrie@wogies.com

I am writing to the City Council, expressing my deep anger at how this whole Dining Out NYC has evolved and how The Hospitality Alliance feels they deserve roadway dining [and even sidewalk dining] annually.

Well they don't deserve it. They are forcing the use of public land for their benefit at the expense of people who live in the area and don't want it. We don't want the noise! We don't want the rats! We don't want the unsafe and potentially deadly occurrences that might result from roadway sheds [and sidewalk cafes] that cut off access by emergency vehicles.

The fact that restaurants are not doing well is no excuse. Many have started after COVID and should have calculated the risks of doing business here. If they cannot succeed because of high rental costs, they need to confront their landlords, or move or close down. Again, one of the risks of doing business in NYC.

Many have been in existence before COVID and were doing well without the outdoor dining. So for them to whine about how they need that extra space is, again, not acceptable. They don't need it— they want it. They want it to make more of a profit. That's understandable. But I don't want it because it is hurting my health. DO YOU HEAR ME, I AM GETTING STRESSED, I AM GETTING ANGRY AND I AM GETTING SICK BECAUSE OF BLOCKED SIDEWALKS. AND NOW BLOCKED SIDEWALKS AND BLOCKED STREETS.

The fact that a restaurant wants to expand its business onto our sidewalks and into our streets —not good enough justification for them already violating the rules that City Council has set up.

And the DOT has been horrendously out of action— allowing conditional approval to almost all of the roadway setups, despite exceptionally narrow streets, despite deaths which have occurred because fire engines could not access roads to get to fires.

I am writing to the City Council, expressing my deep anger at the many members who approved of Dining Out NYC - those who don't have to live with the problems that so many in the area below 14th Street in Manhattan live with.

Hey Erik Bottcher, do you live next to the noise from Lola Taverna? Hey Tony Simone [who is submitting the new bill in the NY State Assembly to create annual roadway dining], do you live down the block from Olio e Piu, who had taken over more than half the block and had waitstaff walking back and forth from their restaurant to their roadway dining area, cutting off pedestrians. Hey Julie Menin, let's pretend that you put as much angst in Dining Out NYC as you did when it came to bikes almost running into you and your family on the sidewalk. How would you feel living upstairs from Dante's on Mac Dougal Street? Hey Gale Brewer - sorry to do this - but if you didn't live on a quiet side street in Manhattan,

but lived above 12 Chairs in the South Village, you would be one of the first to oppose Dining Out NYC. And what about you, Carlina Rivera—if your husband wasn't a partner owning several restaurants, would you be supporting many of your constituents, rather than thinking of your husband's businesses? Just wondering. There are just too many of you living in areas where you are unaffected by what we live with. I would like to commend Christopher Marte, who I know is supporting many of his constituents when they ask for tighter restrictions on inconsiderate restaurants [case in point: le Dive].

I only want you all to realize that Dining Out NYC is not a justifiable program, certainly not for all year round.

And if you had to put up with what we do, you would vote it out.

Think about it. Live with it— Go and live near some of these places.

cee m

From: [cee.m](#)
To: [Testimony; Office of Correspondence Services](#)
Cc: [CUEUP-NYC; South Village Neighbors; stella.fitzgerald](#) [REDACTED]
Subject: [EXTERNAL] Dining out in NYC
Date: Wednesday, April 23, 2025 1:40:16 PM

[REDACTED]

Having listened to the City Council mtg held Apr. 23 which started at 1030am - Worker and Consumer Protection Committee- regarding Dining Out NYC, mostly about roadway and sidewalk dining - the one thing I think we all agreed upon was the DOT was a totally inappropriate agency to oversee this program.

However, I am more than disgusted at both the procedure which this Council allowed: How many minutes did you allow the restaurant and bar panel speak???? Then inform us as to the rush job you gave the PUBLIC response who criticized the program.

Clearly, we know, once again, where your feelings lie. And they are not at all supportive of those neighborhood residents who are largely impacted by this program. And since it doesn't affect most of you, you are only concerned with allowing more and more outdoor dining spaces to proliferate.

Yes, there should be restaurant sidewalk dining. [Not sure I believe roadway dining should be allowed.]

But there should be a cap on the number of places allowed on a square block. Many of these businesses opened after the Covid crisis. They should never have counted on Outdoor Dining to help them survive.

[Now I hear most of the committee has left while testimony by the public is still being given. Rude. Rude. Rude.]

By the way, I have seen sidewalk tables and chairs in front of stores that are neither restaurants nor bars. No, they are set up in front of clothing stores, in front of little delis. In front of coffee shops....

Is this okay?

MOST IMPORTANTLY, ENFORCEMENT IS KEY!!!

This seemed to be little addressed by the Council/by the City. So many of the panelists and City Council members don't address what happens when, as in the past, restaurants do not allow accessible passage on the sidewalk, When they have seating under fire escapes. When they threaten the very lives of residents living on streets which create emergency vehicles from getting to emergencies!

And now it appeared that you encouraged more and more drinking by allowing no further SLA approval for outdoor dining.

I have attached only 2 examples of dining out problems here in the West and South Village areas. There are many many many many more which I could have included. BUT YOU NEED TO GO DOWN TO THE AREAS SOUTH OF 14TH STREET AND SEE FOR YOURSELVES. [As I have asked you to do many times before.]

cee m

PS--- Thank you Valerie and all of you at cb2 for your work!





Testimony for Outdoor Dining - April 23 City Council

I'm Charlotta Janssen, I own Chez Oskar at 310 Malcolm X Blvd in Bed Stuy.

Let's be real: the current DOT rules are killing restaurants. We're stuck choosing between survival and compliance. Follow the rules - bleed out. Break them - face fines. It's a terrible Sophie's Choice situation.

In March, DOT came down hard on me with four summonses in under two weeks. All winter I begged LPC to review my design moving forward. I understand that there is no real precedence - but I somehow need to survive. I cut back my canopies to awnings and was compliant. But what I'm left with is a setup that doesn't serve my customers. It doesn't serve my block. And it sure as hell doesn't serve the spirit of outdoor dining. Why? Because the rules are awful. Try planning an outdoor wedding. What if it rains? I can now only cover half of my patrons & umbrellas are a disaster. We had a great solution & we also have community support.

During the pandemic, canopies didn't just help-they saved us. Chez Oskar, Secret Garden, Zaca Café, DSK, La Nacional. We made it because we built smart, sturdy, beautiful enclosable canopies. They gave us real capacity, real shelter, and real presence. They even protected pedestrians. Now they're gone because of the impossible DOT rules.

2020 We created solutions because we were allowed to. Now we're being punished for that creativity. The new rules are anti-business, anti-design, and anti-community, based on the worst actors and enforced like we're criminals.

This isn't regulation-it's sabotage. And the lack of applications proves it: no one can follow these rules and survive. And if, like me, you are landmarked it's even worse.

We're not asking for chaos. We're asking for the freedom to build what saved us. Stop choking the very engine that kept this city eating.

Please!

- Allow for enclosable canopies in the sidewalk & roadside that can attach (not penetrate)
- Allow for full coverage of diners-and where needed, pedestrians
- Allow self-certification unless there's a history of serious violations (this way the city makes money & we save our businesses as the DOT weeds out bad actors)
- Make roadside year round, require removal when roads are repaved.
- no need for landlord consent for small mom/pop businesses.

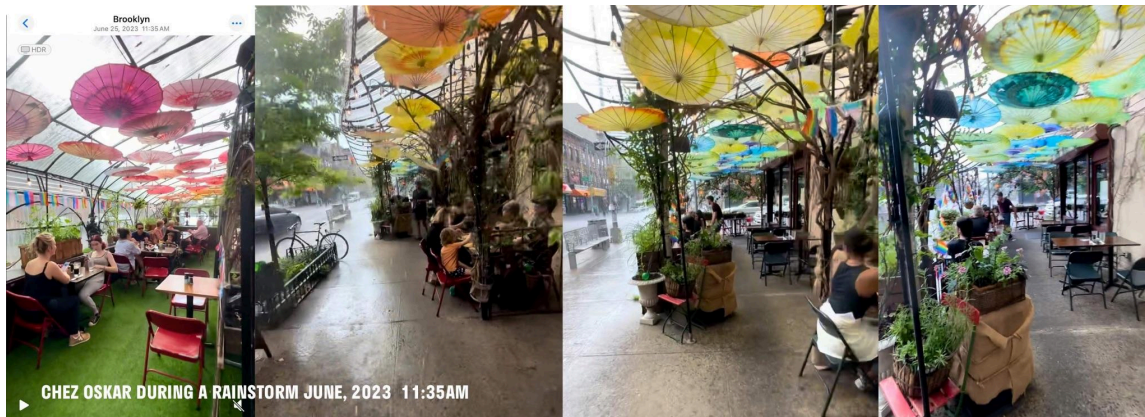
Let outdoor dining remain a space for creativity and community. Let us keep building what worked instead of fair weathered feeding troughs.

**PLEASE GIVE US BACK CANOPIES...AND GIVE DOT BETTER RULES BEFORE THEY
KILL OUTDOOR DINING**

I am Charlotta Janssen, of Chez Oskar at 310v Malcolm X Boulevard in Brooklyn.

While I am truly grateful for being able to put out chairs and tables (something impossible before 2020).. Let's be real: the current DOT rules are killing restaurants. Follow them - bleed out. Break them - get killed by fines. This March, DOT came down hard on me with four summonses in under two weeks because I had canopies. All winter I had begged LPC to review my design. There is no precedence - and I have been getting tossed around between LPC, DOB & DOT. I kept the awnings to serve my community. And they did really well.

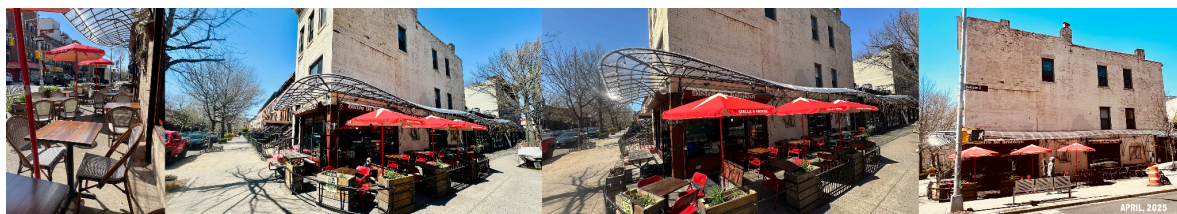
CANOPIES AND RAIN: Here they are in the rain on June 25, 2023 at 11:35 AM:



CANOPIES & SUN:; After the sun came out on June 25, 2023 at 11:59 AM (15 minutes later):



AWNINGS WITH UMBRELLAS 2025: Here they are now April 2025:



While canopies once were compliant, DOT forced me to cut back my canopies back to awnings: I'm compliant, but what I'm left with is a setup that doesn't serve my customers. It doesn't serve my block. And it sure as hell doesn't serve the spirit of outdoor dining. I can only cover half my diners... I can't enclose: Try planning service & food outdoors: If it rains - if temperatures dip - it's over. Try planning an outdoor wedding. Losing the canopies has made outdoor dining really difficult and near impossible for patrons and servers to do well. Nobody benefits from the new rules that replaced rules that worked.

During the pandemic, canopies didn't just help—they saved us. Chez Oskar, Secret Garden, Zaca Café, DSK, La Nacional. We made it because we built strong, beautiful, enclosable sound mitigating canopies. They gave us real capacity, real shelter, and real presence. They mitigated sound, made families feel safe and made for steady staffing jobs that now are gone.

We'd created solutions because we were allowed to. Now we're being punished for that creativity. The new rules are anti-business, anti-design, and anti-community, based on the worst actors and enforced like we're criminals. This isn't regulation—it's sabotage.

We're not asking for chaos. We're asking for the freedom to build what saved us. Stop choking the very engine that kept this city eating.

Every agency from LPC to DOT says "we have the wait and see approach". If we restaurants had that approach in 2020 we'd all be dead. "Wait and see" doesn't work. We need action now.

PLEASE:

- **Allow for enclosable canopies on the sidewalk & roadside that can attach (not penetrate)**
- **Allow for full coverage of diners—and where needed, pedestrians**
- **Allow self-certification unless there's a history of serious violations (this way the city makes money & we save our businesses as the DOT weeds out bad actors)**
- **Make roadside year round, require removal when roads are repaved.**
- **no need for landlord consent for small mom/pop businesses.**
- **Don't pit those of us who applied before August 3rd against those who applied later - we all need to survive. Allow anyone who is compliant to set up outdoors while a smoother process is established.**

Let outdoor dining remain a space for creativity and community. Let us keep building what worked instead of forgettable feeding troughs. Let us embrace originality and creativity again.

Thank you for opening the discussion again on this. I really hope we can start celebrating dining al fresco again.

Sincerely,

Charlotta Janssen

From: [Chris Brown](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Wednesday, April 9, 2025 9:40:09 AM

[REDACTED]

Dear Testimony Council,

The cost of outdoor dining this year is prohibitive, and it's costing the community jobs. I manage 3 restaurants in Manhattan, the cost to erect new outdoor dining at all 3 will be over \$160,000 based on all the new regulations. And I only get it for 7 months. Each structure represents 2 people I will employ - 1 kitchen hand and 1 server. On top of this, we don't have the permit yet so we can't even make use of the current pleasant weather. I can't afford to operate under the new regulations, and the community as a whole suffers.

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

1. Year-round Roadway Dining Option: One of the key challenges faced by small restaurants across the five boroughs is the seasonal only roadway dining option. The construction and storage costs associated make it too expensive and cumbersome for many restaurants. To address this issue, the city should allow roadway cafes that meet specific standards to remain open year-round. For others, the city should provide winter storage for the streeteries since these restaurants are paying the city fees for participating in the outdoor dining program.
2. Reduce Fees: While lower than under the old sidewalk café law, fees remain too high for many restaurants and should be reduced. The jobs created and tax revenue gained from lower fees exceeds the limited government revenue that's collected from far fewer applicants deterred by high costs. Additionally, annual fees should be payable in installments, as they were for decades, rather than requiring full upfront payment, which is too burdensome for many businesses.
3. Sidewalk Café Enclosures: Restaurants pay annual fees for sidewalk cafes so they should be allowed to enclose them, especially during the winter months using canvas, acrylic and glass vestibule style coverings to keep their customers and workers warm and protected from the elements of weather.
4. Clearances: The clearances requirements for sidewalk cafes should revert to the uncontroversial decade's old standard of half the sidewalk width or eight feet, whichever is greater. The new requirements reduced the number of seats many restaurants were allowed to have for years. Also, the way certain required clearances are measured should be changed to maximize allowable seating while preserving pedestrian clear path (e.g. measure to the tree

trunk when tree beds are flush to grade).

5. Application Process: The online application process should be upgraded to allow features like letting restaurants save partially submitted applications to return to complete so they don't have to be filed at once. The online only application option has also deterred some small restaurants from applying due to its complexity so the city should provide an in-person option to apply like they used to.

6. Scaffolding: Scaffolding by definition is temporary. Therefore, scaffolding put up above a sidewalk café must ensure its pedestrian clearance requirements and not prevent or limit a sidewalk café's footprint.

7. Processing Time: The City Council intended for a faster outdoor dining application process, but the city is now taking too long to determine if an application is complete before sending it to the community board, which begins the processing timeline, so speeding up this process is crucial.

Sincerely,

Chris Brown

169 Sullivan St

New York, NY 10012

chris@banternyc.com

From: [BierWax NYC](#)
To: [Testimony](#)
Subject: [EXTERNAL] Dining Out Program
Date: Friday, April 25, 2025 11:55:55 AM

[REDACTED]

To Whom It May Concern,

My name is Chris Maestro, and I am the owner of BierWax in Prospect Heights, Brooklyn.

Thank you for holding this hearing, Chair Brooks Powers, and thank you for allowing me to share my experience with the Dining Out NYC program.

I am testifying today to express my concerns with the current program and my sincere hopes that the Council will come together to support our businesses with improvements to the current law.

BierWax did not enter the program this year because, as a small business, the cost is prohibitive for the size of our sidewalk seating. As a result, we've had to knock down our structure, losing a central revenue component of our business. The process was extremely bureaucratic, which was an added hindrance to this process. We, and our patrons, were very saddened to see this space go.

Restaurants are critical businesses that sustain and feed our local economies. We survived the pandemic and continue to allow people to gather safely and joyfully. Without a program that supports our needs, the participation in this vital program will continue to dwindle, taking jobs and tax revenue with it.

Chris Maestro
Founder & Principal Owner
BierWax

[https://urldefense.com/v3/_http://www.bierwax.com_!!Pe07IN5AjA!Wu4Co5Zx4dtM6TXPCxgPYDqYC6zSMylNU7XRaZwiaW-doArUXA5BPMR40-WqCvu5K5tz2kzY-YvjuV7HP0im3xg\\$](https://urldefense.com/v3/_http://www.bierwax.com_!!Pe07IN5AjA!Wu4Co5Zx4dtM6TXPCxgPYDqYC6zSMylNU7XRaZwiaW-doArUXA5BPMR40-WqCvu5K5tz2kzY-YvjuV7HP0im3xg$)

From: [Craig Atlas](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Thursday, April 10, 2025 10:20:07 PM

[REDACTED]

Dear Testimony Council,

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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Sincerely,

Craig Atlas

54 Great Jones St

New York, NY 10012

craig@goldenagehospitality.com

From: [Crizette Woods](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Tuesday, April 22, 2025 6:50:04 AM

[REDACTED]

Dear Testimony Council,

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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Sincerely,

Crizette Woods

328 Malcolm X Blvd

New York, NY 10027

cwoods@sylviasrestaurant.com

From: [Daniel Abrams](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Tuesday, April 15, 2025 1:50:10 PM

[REDACTED]

Dear Testimony Council,

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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Sincerely,

Daniel Abrams

227 10th Ave

New York, NY 10011

danny@tminyc.com

From: [David Feit](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Friday, April 11, 2025 9:40:11 AM

[REDACTED]

Dear Testimony Council,

We have applied and been approved for a street structure, but have opted not to move forward because the costs of the licenses, and the physical structure, in accordance with the city rules is cost prohibitive.

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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Sincerely,

David Feit

301 Church St

New York, NY 10013

david@anejonyc.com

From: [David Steingard](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Friday, April 11, 2025 9:40:14 AM

[REDACTED]

Dear Testimony Council,

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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Sincerely,

David Steingard

184 Duane St

New York, NY 10013

david@laughingmancoffee.com

To Whom It May Concern,

My name is David Turner, and I live in Crown Heights.

I love outdoor dining. It makes the city feel like a real city. It reduces parking, which leads to safer streets. And it reduces the spread of respiratory viruses.

The current system sucks, because restaurants have to do a bunch of work to apply for permits with the (totally undemocratic) community boards, as well as build and remove their shelter structures every year.

I urge the City Council to reform the current legislation to make it year round to allow our community to continue supporting our local restaurants.

Thanks,
David Turner

From: [Dawn M Eldridge](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Wednesday, April 23, 2025 9:30:07 AM

[REDACTED]

Dear Testimony Council,

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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Sincerely,

Dawn M Eldridge

931 Manhattan Ave

Brooklyn, NY 11222

dawn@citroengreenpoint.com

From: [dean Jankelowitz](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Thursday, April 10, 2025 10:10:08 AM

[REDACTED]

Dear Testimony Council,

Please help - business is suffering tremendously - too much regulation, expense and disapproving community boards

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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Sincerely,

dean Jankelowitz

270 Lafayette St

New York, NY 10012

dean@jackswifefreda.com

I urge this Council Committee to reject the proposal for the following reasons:

Supporting "Dining Expansion" essentially transforms what was intended as an emergency COVID-era assistance into a permanent privatization of public streets. Streets belong to all New Yorkers. Our roads were not designed to serve as private real estate for restaurant owners.

Sidewalks and curbs are critical for pedestrians, seniors, individuals with disabilities, cyclists, emergency access, sanitation, and general urban mobility. Allowing private use of these spaces year-round sets a dangerous precedent: prioritizing entitled commerce over the collective needs of the public.

The proposal to expand outdoor dining disguises itself as a progressive policy. Still, it is a corporate-backed land grab that undermines public trust, reduces public space for the benefit of private enterprises, and disregards principles of equity, accessibility, and environmental responsibility.

What comes next? Should the city's taxpaying residents subsidize winter storage costs for private commercial structures? This would further burden residents with the implications of this program.

If fees deter applicants, it indicates that the market has spoken—perhaps not all restaurants are entitled to public sidewalk real estate. Instead of lowering fees, we should evaluate whether the social and spatial costs of outdoor dining justify its continuation. Reducing fees is less about equity and more about deregulation. These restaurants profit from the exclusive use of public land, and the public should not bear those costs.

Enclosed sidewalk cafés are not minor structures; they are, in effect, semi-permanent buildings in public spaces. The notion that paying a fee entitles a restaurant to construct enclosed glass and acrylic boxes on public sidewalks—especially in dense neighborhoods with fire codes, emergency access, and ADA considerations—is fundamentally flawed.

Allowing these enclosures to proliferate turns shared sidewalks into a patchwork of privatized barriers. Many of these structures create fire hazards, impede sightlines for safety, and severely limit pedestrian flow. Reducing clearance to accommodate more tables is harmful to individuals with disabilities, seniors, parents with strollers, and the general pedestrian population.

Outdoor dining is not a program that promotes inclusivity; it is exclusionary and unjust. The proposal to revert to older clearance standards is a blatant rollback of accessibility and pedestrian rights. We should not move backward. The newer, stricter standards are

in place because New Yorkers, especially those with mobility issues, deserve spacious and safe sidewalks.

The notion that we must simplify the application process for every applicant misses the point. We must maintain a rigorous, community-centered review. This is public land, and it deserves serious scrutiny. Suppose some restaurants struggle with an online application; that should not be an argument for weakening oversight. In that case, it calls for better outreach or technical assistance, not removing essential guardrails.

Speeding up the application process may sound beneficial—unless you are a neighbor, pedestrian, or community member who thereby loses the chance to voice your concerns. The public review timeline exists for a reason. Every outdoor dining structure impacts quality of life, noise levels, rodent control, sanitation, and accessibility. Rushing this process undermines transparency and disrupts community engagement.

I urge you to reject the Hospitality Alliance's reform package and prevent lobbying groups from monopolizing our city.

Thank You,

Deborah Farley

[REDACTED]

[REDACTED] Sunnyside, NY 11104

From: [dominick daleo](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Thursday, April 17, 2025 5:00:19 PM

[REDACTED]

Dear Testimony Council,

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

1. Year-round Roadway Dining Option: One of the key challenges faced by small restaurants across the five boroughs is the seasonal only roadway dining option. The construction and storage costs associated make it too expensive and cumbersome for many restaurants. To address this issue, the city should allow roadway cafes that meet specific standards to remain open year-round. For others, the city should provide winter storage for the streeteries since these restaurants are paying the city fees for participating in the outdoor dining program.
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6. Scaffolding: Scaffolding by definition is temporary. Therefore, scaffolding put up above a sidewalk café must ensure its pedestrian clearance requirements and not prevent or limit a sidewalk café's footprint.

7. Processing Time: The City Council intended for a faster outdoor dining application process, but the city is now taking too long to determine if an application is complete before sending it to the community board, which begins the processing timeline, so speeding up this process is crucial.

Sincerely,

dominick daleo

23 Pumpkin St

East Northport, NY 11731

ddaleo@igchospitality.com

From: [Duane Chan Shue](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Thursday, April 17, 2025 5:10:11 PM

[REDACTED]

Dear Testimony Council,

NBHD Brûlée. Took advantage of Post Covid regulations that allowed restaurants to build sidewalk dining enclosures. We followed the guidelines. Now with new Outdoor Dining program. DOT wants me to remove enclosure and my investment in the community is going to be wasted. It was an expensive endeavor NYC allowed us to build it. I should be grandfathered in. I can not afford to remove the structure my restaurant doesn't have an endless stream of cash. We are in a corridor of NYC that allows steady business but not overflowing with profits. No one knew if we all would survive this pandemic so NYC allowed the build. No permit needed. Now why do I have to remove my enclosure. It serves as a podium in my community. It is not ordinary it is safe and unique.

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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Sincerely,

Duane Chan Shue

2620 Frederick Douglass Blvd

New York, NY 10030

dcs@nbhdbrulee.com

April 15, 2025

To the honorable members of the City Council of NYC Committee on Transportation and Infrastructure, please find my brief thoughts on the Dining Out NYC program.

Restaurants need a lot of help right now, not more fees – otherwise we will continue to close and lose jobs and the fabric that makes NYC such a great city will continue to be eroded.

If the dining out NYC program remains as is, then I regret that I will not be applying for it for next year.

The single biggest problem with the program is the requirement to take our structures down over the winter months. This will be an enormous expense and logistical nightmare, and it would be immensely helpful to be able to keep our structure up year-round.

The fees for the application and the license are much too high as well. We will be generating a lot of sales tax revenue, please don't take away the tiny profit that we will make by charging us so much for this program.

Thank you,

Dudley Stewart

Co-Owner, The Queensboro restaurant in Jackson Heights.

8002 Northern Boulevard
Jackson Heights, NY 11372

From: [Elizabeth DeMayo](#)
To: [Testimony](#)
Subject: [EXTERNAL] T2025 - 3180 Outdoor Dining hearing 2/23
Date: Tuesday, April 22, 2025 12:10:13 PM

[REDACTED]

I'll tell you what outdoor dining means in my neighborhood:

More noise and amplified music, further destroying quality of life
Economic problems for residents who own co-ops, if they need to sell their devalued apartments, creating more need for city services in the future
More capacity for the bars and restaurants, thus, more cars in the neighborhood and more use of illegal valet parking, sometimes blocking the streets
Relatively affordable apartments turned into miserable places to live, while politicians speak of the need for more affordable housing
Congested sidewalks and extra garbage

And combined with the possibility of allowing restaurants/bars to use "public" plazas, multiply all these problems. I lived in NYC in the late 1970's. People often spoke of the flight of the middle class from the city. Now the city seems bent on driving out the middle class, the working class, and the poor. Pandering to one industry at the expense of city residents does not make a city great.

Thanks for your attention,
Elizabeth DeMayo
[REDACTED]

My name is Elizabeth Denys, and I am a resident of Flatbush. I am testifying today to express my concerns with the current Dining Out NYC program.

I urge the City Council to look long and hard into the onerous restrictions that Council themselves wrote into the current outdoor dining program, especially into the chilling effects limiting the months roadway cafes can operate has had on the program.

Participation in Dining Out NYC has decreased dramatically compared to the participation rates during the previous temporary program, especially for roadway cafes, and it's likely due to the significant new burden of build-out and take-down costs along with storage needed to operate only part of the year. Council imposed this costly restriction on the program and needs to lift it and allow roadway dining all year.

I and nearly everyone I know in New York has expressed a desire to use this program year round. I personally miss having safer dining options - respiratory diseases still put high-risk people like myself at risk and require their loved ones to avoid things like indoor dining - and I also just miss having more vibrant, inviting streets and the opportunity to get more sunlight and fresh air in the off-season.

I urge the City Council to reform the current legislation to allow all outdoor dining, including roadway cafes, to operate year round so our community can continue supporting our local restaurants.

From: [Elizabeth Murray](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Tuesday, April 15, 2025 2:10:09 PM

[REDACTED]

Dear Testimony Council,

We urgently need your support to address the issues with the Dining Out NYC program.

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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7. Processing Time: The City Council intended for a faster outdoor dining application process, but the city is now taking too long to determine if an application is complete before sending it to the community board, which begins the processing timeline, so speeding up this process is crucial.

Sincerely,

Elizabeth Murray

85 Broadway

Brooklyn, NY 11249

liz@themarlowcollective.com

From: [Erika Hebbezni](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Tuesday, April 22, 2025 5:10:07 PM

[REDACTED]

Dear Testimony Council,

We have been struggling for the past 5 years to keep our restaurants open and to keep supporting over 100 families.

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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Sincerely,

Erika Hebbezni

434 7th Ave

Brooklyn, NY 11215

erika@fondarestaurant.com

From: [Evan Hanczor](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Monday, April 21, 2025 4:50:05 PM

[REDACTED]

Dear Testimony Council,

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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Sincerely,

Evan Hanczor

657 Washington Ave

Brooklyn, NY 11238

evan@eggrestaurant.com

From: [Frank Ottomanelli](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Tuesday, April 22, 2025 5:00:09 PM

[REDACTED]

Dear Testimony Council,

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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Sincerely,

Frank Ottomanelli

6015 Woodside Ave

Woodside, NY 11377

frank@ottomanelli.com

From: [Genevieve Cannistraci](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Thursday, April 17, 2025 9:30:07 AM

[REDACTED]

Dear Testimony Council,

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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Sincerely,

Genevieve Cannistraci

39 Greenwich Ave

New York, NY 10014

gen@wogies.com

From: [Graziella Lo Brutto](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Wednesday, April 23, 2025 11:40:06 AM

[REDACTED]

Dear Testimony Council,

I hope this message finds you well. I'm writing to you not only as a local business owner but as a proud member of this vibrant neighborhood who wants nothing more than to continue serving our community with good food, warmth, and hospitality.

As you know, the restaurant industry was hit especially hard during the pandemic. Many of us are still fighting to recover, even as our expenses continue to rise across the board. Outdoor dining became a lifeline—not just financially, but emotionally and socially. My restaurant, located on a beautiful corner on 151st street, transformed into a welcoming space where neighbors gathered to enjoy a meal with family, friends, and even their furry companions.

Unfortunately, the reinstated fees and regulations under the new dining-out program have drastically reduced what we're able to offer. I've lost about 80% of the outdoor seating I once had. This reduction is not just a number—it's a blow to our ability to make it through the critical warmer months when we finally get a break from the financial strain of the slower seasons.

What's more frustrating is the lack of consistency across the city. I see other restaurants with far more outdoor seating, or access to roadway dining—options that are not available to me due to a bus stop on one side and a fire hydrant on the other. I am simply trying to work with what I've got, but it's becoming increasingly difficult.

What once felt like a celebration of community has now become a source of anxiety. I am already dreading the conversations with loyal customers asking why there are fewer tables outside this year.

All I ask is for a little flexibility, support, and understanding. I know I'm not alone in this experience, and I hope you'll consider the stories of small business owners like myself when future decisions about the program are made. We need help to breathe. We need some grace.

Thank you for your time and your service to our community. I'd welcome the opportunity to speak further or share more about the realities we're facing on the ground.

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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Sincerely,

Graziella Lo Brutto

3658 Broadway

New York, NY 10031

info@bononyc.com

From: [Harris Bulow](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Friday, April 11, 2025 6:20:12 PM

[REDACTED]

Dear Testimony Council,

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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6. Scaffolding: Scaffolding by definition is temporary. Therefore, scaffolding put up above a sidewalk café must ensure its pedestrian clearance requirements and not prevent or limit a sidewalk café's footprint.

7. Processing Time: The City Council intended for a faster outdoor dining application process, but the city is now taking too long to determine if an application is complete before sending it to the community board, which begins the processing timeline, so speeding up this process is crucial.

Sincerely,

Harris Bulow

12 Saint Marks Pl

New York, NY 10003

hb@flagshipera.com

From: [Hassan Elgarrahy](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Wednesday, April 9, 2025 4:50:06 PM

[REDACTED]

Dear Testimony Council,

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

1. Year-round Roadway Dining Option: One of the key challenges faced by small restaurants across the five boroughs is the seasonal only roadway dining option. The construction and storage costs associated make it too expensive and cumbersome for many restaurants. To address this issue, the city should allow roadway cafes that meet specific standards to remain open year-round. For others, the city should provide winter storage for the streeteries since these restaurants are paying the city fees for participating in the outdoor dining program.
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Sincerely,

Hassan Elgarrahy

768 Madison Ave # 10065

New York, NY 10065

helgarrahy@baritaliamadison.com

From: [Huseyin Ozer](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Tuesday, April 22, 2025 5:50:11 PM

[REDACTED]

Dear Testimony Council,

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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Sincerely,

Huseyin Ozer

584 Amsterdam Ave

New York, NY 10024

huseyin@bodrumnyc.com

From: [Itai Afek](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Wednesday, April 16, 2025 4:20:07 PM

[REDACTED]

Dear Testimony Council,

Hi,

I am writing to respectfully request that outdoor dining regulations be updated to allow for year-round operation with reduced fees.

When I originally signed my leases, outdoor dining was permitted and played a critical role in the viability of my business. Unfortunately, the recent changes to regulations and the imposition of heavy fees have significantly limited our ability to continue offering this service. This shift has had a notable negative impact on our business and the customer experience we aim to provide.

Outdoor dining is not just a seasonal luxury—it has become an essential part of the hospitality landscape in New York. We urge the city to reconsider the current policy and support small businesses by restoring year-round access and easing the financial burden of participation.

Thank you for your attention to this matter.

Sincerely,
Itai Afek
CEO
Wolfnights

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

1. **Year-round Roadway Dining Option:** One of the key challenges faced by small restaurants across the five boroughs is the seasonal only roadway dining option. The construction and storage costs associated make it too expensive and cumbersome for many restaurants. To address this issue, the city should allow roadway cafes that meet specific standards to remain open year-round. For others, the city should provide winter storage for the streeteries since these restaurants are paying the city fees for participating in the outdoor dining program.
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Sincerely,

Itai Afek

40 W 55TH ST

NEW YORK, NY 10019

itai@wolfnights.com

From: [Jacqueline Holmes](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Thursday, April 10, 2025 12:20:06 PM

[REDACTED]

Dear Testimony Council,

Please take action!!!! Prioritize space for people , not cars. Our vibrant outdoor dining was the bright spot & silver lining of COVID for nyc. It made the city safer as well as more appealing. It has been AWFUL to see this disappearing from our streets. As a resident, tax payer, frequent diner, AND investor in local businesses including food and beverage - I implore you to take action!!!

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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Sincerely,

Jacqueline Holmes

604 E 9th St

New York, NY 10009

jh@midorimanagement.com

From: [James Mallios, Esq.](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Tuesday, April 15, 2025 1:20:11 PM

[REDACTED]

Dear Testimony Council,

Outdoor dining was a crucial part of our ability to survive during the pandemic and another ability for restaurants to address price increases from tariffs without passing them onto the consumer.

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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Sincerely,

James Mallios

11 E 60th St

New York, NY 10022

james@amalinyc.com

From: [Jeff Schwane](#)
To: [Testimony](#)
Subject: [EXTERNAL] Oversight Hearing for Dining Out NYC Program Testimony
Date: Wednesday, April 23, 2025 3:34:27 PM

Written Testimony for The Committee on Transportation and Infrastructure, jointly with the Committee on Consumer and Worker Protection. Apr 23rd

To Whom It May Concern,

I am a resident of Fort Greene. Thank you for holding this hearing, Chair Brooks Powers, and thank you for allowing me to share my experience with the Dining Out NYC program.

I am testifying today to express my concerns with the current program. Not enough restaurants have been able to take advantage of this program. **Cut the red tape** as much as possible to lower costs and time for small businesses and expand the program to **YEAR-ROUND**. New Yorkers deserve to be able to eat outside and enjoy outdoor spaces all year.

Thanks,
Jeff

From: [Jeremy Wladis](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Friday, April 11, 2025 10:40:10 AM

[REDACTED]

Dear Testimony Council,

I bought wood with water bladders and was told they are not proper to use even though there are other companies out there using them? I sent back what we could and got rid of the rest. We were about to buy yodox and then we saw shipping containers on the streets of Manhattan everywhere. These are much much better safer better feeling cleanable better for the environment etc option and we're told so many different stories but from what I understand they will be legal any day. The process is crazy that this has been going on for 2 years and now things are shifting all over the place.

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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Sincerely,

Jeremy Wladis

500 W 111th St

New York, NY 10025

jeremy@therestaurantgroup.com

From: [John Clement](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Friday, April 11, 2025 9:30:17 AM

[REDACTED]

Dear Testimony Council,

Trying to survive as a small business.

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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Sincerely,

John Clement

264 Grand St

Brooklyn, NY 11211

jc@johnclementstudio.com

New York City Council
Committee on Consumer and Worker Protection
Committee on Transportation and Infrastructure

Testimony of John M. Grimes

Submitted for Hearing entitled “Oversight: Dining Out NYC Program,” held April 23, 2025, at 10 a.m.

Dear Council Members Menin and Brooks-Powers:

I am a 35-year resident of the West Village and have experienced the impact of the “Dining Out NYC Program” firsthand. I agree with Council Member Menin’s assessment that the program has been an “unmitigated disaster,” but that is because the underlying premise of the program is critically flawed and has never been fully assessed as required by law.

While necessary during a pandemic, the pandemic is now over. What remains is an illegal giveaway of public land to the “hospitality” industry, with very little payment (notwithstanding Council Member Brewer’s comments), and without an environmental impact assessment that would consider the impact on all aspects of the environment, including the ambient environment, i.e. noise. I sat through the entire hearing on April 23 and was appalled that no one spoke about the environment, other than a few oblique references to noise, trash and vermin (all of which are important).

I am opposed to any change to the program that would loosen the rules or provide for year-round outdoor dining.

From my personal experience, my quality of life has been severely harmed by this program and the associated noise and drunken behavior from patrons who congregate outside at the establishment in my immediate neighborhood. I live in the Greenwich Village Historic District and am required to keep my property looking as it did in the 19th century under landmarks laws, which I support. In contrast, the roadway sheds are eyesores and in my neighborhood are used for outdoor drinking, not outdoor dining. I heard some comments at the hearing complaining about “limited seating,” but seating is irrelevant if patrons are standing around sheds and drinking, spilling out onto the sidewalk. These sheds are not a solution for sidewalk crowding, but rather they contribute to it.

I have made over 100 complaints to 311 and the NYS Liquor Authority with little relief. The party goes on outside my house, and until recently, year-round. I heard some interesting criticism at the hearing about the rules being based on “bad actors,” but in my experience, bad actors are in fact encouraged and allowed to proliferate.

I also heard complaints about the “new” roadway setups that are supposed to be removable, but as these shed are now going back up, we see that they are the same old enclosed structures, thanks to a provision in the rules allowing for a “waiver” by the Commissioner. If allowed to proliferate year-round, these structures will deteriorate and become decrepit storage sheds unless they are removed at least for the winter.

In summary, I am speaking for those of us who live in neighborhoods such as the West Village that have been disproportionately impacted by this ill-conceived program. I oppose any loosening of the current rules and ask that the City conduct a long-overdue environmental impact assessment before continuing this program at all.

John M. Grimes

[REDACTED]

New York, NY 10014

Having spent most of my life in New York, the outdoor dining program was the single greatest policy-driven improvement in the quality of life in NYC that I have ever seen. Forcing it to become seasonal was an obvious and only-too-successful attempt to effectively kill it. On-street dining gives the public much more use of this crucial publicly-owned resource than does the free storage of private vehicles for the minority of New Yorkers who own cars. And this minority is more affluent than the rest of us, so getting rid of on-street dining was an upward distribution of public wealth.

There were enforcement issues around some neglected sheds, but effective enforcement could easily be paid for by fees from a well-designed program.

Outdoor dining was a crucial covid-avoidance strategy for those of us at greater risk from this disease. My partner has asthma, so we continue to dine outdoors whenever we can.

The destruction of this crucial public amenity, all to placate an unrepresentative, affluent minority, was a grievous mistake that I hope and pray will be rectified.

Jonathan Flothow

[REDACTED]

Ridgewood, Queens

April 23, 2025

To: Committee on consumer and worker protection
Committee on transportation and infrastructure.

Subject: Dining out NYC Program

I am concerned about -and strongly oppose - permitting roadway restaurant sheds to remain in place year round.

For several reasons:

- they are a traffic nuisance even during spring and summer
- - the 2 sheds currently on Greenwich Avenue opposite Jane Street eliminate the bike lane and essentially block the street's two-way traffic. Throughout much of the day, westward traffic is backed up for 2 blocks (from Horatio Street to 12th Street).
- This is a major encumbrance to emergency vehicle access to Northwell Emergency facility at 12th Street.
- The shed owner of the 2 sheds use the space in between the sheds to place trash bins and bags
- additional space is taken up during the day for deliveries
- One of the sheds (A Salt and Battery) exceeds the approved measurements
- they reduce the already limited parking availability for overnight and weekend times
- The rushed approval process that permitted 4-year authorization did not allow for adequate inspection and assessment
- There should be an public health inspection process similar to -and in addition to the restaurant inspection. That is, the sheds should be assessed separately and require separate rating.
- Additional sanitation oversight is needed.
- Street vermin are a problem, aggravated during cold months when they seek cover in building basements and entrance ways.
- Waste disposal needs to be monitored, including open garbage bins during day and evening as well as the receptacles where dirty plates and utensils are placed when customers finish their meal or drinks.

There needs to be fewer, not more, such facilities. And there needs to be more continuous oversight. The permit period should be limited to one year, not 4 years.

Capacity needs to regulated.

Fees imposed must cover the costs of processing applications and ensuring adequate oversight for sanitation, traffic control and public health and safety.

What is the purpose of outdoor dining? Is it to expand private businesses or to offer residents and visitors an enjoyable ambience, adequately protected from traffic pollution? Enclosed sheds change the nature of the business as well as the neighborhood environment.

Thank you for your consideration.

Josephine A. Bennett



New York, NY

From: [Joshua McDaniel](#)
To: [Testimony](#)
Subject: [EXTERNAL] Support year round Dining Out NYC
Date: Saturday, April 26, 2025 2:47:47 AM

To Whom It May Concern,

My name is Joshua McDaniel and I am a resident of Prospect Heights in Brooklyn.

Thank you for holding this hearing, Chair Brooks Powers, and thank you for allowing me to share my experience with the Dining Out NYC program.

I am testifying today to express my concerns with the current program.

I would love to see our restaurants and small businesses able to expand their footprint year round. This extra space allows my family to more easily dine together. In the nicer months, it's a pleasure to sit outside and enjoy the weather with food and drinks. Talking with businesses in my neighborhood, I know the current rules are restrictive, confusing, and unfair. Please reform, simplify, and expand the Dining Out NYC program.

I urge the City Council to reform the current legislation to make it year round to allow our community to continue supporting our local restaurants.

Best,
Joshua

April 24, 2025

Dear City Council Members,

Thank you for holding the hearing, Chair Brooks Powers, and thank you for allowing me to share my business's experience with the Dining Out NYC program. My goal of this letter is to urge you to remove the seasonality aspect of the roadside dining program **before the current cut-off date this November.**

My business, Espresso 77, participated in the emergency Dining Out program, with both sidewalk and roadside dining setups. We have chosen to participate in the new program because we feel that, in addition to supporting our finances, outdoor dining is extraordinarily beneficial to our community. People sitting in our outdoor seats make our whole block safer because they provide more eyes on the area. Neighbors greet neighbors when they see each other, fostering a sense of community, particularly among older residents. People with compromised immune systems feel safer patronizing our business when they can sit outside, and families with young children feel more at ease.

These benefits do not go away from December to March. The increasing impacts of climate change result in warm winter days that are perfect for sitting outside and drinking a latte or hot chocolate. Folks in parkas sitting on our benches are just as likely to watch the block as visitors in shorts. It was heartbreaking this winter to sit inside our shop on sunny days and see parked cars where one year earlier, we had customers enjoying our roadside space.

There is simply no good reason to ask restaurants to spend money and time on removal, storage and reassembly of our outdoor structures every year. We are happy to invest tens of thousands of dollars on these structures, because they serve our customers and our communities. The money spent on seasonality, on the other hand, is an investment in nothing.

As Council Members work to improve the Dining Out program, I encourage you to seek out those set-ups that have worked well and learn from them, rather than focusing on those that haven't been successful. The restaurant community is full of incredibly creative and resourceful professionals, and we are eager to make our neighborhoods better.

Thank you,
Julie Nymann
Espresso 77
Jackson Heights

To: NYC Council

I respectfully request that you do not grant year round outdoor dining licenses.

If any of you have an outdoor dining space underneath or just across the street from your apt then you can understand the concern of having noise almost 24/7. The street dining spaces also create more trash and rats in addition to lines of patrons waiting on the sidewalks to get in leaving no pedestrian space.

Basically, outdoor dining is a nightmare for residents and should never have been continued after Covid subsided but at least give us a break with some peace and quiet during the winter months.

Thank you.

Karen Bernsohn,

From: [Karl Williams](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Tuesday, April 15, 2025 11:50:07 AM

[REDACTED]

Dear Testimony Council,

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

1. Year-round Roadway Dining Option: One of the key challenges faced by small restaurants across the five boroughs is the seasonal only roadway dining option. The construction and storage costs associated make it too expensive and cumbersome for many restaurants. To address this issue, the city should allow roadway cafes that meet specific standards to remain open year-round. For others, the city should provide winter storage for the streeteries since these restaurants are paying the city fees for participating in the outdoor dining program.
2. Reduce Fees: While lower than under the old sidewalk café law, fees remain too high for many restaurants and should be reduced. The jobs created and tax revenue gained from lower fees exceeds the limited government revenue that's collected from far fewer applicants deterred by high costs. Additionally, annual fees should be payable in installments, as they were for decades, rather than requiring full upfront payment, which is too burdensome for many businesses.
3. Sidewalk Café Enclosures: Restaurants pay annual fees for sidewalk cafes so they should be allowed to enclose them, especially during the winter months using canvas, acrylic and glass vestibule style coverings to keep their customers and workers warm and protected from the elements of weather.
4. Clearances: The clearances requirements for sidewalk cafes should revert to the uncontroversial decade's old standard of half the sidewalk width or eight feet, whichever is greater. The new requirements reduced the number of seats many restaurants were allowed to have for years. Also, the way certain required clearances are measured should be changed to maximize allowable seating while preserving pedestrian clear path (e.g. measure to the tree trunk when tree beds are flush to grade).
5. Application Process: The online application process should be upgraded to allow features like letting restaurants save partially submitted applications to return to complete so they don't have to be filed at once. The online only application option has also deterred some small restaurants from applying due to its complexity so the city should provide an in-person option to apply like they used to.

6. Scaffolding: Scaffolding by definition is temporary. Therefore, scaffolding put up above a sidewalk café must ensure its pedestrian clearance requirements and not prevent or limit a sidewalk café's footprint.

7. Processing Time: The City Council intended for a faster outdoor dining application process, but the city is now taking too long to determine if an application is complete before sending it to the community board, which begins the processing timeline, so speeding up this process is crucial.

Sincerely,

Karl Williams

1890 Adam Clayton Powell Jr Blvd

New York, NY 10026

karl@67orangestreet.com

Kathleen Collins
Telephone No.: [REDACTED]
Email Address: kclawprof1@gmail.com

April 22, 2025

Council Member Julie Menin
Chair
New York City Council Committee On Consumer And
Worker Protection

Council Member Selvena N. Brooks-Powers
Chair
New York City Council Committee On Transportation
And Infrastructure
Sent Online at <https://council.nyc.gov/testify/>
Emailed to: testimony@council.nyc.gov

Copy emailed to: Julian Martin, Policy Director at
[REDACTED]

Re: New York City Council Committee On Consumer And
Worker Protection Jointly With New York City Council
Committee On Transportation and Infrastructure –
T2025-3180 & T2025-3181 - Oversight –
Dining Out NYC Program

Dear Chair Menin and Chair Brooks-Powers;

My name is Kathleen Collins. I am a native New Yorker
who is a congenital quadruple amputee who uses a
wheelchair.

I support the dining out NYC program provided that it is done correctly and does not hamper or obstruct New Yorkers with disabilities ability to participate in the dining out NYC program.

Since the dining out NYC program provides another revenue source for restaurants by expanding their seating capacity, those restaurants that apply for dining out NYC program permits need to be required to have their dining out NYC program to be truly accessible to people with disabilities.

People with disabilities enjoy outdoor dining with their family, relatives and friends. Additionally, people with disabilities who want to hold a business meeting over a meal appreciate having outdoor dining as an option available to them. Thus, restaurants' dining out NYC program needs to provide enough space between tables for people with mobility devices to be able to participate in the dining out NYC program. Sufficient tables that are low and can be accessed by someone sitting in a wheelchair need to be provided. Additionally, these tables need to provide leg space for people with wheelchairs to be able to come up to the table. Further, the dining out NYC program needs to permit a customer to access it without a customer having to request a ramp or other assistance to be seated when other customers can independently seat themselves.

Turning to the pedestrians walking past the dining out spaces, the restaurants need to keep a clear path on the sidewalk for everyone, including pedestrians with disabilities, to travel safely.

Finally, in order to make sure restaurants' outdoor dining actually is in compliance with the regulations, the agency issuing these permits needs to be given financial resources to follow up and inspect the restaurants to make sure the restaurants are following the applicable safety, health, and accessibility regulations.

In sum, the dining out NYC program can improve the quality of life of New Yorkers provided it takes into consideration the needs of all, including people with disabilities, and is properly monitored.

Thank you for this opportunity to speak. I reserve my right to submit additional comments within seventy-two (72) hours after the hearing has been closed.

Sincerely,

Kathleen Collins

From: [REDACTED]
To: [Testimony](#)
Subject: [EXTERNAL] Meeting, April 23, 2025 10 a.m. NYC Council-Committees on Consumer and Worker Protection
Date: Wednesday, April 23, 2025 5:25:56 PM

[REDACTED]

My name is Kathy Arntzen and I am Chair of the Central Village Block Association, which represents quality of life issue in the Central Village.

The beautiful weather last Saturday demonstrated how the Rules for outdoor dining that the city created are being totally ignored. And because DOT is so behind, restaurants are doing whatever they want.

- Tables and chairs are all over the sidewalks - no pedestrian clear paths and absolutely no respect for public space
- Noise and music blaring from inside restaurants onto the sidewalk
- Patrons leaving their garbage behind, leaving our sidewalks and streets a complete, dirty mess

I understand people wanting to get out and enjoy outdoor dining. The village enjoyed it years before the pandemic, but restaurants were happy to be a part of the community and obeyed the rules.

NYC created the program through a democratic process, and now there are attempts to change the Rules for the benefit of restaurants and ignore the process. And where is the enforcement by DOT of the Rules.

Changing seasonal to year round would prevent our streets from getting cleaned properly. When the sheds came down in November, we saw what a mess our streets had become.

Clearances are important for pedestrians...they should not have to walk "through" a restaurant that is blocking the clear path.

Most importantly, residents need a say in the direction of this dining out program. We should be represented...

it is only fair...we LIVE here. The City Council should protect the people who elected them and who live here.

Thank you.

From: [Kevin Alicea](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Tuesday, April 15, 2025 1:30:11 PM

Dear Testimony Council,

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

1. Year-round Roadway Dining Option: One of the key challenges faced by small restaurants across the five boroughs is the seasonal only roadway dining option. The construction and storage costs associated make it too expensive and cumbersome for many restaurants. To address this issue, the city should allow roadway cafes that meet specific standards to remain open year-round. For others, the city should provide winter storage for the streeteries since these restaurants are paying the city fees for participating in the outdoor dining program.
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4. Clearances: The clearances requirements for sidewalk cafes should revert to the uncontroversial decade's old standard of half the sidewalk width or eight feet, whichever is greater. The new requirements reduced the number of seats many restaurants were allowed to have for years. Also, the way certain required clearances are measured should be changed to maximize allowable seating while preserving pedestrian clear path (e.g. measure to the tree trunk when tree beds are flush to grade).
5. Application Process: The online application process should be upgraded to allow features like letting restaurants save partially submitted applications to return to complete so they don't have to be filed at once. The online only application option has also deterred some small restaurants from applying due to its complexity so the city should provide an in-person option to apply like they used to.

6. Scaffolding: Scaffolding by definition is temporary. Therefore, scaffolding put up above a sidewalk café must ensure its pedestrian clearance requirements and not prevent or limit a sidewalk café's footprint.

7. Processing Time: The City Council intended for a faster outdoor dining application process, but the city is now taking too long to determine if an application is complete before sending it to the community board, which begins the processing timeline, so speeding up this process is crucial.

Sincerely,

Kevin Alicea

3151 E TREMONT AVE

BRONX, NY 10461

kevin@bronxhavanacafe.com

From: [Kevin Garry](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Tuesday, April 22, 2025 4:50:10 PM

Dear Testimony Council,

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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Sincerely,

Kevin Garry

520 Hudson St

New York, NY 10014

kevin@epicurean.info

From: [Kevin Mulligan](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Wednesday, April 9, 2025 5:10:05 PM

Dear Testimony Council,

The most detrimental and infuriatingly illogical aspect of the new laws is the forbiddance of enclosed dining structures. There are numerous ways in which this is having a hugely negative impact on my business:

1. The city is granting licenses for year-round dining. This is a very disingenuous offer as it completely ignores the fact that for at least about 6 months of the year it is too cold/wet to sit outside. It is now almost mid-April and it poured rain last weekend and we had a freeze warning just yesterday! I am being asked to pay for a 12 month license, when any reasonable person can see it is not usable for a significant portion of that time.
2. Storage. I have space for approx 50 tables and 100 chairs outside. And barriers placed around them to demarcate the area. Where am I expected to store all this at night? I do not have enough basement storage and even if I did, it is not feasible (nor safe) to ask the one member of staff who opens every day to lug all that furniture up the steps from the basement. I will have to stack mountains of furniture outside on the pavement every night. This leads to numerous other issues;
 - a. It is unsightly.
 - b. It will look like my business is closed.
 - c. It is difficult to tie all this down to prevent it from being stolen. Regardless, drunken/mentally ill people will likely pull at these stacks of furniture causing them to fall.
 - d. They will likely be used as toilet areas by some.
 - e. Areas that are sectioned off using planter boxes or some other type of low barrier will become homeless encampments. Staff might have to clear needles or human waste every morning from the area.
 - f. This furniture is going to fall into disrepair very quickly from having to sit outside in the elements every night. This will cost me a fortune to replace these items every year.
3. My business relies hugely on the extra space and custom the outdoor dining area allows me during the colder months to keep ourselves afloat. My own business is very small and during Winter months it is the only section I have for spill-over customers. Without it, all that business is gone. That also corresponds to less employment. And it's not just the colder months either....because I am fortunate in I had a large enclosed space, it served as a private space for large groups of guests. Those bookings don't come any more. Just yesterday I lost a booking for 100 people because they don't want to take the risk it might rain for their event in mid-June and it would be a little crowded inside the main room. With an enclosed/roofed area, I could have kept that booking. That event was worth \$11,000 to my business.
4. The deal we negotiated with the landlord over 2 years ago was with the understanding the outdoor dining areas were here to stay. It was factored into the rent price that we would have that section as a usable section all year round. The landlord will not renegotiate a new rent price.
5. My customers want to sit in that enclosed area. It is by far the most requested section as they want to have that "outdoorsy" vibe while still feeling warm and dry. I know things like the material used, height restrictions, etc. would need to be considered and worked within but that is a very easy addendum to the current rules. The city has already ceded there is no issue with the space my business is taking up on the pavement so long as it's within the required parameters, so why can't I ensure I have use of it year round and keep my customers warm and dry? Many places have vestibules set up every Winter to conserve heat energy; the enclosed cafes would just resemble these, but with roll down/take-out sides for when it's warmer. My needs vary somewhat to others with smaller outdoor set-ups as I have the aforementioned storage as a major issue, as well as the lost revenue from extra business it generates. Also, installing heating and lighting in them will be a costly endeavor too, therefore erecting and dismantling them twice yearly is a very inhibitive proposition. And the cost of storing the actual structure is another

fearsome expense. There was a program called the Enclosed Sidewalk Café Program that already existed so it's not like the city hasn't experience of this before and I am not aware of any particularly negative issues around those that retain them. Indeed they have been grandfathered in for those that have them. If they were such a problem, wouldn't they have been rolled-back?

To finish; the very existence of my business going forward depends on the allowance of enclosed outdoor dining and I honestly believe it offers a better assimilation to the neighborhood's needs than what the current rules do. It is my customers' expressed wish too that enclosures be allowed back.

I thank you for your consideration and time on this issue.

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

1. Year-round Roadway Dining Option: One of the key challenges faced by small restaurants across the five boroughs is the seasonal only roadway dining option. The construction and storage costs associated make it too expensive and cumbersome for many restaurants. To address this issue, the city should allow roadway cafes that meet specific standards to remain open year-round. For others, the city should provide winter storage for the streeteries since these restaurants are paying the city fees for participating in the outdoor dining program.
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7. Processing Time: The City Council intended for a faster outdoor dining application process, but the city is now taking too long to determine if an application is complete before sending it to the community board, which begins the processing timeline, so speeding up this process is crucial.

Sincerely,

Kevin Mulligan

231 2nd Ave

New York, NY 10003

info@thelaurelsnyc.com

Testimony to City on Issue of Outdoor Dining

Dear Sir/Madam,

My name is Kevin Mulligan and I own a bar/restaurant called The Laurels in the East Village. I am testifying to convey how unhappy I am with the restrictions imposed by the new outdoor dining rules and to illustrate how illogical some aspects of these new rules are and how detrimental they are already proving to be for my business. While I appreciate the city has agreed that outdoor dining is a tremendous asset to the city, both to its residents and businesses, I believe there are illogical and unfair criteria included in the new rules that need to be amended to ensure fairness and proper assimilation with my communities expressed needs.

The one egregious, major flaw with the new rules is it forbids the use of enclosed structures. This is nonsensical and unfair for a number of reasons.

1. The city is granting licenses for year-round dining. This is a very disingenuous offer as it completely ignores the fact that for at least 6-7 months of the year over Fall/Winter/Spring, no one can/wants to sit outside due to the elements. Businesses are being asked to pay for a 12 month license, when any reasonable person can see it is not usable for a significant portion of that time. We are into April now and for much of the first few weeks, a lot of days barely made it into the 50's and that's during day-time hours. By peak dinner hours it was too cold to sit outside. So from October to April, outdoor dining under the new guidelines is essentially redundant.
2. Storage. Inherently, outdoor dining means there is obviously an amount of tables and chairs placed outside. There is also barriers placed around them to demarcate the area. Where are businesses expected to store all this at night? In my own case, given the extreme breadth of the sidewalk on my corner section of Second Avenue, there could be 45-55 tables outside and 90-110 chairs. I have a 2am license during the week and a 4am one for the weekends. I cannot move the furniture inside after the 10 or 11pm curfew on using the outdoor area. There will be customers inside. Nor is there space if I could. Like most places, I do not have enough basement storage and even if I did, it is not feasible (nor safe) to ask the one member of staff who opens every day to lug all that furniture up the steps from the basement. The only "solution" left to me is to stack mountains of furniture outside on the pavement every night. This leads to numerous other issues;
 - a. It is unsightly.
 - b. It gives a very strong impression my business is closed.

- c. It is difficult to tie all this down to prevent it from being stolen. Regardless, drunken people or mentally ill people will likely pull at these stacks of furniture causing them to fall.
 - d. This area will likely be used as a toilet area by some.
 - e. My fear, too, is that the area sectioned off using planter boxes or some other type of low barrier will attract homeless people to sleep in it. Staff may have to clear needles or human waste every morning from the area.
 - f. This furniture is going to fall into disrepair very quickly from having to sit outside in the elements every night, for months on end. This causes great expense and hardship to my business in trying to repair but, more likely, replace these items.
3. My own business is very small and during Winter months the enclosed part was the only section I have for spill-over customers. Indeed it constituted a third of my overall “enclosed” space. I hugely relied on the extra space and custom the outdoor dining area allowed during the colder months to keep my business afloat. Without it, all that business is gone and I do not know if we will survive going forward. Losing the space also corresponds to less employment. I just recently lost a 100 person party for June as the guests did not want to take the risk it may rain and everyone would not fit inside. This is a loss of approx. \$10,000 to me and I am starting to lose more and more inquiries because I am having to tell customers that space is no longer enclosed. Nobody will commit to booking an area that is not enclosed, at any time of year.
 4. The deal I negotiated with the landlord over 2 years ago was with the understanding the outdoor dining areas were here to stay. It was factored into the rent price that we would have that section as a usable section all year round. Without it, my business is in serious trouble, as the landlord will not renegotiate a new rent price.
 5. Customers want to sit in these areas. It is by far the most requested section by the bulk of customers as they want to have that “outdoorsy” vibe while still feeling warm and dry. For private events, they request it as an area of first preference. For the last few months, they have all expressed dismay and bewilderment when I have told them of the new guidelines’ requirement to make the area entirely open air.

I believe sidewalk cafes got caught up in some of the complaints levied at the roadside sheds and unfortunately have been a casualty of well-intentioned but misguided attempts to eliminate some of the problems people had with **those** “structures”. Dilapidated, wooden sheds, infested with rats were all too common a sight and something did need to be done with these. However, sidewalk cafes don’t need to bear any semblance to those. Clean, aesthetically pleasing acrylic or vinyl structures can be a pleasant addendum to a business, taking up no more space than the current guidelines permit. They are not built on platforms and so there is nowhere for rodents to hide. Height restrictions, etc. would need to be considered and worked within but that is a very easy appendage to the current

rules. **If the issue is not the space the business is taking up on the pavement (and it is not, as the city has conceded this by permitting outdoor dining at all) then what significant reason can there be to disallow the business from keeping its customers warm and dry during colder months or just rainy days in general?**

These structures can easily be made so as to allow quickly disassembly, can have side sections/windows that will be taken down in summer months (businesses want that open air affect as much as possible too!), be fire retardant, etc. Most businesses have vestibules set up every Winter to conserve heat energy; the enclosed cafes would merely slightly bigger versions of these ***following the current guidelines about how much pavement the business is permitted to use.***

I believe businesses should have discretion as to whether they wish to leave these structures up year round, or make it seasonal, as smaller businesses with limited tables outside will not need it during summer months while those with much larger areas may require that structure to safe-keep all their storage at night. Installing heating and lighting in larger ones will be a costly endeavor too so erecting and dismantling them twice yearly is a very inhibitive proposition. And storing the actual structure is another costly conundrum.

Indeed, frustratingly, there was a program that allowed such structures called the Enclosed Sidewalk Café Program that for some reason was discontinued a couple of years ago, right when it should have been the template for the outdoor dining proposals!

To reiterate, I am not looking to take over more space on the pavement, merely asking to be allowed to make that which is permitted to me more comfortable for my customers and more conducive to assimilating the program with the community and their expressed wishes.

When the new rules are so egregiously illogical in some key aspects, please, let's ***not*** adopt a wait-and-see approach. At a time when bars/restaurants are really struggling to stay open and facing into what looks like a looming economic downturn, I implore the city to make the necessary changes before it is too late for both my, and many businesses around the city.

Thank you for your consideration of this issue,

Kevin Mulligan, The Laurels Café and Bar

I want to testify in favor of outdoor gathering options — sidewalk seating, roadside dining, and open streets — which are some of the only ways immunocompromised New Yorkers and other folks at high risk of complications from COVID and flu can safely enjoy New York's restaurants.

I want to make it clear that I *do* understand that sidewalk seating, outdoor dining, and the Open Streets are three different programs. But, I want to zoom out for a moment and not miss the forest for the trees. Proper ventilation is crucial to preventing airborne illness, and as of right now, the city has not invested in the infrastructure needed to make indoor ventilation safe enough for indoor dining — that really only leaves us with the option to eat outdoors, whether that's at a sidewalk cafe, outdoor/roadside dining setup, or the Open Streets.

Disability, can take many forms and I'm personally *very* concerned that being high-risk or immunocompromised is being *entirely* overlooked. Not only are our neighbors over the age of 65 more at risk, but not every young person is, in fact, healthy. Again, proper ventilation is crucial to preventing airborne illness, and options to eat and gather outdoors are a public good, particularly when it comes to public health.

The subtext of the opposition's position seems to be that the Open Streets were a Covid-era program, but because Covid is "over" the program should be curtailed. But Covid is still *very* real for many New Yorkers and this group's stance is particularly troubling when:

- Kathy Hochul is [pushing for a statewide mask ban](#)
- Vaccine uptake and tracking is terrible — [23% of adults got the most recent vaccine in the US / NYC stopped tracking vaccine data in September 2023](#)
- We have an anti-vaxxer Health and Human Services Secretary at the same time measles (another airborne illness) is spreading
- [COVID cases surged last summer](#), which scientists attributed to increased crowding in air-conditioned spaces, travel, and the flagging immunity of those who got boosted the year before
- Our current mayoral frontrunner — Andrew Cuomo — intentionally underreported covid deaths
- The CDC is [cutting \\$11.4 billion in federal funding](#) that was meant to help state health departments respond to covid
- And [Gothamist recently reported that 500,000 New Yorkers have long covid](#), which can be so debilitating it prevents them from being able to work and support themselves.

Every new COVID case is a new opportunity for one of our neighbors to get seriously ill, die, or experience long-term complications.

Outdoor dining also plays a role in stopping the spread of the flu. This year, flu cases were at their [highest levels since 2020](#) and there have been [20 pediatric deaths statewide this season](#), nine of which were in here in the city.

Kiyana Salkeld

From: [Kiyana Salkeld](#)
To: [Testimony](#)
Subject: [EXTERNAL] April 23 Committees on Consumer and Worker Protection and Transportation and Infrastructure
Date: Tuesday, April 22, 2025 2:55:12 PM
Attachments: [Roadside Dining April 23 2025 Testimony.pdf](#)

Hi there,

I wanted to email in my written testimony for the Committees on Consumer and Worker Protection and Transportation and Infrastructure hearing scheduled for April 23rd. It's attached as a PDF to this email, but I've also taken the liberty of copy/pasting it directly into the body of this email as well.

Best,
Kiyana

My name is Kiyana and I live on the Lower East Side. I'm testifying in favor of outdoor dining accommodations including sidewalk seating, roadside dining, and open streets, which are some of the only ways immunocompromised New Yorkers and other folks at high risk of complications from COVID and flu can safely enjoy New York's restaurants.

The subtext of the opposition to outdoor dining seems to be that it was a Covid-era program, but because Covid is "over" the program should be curtailed and our streets should be returned to cars. But Covid is still *very* real for many New Yorkers and disability can take many forms — I'm personally *very* concerned that being high-risk or immunocompromised is being *entirely* overlooked in this conversation. It's not lost on me that the city's own rules for in person testimony include covid safety protocols that don't seem to be enforced.

Vanishing outdoor dining options are particularly troubling when:

- Kathy Hochul is [pushing for a statewide mask ban](#)
- Vaccine uptake and tracking is terrible — [23% of adults got the most recent vaccine in the US](#) and [NYC stopped tracking vaccine data in September 2023](#)
- [COVID cases surged last summer](#)
- Our current mayoral frontrunner intentionally underreported covid deaths in nursing homes
- The CDC is [cutting \\$11.4 billion in federal funding](#) that was meant to help state health departments

respond to covid

- And [Gothamist recently reported that 500,000 New Yorkers have long covid](#), which can be so debilitating it prevents them from being able to work and support themselves.

Every new COVID case is a new opportunity for one of our neighbors to get seriously ill, die, or experience long-term complications. Outdoor dining also plays a role in stopping the spread of the flu. This year, flu cases were at their [highest levels since 2020](#) and there have been [23 pediatric deaths statewide this season](#), nine of which were here in the city.

Proper ventilation is crucial to preventing airborne illness, and as of right now, the city has not invested in the infrastructure needed to make indoor dining safer. And outdoor options aren't even available year-round, meaning that if you're immunocompromised or at high-risk, you can't easily participate in public life for half the year. With all of this in mind, I'm asking you to please:

- Make applying for roadside and sidewalk seating user friendly
- Allow year-round streeteries
- And provide more flexibility for sidewalk cafes

From: [Laura McCarthy](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Wednesday, April 9, 2025 2:20:12 PM

[REDACTED]

Dear Testimony Council,

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

1. Year-round Roadway Dining Option: One of the key challenges faced by small restaurants across the five boroughs is the seasonal only roadway dining option. The construction and storage costs associated make it too expensive and cumbersome for many restaurants. To address this issue, the city should allow roadway cafes that meet specific standards to remain open year-round. For others, the city should provide winter storage for the streeteries since these restaurants are paying the city fees for participating in the outdoor dining program.
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6. Scaffolding: Scaffolding by definition is temporary. Therefore, scaffolding put up above a sidewalk café must ensure its pedestrian clearance requirements and not prevent or limit a sidewalk café's footprint.

7. Processing Time: The City Council intended for a faster outdoor dining application process, but the city is now taking too long to determine if an application is complete before sending it to the community board, which begins the processing timeline, so speeding up this process is crucial.

Sincerely,

Laura McCarthy

200 4th St

Greenport, NY 11944

laura@lfmoffice.com

From: [Lee Seinfeld](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Thursday, April 17, 2025 9:10:08 AM

[REDACTED]

Dear Testimony Council,

I am a small mom & pop style bar/restaurant. The outdoor dining fees are through the roof. We struggle enough to get by

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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Sincerely,

Lee Seinfeld

938 Amsterdam Ave

New York, NY 10025

lee@divebarnyc.com

From: [Lisa Limb](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Thursday, April 10, 2025 3:30:06 PM

[REDACTED]

Dear Testimony Council,

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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Sincerely,

Lisa Limb

33 Carmine St

New York, NY 10014

lisa@naminori.nyc

From: [Loycent Gordon](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Tuesday, April 15, 2025 12:40:11 PM

[REDACTED]

Dear Testimony Council,

Smaller restaurants don't have the financial resources to fund their outdoor dining setup and also the burdensome fees. Cut the fees because the city will get that back many times over with the additional revenue the restaurant can generate from the outdoor dining opportunity.

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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Sincerely,

Loycent Gordon

8748 78th St

Woodhaven, NY 11421

loy@neirstavern.com

Thank you for holding this hearing, Chair Brooks Powers, and thank you for allowing me to share my experience with the Dining Out NYC program.

My name is Luis Gabriel from the Noches Mexicanas restaurant in the South Bronx. I am submitting written testimony today to express my concerns with the current program and my sincere hopes that the Council will come together to support our businesses with improvements to the current law. This law is not working for me and so many other small restaurants.

I could not apply for the permit because it costs too much and the benefit is too little. We didn't apply because it's like \$1,500 and that's a lot of money! If the program were free, that could make a huge difference for me and my customers who like eating outside.

There are also too many rules, especially regarding the Community Board. I don't have a lot of time; it's hard when I work 7 days a week. I went to my Community Board and they asked me to apply, and last year we got our license. This is too much trouble to try for too much time. But I want this program to be better. More customers is always good. We have a nice restaurant here and want to participate.

Please make the program more affordable for restaurants like me, lessen the community board review process, and give restaurants an option to have year round outdoor dining in the roadway.

From: [Lukasz Nowakowski](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Tuesday, April 22, 2025 5:20:08 PM

[REDACTED]

Dear Testimony Council,

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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Sincerely,

Lukasz Nowakowski

281 Bleecker St

New York, NY 10014

lucas@blindtigeralehouse.com

To the City Council

My name is MANUEL COCONI and I am the owner of SOL MAYA in EAST HARLEM.

Thank you for holding this hearing, Chair Brooks Powers, and thank you for allowing me to share my experience with the Dining Out NYC program.

I am testifying today to express my concerns with the current program and my sincere hopes that the Council will come together to support our businesses with improvements to the current law.

Because of the construction of the Second Avenue Subway, the city has not allowed us to use the sidewalk space like we want to. Two years ago, we had outdoor space and everyone loved it. The whole corner would fill up on weekends. Fewer customers come these days because the city won't give the permission we need. We already have to pay more than \$3,000 a year for other requirements on top of the taxes that the city wants to charge. I accept all the fees as the reality. However, all of these charges add up, so it would definitely be better for me if the costs were lower. I will definitely apply if it's cheaper for me to participate.

It's also extremely tricky because the city has two separate processes for using the sidewalk and the road...we can use the sidewalk all year if we wanted to, but the road can only be used for a few months in the year. This doesn't make sense for us, and it takes a lot of time to send everything.

We're also screwed by the train and the city's messy construction process. A lot of time they tap our gas lines and close our water, which stops our water. Why can't the city create a fund for the businesses affected by the new train line? I

From: [Marina Roulis](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Tuesday, April 15, 2025 11:30:09 AM

[REDACTED]

Dear Testimony Council,

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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Sincerely,

Marina Roulis

10 E 33rd St Fl 8

New York, NY 10016

marinar@aurifybrands.com

From: [marjan.motamedi](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Wednesday, April 23, 2025 7:10:06 AM

[REDACTED]

Dear Testimony Council,

My name is Marjan Motamedi, owner of Fandi Mata in Brooklyn. During the pandemic, enclosable canopies weren't just helpful-they were essential. The year around dining option saved our industry. We created solutions because we were allowed to innovate. Now, the new rules are anti small business. Don't strangle the very engine that kept New York's restaurants alive.

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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Sincerely,

marjan motamedi

74 Bayard St

Brooklyn, NY 11222

marjanne@fandimata.com

From: [Mark Fox](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Thursday, April 10, 2025 10:00:11 AM

[REDACTED]

Dear Testimony Council,

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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Sincerely,

Mark Fox

70 W 36th St

New York, NY 10018

m.fox@flhgrp.com

NY CITY HALL TESIMONY

24 APRIL 2025

MY NAME IS MARY EVANCHO, A RESIDENT OF NYC FOR 46 YEARS.

OUR CITY, IS SUFFERING, AND AS ANDREW RIGIE STATED AT A COMMUNITY BOARD MEETING NYC HAS AN ENFORMEMENT PROBLEM. I AGREE WITH ANDREW AND WILL ADD - THIS ENFORCEMENT PROBLEM PERTAINS TO OUTDOOR DINING, AS WELL.

I LOVE NY AND WHAT TO SEE IF THRIVE, BUT LET'S BE CLEAR, NO OTHER PRIVATE INDUSTRY HAS BEEN AFFORDED THIS OPPORTUNITY. DEPARTMENT OF TRANSPORTATION IS SIMPLY TRYING TO DO THEIR JOB, PROPERLY AND THOROUGHLY, AND ARE BEING PUSHED, UNFAIRLY, TO EXPEDITE.

THERE ARE TOO MANY UNANSWERED QUESTIONS TO DECIDE THIS AS A YEAR-ROUND PROGRAM. LET US FIRST DETERMINE HOW WELL IT WORKS, IF IT CAN LIVE UP TO EXPECTATIONS - FOR BOTH THE INDUSTRY AND NEW YORKERS.

I ASK THE INDUSTRY PLAYERS AND THIS COMMITTEE TO CONSIDER THESE QUESTIONS AND STATEMENTS.

WHEN DOUBLING THE SIZE OF AN ESTATBLISHMENT, WHERE IS ALL THE GARBAGE PLACED - IF SETUPS EXTEND FULL FRONTAGE? IT'S SITS IN FRONT OF ADJACENT BUSINESSESS AND RESIDENCES – AN ISSUE THAT IS STILL NOT BEING ADDRESSED ON APPLICATIONS.

HOW DOES A RESTAURANT DOUBLE ITS SIZE AND CONTINUE TO OPERATE OUT OF THE SAME SIZE KITCHEN? IS THIS REALISTIC?

HOW DOES ONE DOUBLE ITS CUSTOMERS AND ACCOMDATE THEM, WITH THE SAME NUMBER OF BATHROOMS?

I ENCOURAGE THE HOSPITALITY INDUSTRY TO BE REALISTIC AND NOT GREEDY. TO COMMUNICATE TO APPLICANTS THAT THEY MUST ABIDE BY GUIDELINES - AND RESPECT THEIR NEIGHBORS. THIS WILL BE YOUR PATHWAY TO SUCCESS. THIS IS HOW WE, TOGETHER, WILL PROPERLY GROW OUR CITY. THANK YOU.

From: [Matthew Kebbekus](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Wednesday, April 9, 2025 10:30:12 AM

[REDACTED]

Dear Testimony Council,

There's been no program more positively impactful on our business than outdoor dining. While, despite our best efforts, we were left out of numerous COVID-era programs, outdoor dining gave us a life-line.

NYC has been sorely behind the world's global cities and cultural drivers when it comes to outdoor dining. Buenos Aires, Rio de Janeiro, Paris, Madrid, Rome - in what other major metropolitan can't one fine and drink outside? While the outdoor dining program has been onerous to a fault, it has at least allowed our city to begin approaching the ease and naturalism embraced by these great metropolises.

Finally: the opposition may be vocal, but they are not representative of the massive degree of support that exists for outdoor dining, a fact reflected in polling as well as the ten of thousands of diners who daily enjoy dining outside, many of whom are blissfully unaware that anyone would oppose their having a bite and a sip on the sidewalk.

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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6. Scaffolding: Scaffolding by definition is temporary. Therefore, scaffolding put up above a sidewalk café must ensure its pedestrian clearance requirements and not prevent or limit a sidewalk café's footprint.

7. Processing Time: The City Council intended for a faster outdoor dining application process, but the city is now taking too long to determine if an application is complete before sending it to the community board, which begins the processing timeline, so speeding up this process is crucial.

Sincerely,

Matthew Kebbekus

96 Grove St

New York, NY 10014

mk@hch.nyc

From: [Megan Rickerson](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Tuesday, April 15, 2025 8:30:09 PM

Dear Testimony Council,

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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Sincerely,

Megan Rickerson

364 Atlantic Ave

Brooklyn, NY 11217

megan@somedaybarnyc.com

From: [Michael Schatzberg](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Wednesday, April 9, 2025 12:10:09 PM

[REDACTED]

Dear Testimony Council,

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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Sincerely,

Michael Schatzberg

235 Park Ave S

New York, NY 10003

schatz@brandedrestaurants.com

From: [Michael Staff](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Thursday, April 10, 2025 9:50:07 PM

[REDACTED]

Dear Testimony Council,

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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Sincerely,

Michael Staff

442 Amsterdam Ave

New York, NY 10024

theginmill@eatdrinkandbemerry.com

From: [michele campo](#)
To: [Testimony](#)
Subject: [EXTERNAL] NYC COUNCIL-COMMITTEES ON CONSUMER AND WORKER PROTECTION AND ON
TRANSPORTATION AND INFRASTRUCTURE-4/23/25 AT 10AM
Date: Wednesday, April 23, 2025 1:36:35 PM

OVERSIGHT DINING OUT NYC PROGRAM

I listened to testimony from all panelists from 10am until this writing at 1am.
the one aspect of this meeting which is drastically missing is the residential human one.
in my area of Little Italy the sidewalk cafe and roadbed dining establishments all too often disregard the rules to which they are to adhere. enforcement is absent. the streets are a mess. garbage is everywgere. visability is at a minimum.
emergency service vehicles have great difficulty in passing through, much less arriving at their appointed location.
as the head of the FDNY union stated - if you live in a building with a dining structure in front, be very fearful.....
as a fire would be difficult to extinguish. I have personally witnessed fire engines unable to turn the corner onto the street with the fire.
and the rat population decidedly increased with the roadbed structures. I have heard it said by too many restaurant operators, and DOT, that the vermin and garbage issues are 'old news' and as such not to be heard anymore. not so dear councilmembers - it is of extreme importance.....ALWAYS!
the noise is unbearable... the crowding unbearable.
the human residential part of this equation needs to be given equal weight.
sincerely,
—— michele campo

From: [Milka Regalli](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Wednesday, April 23, 2025 12:00:09 AM

[REDACTED]

Dear Testimony Council,

Having invested thousands of dollars during the pandemic to build and perfect our outdoor dining space, it was heartbreaking to have to dismantle it late last year. That structure not only helped us stay open during an incredibly challenging time, but it also gave us an outdoor option we never would have had otherwise.

While I understand the importance of regulation, what's difficult to understand is why small businesses are now expected to spend tens of thousands more just to meet new city requirements. We've been quoted \$35,000 to rebuild an outdoor space that would only accommodate five tables—just ten seats.

The past year has been incredibly hard on small businesses. The economy has taken a serious toll, and we're watching beloved restaurants—many that have been open for decades—close their doors. We need support, not additional financial strain. We need to be allowed to keep these outdoor structures year-round.

When new policies are created, the sustainability of small businesses must be at the forefront. There is a significant disconnect between those running the businesses and those creating the rules. Please help bridge that gap. Please help make this right

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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Sincerely,

Milka Regalli

739 Franklin Ave

Brooklyn, NY 11238

milka@rasplantbased.com

From: [Padraig Dwyer](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Tuesday, April 22, 2025 4:50:11 PM

[REDACTED]

Dear Testimony Council,

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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Sincerely,

Padraig Dwyer

22 W 46th St

New York, NY 10036

pdwyer@dfallied.com

From: [Paul McDaid](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Friday, April 11, 2025 6:30:07 AM

Dear Testimony Council,

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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Sincerely,

Paul McDaid

213 2nd Ave

New York, NY 10003

pmcdaid@jackdawnyc.com

Dear Chair Brooks Powers and the Committee on Transportation and Infrastructure,

I am writing to express my deep concern and disappointment regarding the current state of the Dining Out NYC program, particularly its devastating impact on our local restaurant scene, particularly in Prospect Heights.

It's undeniable that outdoor dining was one of the few bright spots during the pandemic, offering a lifeline to struggling businesses and a much-needed sense of community. However, the current iteration of the Dining Out NYC program has, in my view, utterly failed to build upon that success. Instead, it has created a system that is exclusionary, costly, and ultimately, detrimental to our neighborhood.

The stark reality is that the vast majority of restaurants in Prospect Heights, and across the city, have chosen not to participate in the new program. This widespread lack of adoption from restaurants that previously participated speaks volumes and should be a clear indication of the program's shortcomings. We've had an unusually mild winter and spring, ideal conditions for outdoor dining, yet we have replaced outdoor dining setups that previously were filled with a dozen people with a single parked car that doesn't move. The vibrant outdoor dining scene that once enlivened our community has been decimated.

The high costs associated with the program, particularly the requirement to build, dismantle, and store structures seasonally, are simply unsustainable for many restaurants. These financial burdens have undoubtedly deterred participation, especially when a year-round option could eliminate these unnecessary expenses. Why should restaurants bear the cost of tearing down and rebuilding when we could have a continuous, thriving outdoor dining environment?

I urge the City Council to reconsider the current legislation and implement a year-round outdoor dining option. Removing the barriers that prevent restaurants from participating, such as the prohibitive costs and cumbersome regulations, is crucial. Allowing restaurants to operate year-round would not only support their economic viability but also ensure that our community continues to benefit from the vibrant and welcoming atmosphere that outdoor dining creates.

This is not just about restaurants; it's about the fabric of our community. The failure of the current Dining Out NYC program is a loss for all New Yorkers. We need a program that supports our local businesses and allows them to thrive, not one that stifles their growth and diminishes our neighborhoods.

Sincerely,

Phil Godzin

From: [Philippe LLC](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Tuesday, April 15, 2025 11:20:09 AM

[REDACTED]

Dear Testimony Council,

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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Sincerely,

Philippe LLC

236 5th Ave

New York, NY 10001

philippe@ililirestaurants.com

From: [Prudence Singh](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Friday, April 11, 2025 10:30:08 AM

[REDACTED]

Dear Testimony Council,

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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Sincerely,

Prudence Singh

270 Lafayette St

New York, NY 10012

pru@jackswifefreda.com

From: [Quie Slobert](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Wednesday, April 16, 2025 9:40:07 AM

[REDACTED]

Dear Testimony Council,

Sidewalk seating is critical to our business. It is also good for the neighborhood in general bringing positive energy to the community. We have already gone through the lengthy and expensive process of applying for permission and still we have not heard back from DOT. We want to put out our tables and chairs now. We do not want there to be an annual process or fee. Thank you.

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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Sincerely,

Quie Slobert

439 W 125th St

New York, NY 10027

qslobert@charlespanfriedchicken.com

From: [Rajan Lai](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Friday, April 11, 2025 9:40:12 AM

Dear Testimony Council,

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

1. Year-round Roadway Dining Option: One of the key challenges faced by small restaurants across the five boroughs is the seasonal only roadway dining option. The construction and storage costs associated make it too expensive and cumbersome for many restaurants. To address this issue, the city should allow roadway cafes that meet specific standards to remain open year-round. For others, the city should provide winter storage for the streeteries since these restaurants are paying the city fees for participating in the outdoor dining program.
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Sincerely,

Rajan Lai

105 Hudson St

New York, NY 10013

rlai@tribeca-hospitality.com

From: [Rajesh Bhardwaj](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Friday, April 11, 2025 9:40:12 AM

[REDACTED]

Dear Testimony Council,

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Sincerely,

Rajesh Bhardwaj

19 W 24th St

New York, NY 10010

rajesh@junoonnyc.com

From: [Riccardo Dardha](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Thursday, April 10, 2025 6:10:09 PM

[REDACTED]

Dear Testimony Council,

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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Sincerely,

Riccardo Dardha

2302 31ST ST

ASTORIA, NY 11105

riccardo@figlianyc.com

From: [Rob Rawleigh](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Monday, April 21, 2025 1:00:09 PM

[REDACTED]

Dear Testimony Council,

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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Sincerely,

Rob Rawleigh

1245 Broadway

New York, NY 10001

rob.r@jksrestaurants.com

From: [Ryan Christman](#)
To: [Testimony](#)
Subject: [EXTERNAL] Outdoor Dining
Date: Wednesday, April 23, 2025 8:11:16 PM

To Whom It May Concern,

My name is Ryan and I am a resident of Crown Heights, Brooklyn.

Thank you for holding this hearing, Chair Brooks Powers, and thank you for allowing me to share my experience with the Dining Out NYC program.

The current program is a waste of city resources yielding very few results. Even if DOT was adequately funded to run this program, it's onerous rules severely disincentivize businesses from doing exactly what the vast majority of the public wants - providing an outdoor dining experience whenever New Yorkers desire to eat outside.

I urge the City Council to reform the current legislation to make it year round to allow our community to continue supporting our local restaurants.

Best,
Ryan Christman

My name is Sam Goetz and I own Judy's in Sunset Park, Brooklyn. We are a neighborhood spot, a small all-day cafe / wine & beer bar and we are proud holders of a brand new Outdoor Dining license with a small parklet out front that is getting a lot of love from the people of Sunset Park.

I'm here to ask the Council to remove a fine print requirement in this program that must have been an oversight when it was put in, but is causing many bar owners to forgo this license. I'm talking about the liquor liability insurance requirement.

For places like mine with a Tavern license (beer & wine only) that do not serve much food "liquor liability" is not folded into our general liability and an la carte package costs \$13k / year. This is more than triple my general liability insurance and more than the rest of the Outdoor Dining program cost me all together.

No city, state, or private organization has ever required that my establishment get this unnecessary and insanely expensive insurance. Neither my landlord or the SLA requires it. I know several other establishments who when hit with this requirement (late in the application I may add) balked and cancelled their application (eating the \$1k application fee in the process).

It must be removed. It's simply a total non-starter. I'm thinking hard about revoking our license next year if this requirement is not removed as I simply cannot afford this insurance. The cost is simply unbearable and unreasonable.

Thank you.

In Opposition to the Outdoor Dining Expansion Plan

The proposal to expand Outdoor Dining masquerades as progressive policy, but in truth, it is a corporate-backed land grab that erodes the public trust doctrine, subordinates public space to private profit, and disregards equity, accessibility, and the environment. I urge this Council Committee to reject it for the following reasons:

1. "Year-round Roadway Dining" = Permanent Privatization of Public Streets

The Lobbying group Hospitality Alliance claims that allowing roadway dining year-round will help restaurants with costs. But what this really does is transform what was supposed to be an emergency COVID-era lifeline into a permanent privatization of public streets - streets that belong to all New Yorkers.

Streets are not the private real estate of restaurant owners. They are a public good. Sidewalks and curbs serve critical public functions - for pedestrians, seniors, disabled individuals, cyclists, emergency access, sanitation, and general urban mobility. Giving them away year-round sets a dangerous precedent that commerce trumps collective public need.

And suggesting that the *city* should subsidize *winter storage* for *private commercial structures* is audacious - that's taxpayer money being used to warehouse private dining sheds? Absolutely not.

2. Fee Reductions: Undermining Accountability for Private Use of Public Space

Lowering fees for outdoor dining is not about equity- it's about deregulation. These restaurants are profiting from exclusive use of public land. The public should not be subsidizing that.

If fees deter applicants, that suggests the market has spoken- perhaps not all restaurants are entitled to sidewalk real estate. **Instead of lowering fees, we should be asking whether the social and spatial cost of outdoor dining justifies its continuation at all.**

3. Enclosures = Unregulated Construction & Safety Hazards

Enclosed sidewalk cafés are not minor structures. These are, in effect, semi-permanent buildings on public space. The idea that paying a fee entitles a restaurant to build enclosed glass and acrylic boxes on public sidewalks- in dense neighborhoods with fire codes, emergency access, and ADA considerations -is deeply flawed.

Allowing enclosures to proliferate turns a shared sidewalk into a patchwork of privatized bunkers, many of which create fire hazards, impede line-of-sight safety, and severely reduce pedestrian flow.

4. "Clearance Rollbacks" = Accessibility Rollbacks

The proposal to revert to old clearance standards is a blatant rollback of accessibility and pedestrian rights. We should not go backwards. The newer, stricter standards are in place because New Yorkers — especially those with mobility issues — need and deserve spacious, safe sidewalks.

Reducing clearance to squeeze in more tables directly harms disabled people, seniors, parents with strollers, and the general pedestrian majority. This is not inclusive. It is exclusionary, and unjust.

5. Application Process: Complexity Is Not the Real Barrier

If some restaurants can't navigate an online application, that's not an argument for weakening oversight. It's a call for better outreach or technical assistance — not removing guardrails.

The idea that we must simplify the process to accommodate every applicant misses the point: we must preserve rigorous, community-centered review. This is public land. It deserves serious scrutiny.

6. Scaffolding Isn't the Problem — It's the Sheds

Trying to blame scaffolding for obstructing café space is another misdirection. The real obstruction is the outdoor dining sheds themselves, which became oversized, dilapidated, and unsafe in many areas. If there's not enough room under scaffolding, perhaps the dining shed shouldn't be there.

Scaffolding serves a public safety purpose. Dining sheds serve profit.

7. Faster Processing = Weakened Oversight

Speeding up the application process sounds good — unless you're a neighbor, pedestrian, or community member who loses a chance to weigh in.

The public review timeline exists for a reason. Every outdoor dining structure affects quality of life, noise levels, rodent control, sanitation, and accessibility. Rushing this process guts transparency and community engagement.

Conclusion: Public Space Is Not a Luxury

Let's be clear: outdoor dining served a purpose during an unprecedented emergency. But the pandemic is not a blank check for privatizing public space.

We cannot let a lobbying group speak for all New Yorkers. Public sidewalks and streets belong to everyone — not just to those who can monetize them. This proposal is exclusion dressed as inclusion, profit dressed as policy.

Reject the Hospitality Alliance's reform package. Protect public space. Reclaim the commons.

Thank you.

Sandy Rayburn
Brooklyn

Public Testimony Opposing Expansion of the Outdoor Dining Plan 4/23/25 DINING OUT NYC

I'm a RESIDENT of NYC 80 years-shall I not count?

Shall Lobbying Organizations such as Hospitality Alliance and Open Plans be the only ones respected and given unlimited time yet I have to cram in my own concerns in 2 minutes and be told to send the testimony in with the naive hope that it will be read with the same immediacy that bureaucrats and their patrons are advantaged by? Insulting, indeed.

Shall it be OK that the DOT and every other NYC Agency I pay salaries to leave without listening to those impacted by their disdain, mismanagement and failures? Dismissive, indeed.

I strongly oppose Hospitality Alliance's proposal to make outdoor dining permanent and year-round on our public streets and sidewalks. Public space is not a perk for paying customers — it's a shared right. They are a Lobbying group for private & corporate interests and their proposal is **exclusion** dressed as inclusion and **deregulation** disguised as reform. Gaslighting, indeed.

This is NOT about supporting small business -it IS about the permanent privatization of public space. Sidewalks and roadways belong to *all* New Yorkers including RESIDENTS! Turning them into commercial real estate violates the public trust doctrine and undermines accessibility, mobility, and equity. It is NOT our responsibility to be de facto investors in their business success & to ensure they "break even".

The Alliance wants to reduce clearances and expand year-round operations - but the existing program already showed us the consequences over 5 yrs: blocked sidewalks, rodent infestations, harmful oppressive noise entering into our homes after a long day's work, and serious violations of the Americans with Disabilities Act. These dining sheds turn the city into an obstacle course -impossible to navigate safely for wheelchair users, seniors, or parents with strollers.

And let's not forget: the Department of Transportation, which is tasked with oversight, has *failed* to steward this program responsibly since its inception. They are the alleged inspectors-yet enforcement was lax, complaints went unanswered, and noncompliant sheds continued to proliferate. 311 where complaints go to die. Now we-as residents (and voters!) are being asked to trust this very same agency to expand and entrench the program?

I urge you to reject it, and to defend our streets, sidewalks, and public commons. Let's see some actual democratic representation for a change, not the feint that purports to be an 'equitable' City Council which is enraptured by those whose endorsements and campaign PAC financing they seek.

Thank you.

Sandy Rayburn-Brooklyn, NY

April 25, 2025

RE: Oversight Hearing for Dining Out NYC Program

Outdoor dining was one of the silver linings of the pandemic and incredibly popular. Finally NYC joined the rest of the world. It made the city more vibrant, saved many local restaurants, and allowed a little portion of our streets to be used for people instead of free private car storage.

Unfortunately, the current form of the Dining Out program, due to overly restrictive legislation passed by the Council and the cumbersome rules put in place by DOT, effectively killed the program. This was incredibly predictable. In fact, I testified in November 2023 at the DOT outdoor dining rules hearing to warn that exactly this would happen:

“The program should be year round. The seasonal nature, with restaurants having to take down and store their setups every winter, creates an unnecessary (financial) burden that effectively will limit participation. It will lead to a less equitable program as only certain businesses will be able to afford participation due to this requirement.”

Today I am again urging the Council to make the program year round.

Saskia Haegens
Prospect Heights, Brooklyn

To Whom It May Concern,

My name is Shane Sauder and I am a resident of the Upper East Side.

Thank you for holding this hearing, Chair Brooks Powers, and thank you for allowing me to share my experience with the Dining Out NYC program.

I am testifying today to express my concerns with the current program.

I love outdoor dining in this city. It was one of the rare bright spots to come out of the pandemic. Being able to have dinner or grab a drink with friends outside casually has been a boon to the economy and liveliness of this city. Even when not eating or drinking, outdoor dining has made walking around our great city a much more pleasant experience with life and happy people outside enjoying themselves. It was really distressing to me to see all of the lovely structures get torn down in October. It was even more horrible to see how few of them returned at the beginning of April. The way this city council has neutered the program is a terrible and self destructive decision. The streets are quiet and lonely and filled with unused cars. A far cry from the lively fun of the last few years. This will also hurt the restaurants/bars/cafes bottom line as well as the tax receipts for the city.

I urge the City Council to reform the current legislation to make it year round to allow our community to continue supporting our local restaurants.

From: [Shaun Rose](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Thursday, April 10, 2025 10:00:09 AM

[REDACTED]

Dear Testimony Council,

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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7. Processing Time: The City Council intended for a faster outdoor dining application process, but the city is now taking too long to determine if an application is complete before sending it to the community board, which begins the processing timeline, so speeding up this process is crucial.

Sincerely,

Shaun Rose

567 Hudson St

New York, NY 10014

shaun@typesocial.com

From: [Sophie Bruschi](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Wednesday, April 9, 2025 12:10:09 PM

[REDACTED]

Dear Testimony Council,

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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Sincerely,

Sophie Bruschi

312 W 58th St

New York, NY 10019

sophie@sundry.nyc

From: [Stacy Pisone](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Wednesday, April 23, 2025 6:10:06 AM

[REDACTED]

Dear Testimony Council,

The new rules for roadway dining make it completely untreatable. The spaces are a third of the size that we operated from before. Not being able to have a roof since we are on a corner w a traffic light not being able to operate 4 months of the year. The high fees for all this we opted to withdraw our roadway dining.

Sidewalk dinings new rule of now a 10 ft clearance rather than 8ft which was what was always the pathway pre Covid and long before. Will also now cost us a lot of lost seating.
An 8ft space was fine so long ago now again a harsher restraint is costing businesses and quite frankly our city a lot of money we just do not have.

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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standard of half the sidewalk width or eight feet, whichever is greater. The new requirements reduced the number of seats many restaurants were allowed to have for years. Also, the way certain required clearances are measured should be changed to maximize allowable seating while preserving pedestrian clear path (e.g. measure to the tree trunk when tree beds are flush to grade).

5. Application Process: The online application process should be upgraded to allow features like letting restaurants save partially submitted applications to return to complete so they don't have to be filed at once. The online only application option has also deterred some small restaurants from applying due to its complexity so the city should provide an in-person option to apply like they used to.

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7. Processing Time: The City Council intended for a faster outdoor dining application process, but the city is now taking too long to determine if an application is complete before sending it to the community board, which begins the processing timeline, so speeding up this process is crucial.

Sincerely,

Stacy Pisone

119 7th Ave

New York, NY 10011

stacy@cafeteriagroup.com

From: [Steve Troy](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Thursday, April 10, 2025 12:00:14 PM

[REDACTED]

Dear Testimony Council,

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

1. Year-round Roadway Dining Option: One of the key challenges faced by small restaurants across the five boroughs is the seasonal only roadway dining option. The construction and storage costs associated make it too expensive and cumbersome for many restaurants. To address this issue, the city should allow roadway cafes that meet specific standards to remain open year-round. For others, the city should provide winter storage for the streeteries since these restaurants are paying the city fees for participating in the outdoor dining program.
2. Reduce Fees: While lower than under the old sidewalk café law, fees remain too high for many restaurants and should be reduced. The jobs created and tax revenue gained from lower fees exceeds the limited government revenue that's collected from far fewer applicants deterred by high costs. Additionally, annual fees should be payable in installments, as they were for decades, rather than requiring full upfront payment, which is too burdensome for many businesses.
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7. Processing Time: The City Council intended for a faster outdoor dining application process, but the city is now taking too long to determine if an application is complete before sending it to the community board, which begins the processing timeline, so speeding up this process is crucial.

Sincerely,

Steve Troy

66 Irving Pl Apt 1

New York, NY 10003

steve.troy@troyandco.com

To Whom It May Concern,

My name is Sunny Ng and I am a resident of Williamsburg, Brooklyn.

Thank you for holding this hearing, Chair Brooks Powers, and thank you for allowing me to share my experience with the Dining Out NYC program.

I am testifying today to express my concerns with the current program. The outdoor dining program was the best thing that has happened because of the pandemic, and I'm sad and disappointed at how badly the program was botched with the new permanent program.

The fact that it is not a year-round program is ridiculous. Seeing vibrant restaurant seating replaced by one or two private cars being parked for free on the street curb is the saddest and most regressive thing I've seen. The outdoor dining program was a boon to society as a whole, and created lively spaces across the five boroughs. It upsets me at how a small minority of car owners are once again ruining a good thing. Drivers are constantly disproportionately pandered to in this city, and this is yet another example of that.

In addition to that, the costs and the tedious process have led to restaurants abandoning their once lifeline. This needs to stop. The City Council should be ashamed of how few restaurants have renewed their participation. What was once something beloved by a huge majority of the people has been taken away.

I urge the City Council to reform the current legislation to make it year round to allow our community to continue supporting our local restaurants.

Best,

Sunny Ng

From: [TJ Gargan](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Thursday, April 10, 2025 9:20:06 PM

Dear Testimony Council,

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

1. Year-round Roadway Dining Option: One of the key challenges faced by small restaurants across the five boroughs is the seasonal only roadway dining option. The construction and storage costs associated make it too expensive and cumbersome for many restaurants. To address this issue, the city should allow roadway cafes that meet specific standards to remain open year-round. For others, the city should provide winter storage for the streeteries since these restaurants are paying the city fees for participating in the outdoor dining program.
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7. Processing Time: The City Council intended for a faster outdoor dining application process, but the city is now taking too long to determine if an application is complete before sending it to the community board, which begins the processing timeline, so speeding up this process is crucial.

Sincerely,

TJ Gargan

96 Berry St

Brooklyn, NY 11249

TJ@teddys.nyc

From: [Tom Davies](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Wednesday, April 16, 2025 5:00:11 PM

Dear Testimony Council,

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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7. Processing Time: The City Council intended for a faster outdoor dining application process, but the city is now taking too long to determine if an application is complete before sending it to the community board, which begins the processing timeline, so speeding up this process is crucial.

Sincerely,

Tom Davies

3420 32nd St

Astoria, NY 11106

tom@snowdonia.nyc

From: [Xavier Silva](#)
To: [Testimony](#)
Subject: [EXTERNAL] Fix Dining Out NYC
Date: Tuesday, April 22, 2025 9:00:12 PM

[REDACTED]

Dear Testimony Council,

This Year I could not afford it and i might be force to close since outdoor dining was what helped me survive last couple of years

As a hospitality industry professional in your district, I urge you, as my City Council Member, to reform the Dining Out NYC outdoor dining program. The program has not met expectations and has become an undue burden for many restaurants. These reforms put forth by the NYC Hospitality Alliance and supported by many will promote a vibrant alfresco dining scene, support local restaurants, boost tax revenue, and create jobs for New Yorkers. Thank you for your consideration.

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7. Processing Time: The City Council intended for a faster outdoor dining application process, but the city is now taking too long to determine if an application is complete before sending it to the community board, which begins the processing timeline, so speeding up this process is crucial.

Sincerely,

Xavier Silva

33 Washington Ave

Smithtown, NY 11787

chichi@nyceclubs.com

Greetings Council Members Menin and Brooks-Powers

I am writing to, first, thank you for this oversight hearing. Outdoor dining is a fine idea, but the initial attempt to establish it on a permanent, post-COVID, footing has much room for improvement. I get the impression, from the press release about the new program¹, that restaurants have been negatively impacted by process delays and a level of complexity that has led some to pay for expeditors. I also understand that the number of restaurants setting up street set-ups is down considerably from the COVID-era regime.

I'd like to suggest that one of the best cures for this is to make the roadside part of the program year-round. Firstly, it will save the restaurants the expense of set-up, tear-down and having to store materials. More restaurants would take part in the program if not faced with that expense. This would also assist with process delays as, once a restaurant's set-up is done, they would not have to reinvent the wheel each April. I think we've all noticed that there are many days in the December to March period that are not necessarily forbiddingly cold, and we shouldn't assume that the roadside cafés would be dormant throughout that period. Secondly, it will also save the resources of everyone involved in vetting the applications. I sit on a community board and the process is not efficient. Many of our applications are in violation of the facial standards (enclosed sidewalk café, frontage wider than the store frontage, insufficient sidewalk clearance). Clearly, there is an issue in the education process and how the info is passed down to applicants. A roadside café that is up all year, again, doesn't have to reinvent the wheel. That we had many applications that were in violation suggests a possible problem with the education process.

On process, I'd like to suggest that the only reason there should be community board review is if the applicant is seeking an exception to the normal rules (for example, a roadside installation wider than the store frontage). If everything is sufficient to pass DOT muster, that should be sufficient here as the relevant community board has no other role than to be solicitous of parking spaces, and that isn't worth delaying the process. I'd also recommend that some way be found for the application for outdoor liquor to be started alongside the sidewalk/roadside café request. I know that there will be different processes but they can at least start at the same time (and, of course, community boards can have their normal role to play in that application).

I just say that I am against enclosed sidewalk cafes and roadside cafes' width exceeding store frontage as a matter of right—it should only be permitted in rare cases.

¹ <https://council.nyc.gov/press/2025/04/23/2852/>

The former takes up too much space from pedestrians and I would argue that part of the culture of sidewalk cafes is its permeability and interaction with the flow of the sidewalk. Simply allowing roadside cafes to go in front of other stores generally creates a first-come-first-serve approach that could box out other uses those stores may have for the curb space.

Thank you for your work on improving this important program.

RE: T 2025 - 3180

Dining Out NYC program

I'm writing to voice my opposition to any expansion of the city's current outdoor dining program. My biggest dread is that restaurants will manage to use their outdoor sheds all year long. The City Council needs to consider not only people in the restaurant industry, but actual New York City residents. They have to work, study, and of course, sleep. Most outdoor dining I've seen interferes with this; numerous restaurants seem to be taking advantage of their neighbors. There are many things we need in this city - additional noise, a lowered quality of life, and rats are not among these things.

If you MUST expand this program, NO restaurant or dining shed should have music spilling onto the street, and NO restaurant should be serving after a time agreed upon with other building tenants. The city is not some kind of urban Disneyland - it's a place where people live. As the quality of life in NYC diminishes, it reminds me more and more of the city in the 1970's. Also, the city is obviously in for some lean times; being "pro-business" can easily turn into being "anti-resident", and as in the 1970's, the residents are going to flee.

Outdoor dining has had a profound impact on my life and its loss has been devastating. I'm a care taker for someone with cancer. She is immunocompromised and as her main care taker I have to be extremely careful about my exposure.

She is already cut off from so many parts of life because of her illness, but when there was outdoor dining, she could have moments where she was a person in the world. She could see friends safely, and leave her bubble of doctors and treatment. Now that is no longer an option and her world has gotten much smaller.

As her caretaker, outdoor dining also made me feel safer. I didn't have to worry about picking up the flu or covid or even a cold, but could still see friends, and enjoy the city I love. Without that, I experience isolation.

The removal of outdoor dining has been a stark reminder that the city we love does not love us back. People who have disabilities, who are immune compromised, who have sensory sensitivities are all more able to access this city when there is outdoor dining. Why do we matter less than parking spots?

On a separate, less life threatening, but still very true point. Even before covid and before my mom got sick, I loved outdoor dining. In warm weather it was such a joyful way to take advantage of the city. I'm sad to see that there are fewer options than there were even before covid.

I remain opposed to the whole concept of “Open Street”, if local residents are not consulted and heard.

My experience of Dyckman Street is that since it was coopted by the bars and clubs along west Dyckman Street, it has not been easily accessible to residents who might like to spend time on the “Open” street.

From the start, metal planters were used to barricade the street from the southside sidewalk, meaning no one could enter the “Open” street/plaza from the south. For the last 4 or 5 years (covid years are a blur), every winter, we residents are left with the detritus of the street to look at; many police barriers, empty metal planters, left over plastic holiday decorations (this year we had a heap of plastic autumn branches and leaves and plastic grass), broken furniture.

It is double-speak to call these “Open Streets” open. This section of public road has been less accessible than it ever was before this DOT privatization.

Now the proposal is to give businesses exclusive use of our Streets? It already gave our street away to the local businesses from the beginning of this.

I remain opposed to any further give aways to the businesses. I do not pay City taxes to subsidize businesses, who have been poor neighbors since arriving in my neighborhood, from 2006 on.

NO FURTHER GIVEAWAYS!

Representatives of the council I come before you today in support of City Council Introduction 643-2024. I am a resident of East New York and in the district of Council Member Chris Banks who is listed as one of the sponsors of this bill. As an active community board member, community activist, and Founder of my business All Access Golf I understand the need for sports and Recreation Access For All.

You may be asking, but Kelley don't you do golf? Yeah I do golf, but where some see a basketball court, I see a golf course. You see golf isn't just a game you play it's also a state of being, a getaway, a place to be able to play and enter into a flow state of the mind. A key factor of getting into the flow state is environment and by making basketball courts accessible you are now creating an environment to be able to enter into a flow state, which can help to enhance the mental health of residents of New York City.

As a NYC golfer I know how hard it is to find places to play or practice. This can be even more difficult when you don't have a car.

Why am I telling you this? It's because the bill has components that can be identified from my golfing experience.

1. How the department of parks and recreation and the department of education will facilitate the use of indoor basketball courts and gyms that are maintained and operated by the city
 - a. According to the National Golf Foundation there has been a 55% increase in the pool of potential golfers since 2019 which is attributed to the growth and popularity of off-course golf (a basketball court would be listed as off-course golf)
2. How the department of parks and Recreation will coordinate with other relevant agencies to facilitate the use of indoor basketball courts and gyms
 - a. In order to play golf in NYC you would have to find your nearest golf course. There are 13 public golf courses across NYC which isn't accessible to all New Yorkers. This bill can help to make golf programming accessible to all.

With that said a budget would be needed in order to create a seamless pipeline to extract the hidden value that this bill intends to bring out. Since my time is running out this would be a perfect conversation to have on the golf course on what the infrastructure can look like.

Thank you for holding this hearing, Chair Brooks Powers, and thank you for allowing me to share my experience with the Dining Out NYC program.

I am representing the Area Latina Bar & Grill in East Harlem. The purpose of my written testimony today is to share what I notice with the current Outdoor Dining program and why I cannot participate like many other Latino businesses. This law doesn't help me. I don't have many problems with my business, but I can't make it work in this moment.

I could not apply for the permit because our space is too small and we wouldn't have enough space to use in front of the store. We are on a very busy street as you can see, but I don't see how we can use it. Our indoor space has just enough room for customers. It would be nice to have more people sitting down. Maybe if there is a way to use more space in front of the store, then the program would make more sense for people like me. I think it would be a nice addition.

The one thing that I will say is really difficult is the liquor license. I have to pay for people to help me – even when I submit everything on time. It can be hard to know what's happening with my application. Since we don't have enough room on the street, we don't even think of serving outdoors. I would like to see a better process for getting a new one next year. If someone could help the small businesses with that, that would be a nice change.

Please make the program more affordable for the Area Latina Bar & Grill. I ask you to lessen the community board review process, and give restaurants an option to have year round outdoor dining in the roadway.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 4/23/75

(PLEASE PRINT)

Name: Leslie Clark

Address: [REDACTED]

I represent: West Village Residents

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: AUGUSTINE HOPE

Address: [REDACTED] NY NY 10014

I represent: WEST VILLAGE RESIDENTS ASSN

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. Dining Room Res. No. _____

☐ in favor ☐ in opposition

Date: 4/23/75

(PLEASE PRINT)

Name: Kathleen Irwin

Address: 409 New Karner Rd, Albany

I represent: New York State Restaurant Assn

Address: " "

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

Name: Ricardo Rodriguez (PLEASE PRINT)

Address: _____

I represent: DOT

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

Name: Michelle Craven (PLEASE PRINT)

Address: _____

I represent: DOT

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

Name: Margaret Forgiione (PLEASE PRINT)

Address: _____

I represent: DOT

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

8

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 4/23/25

(PLEASE PRINT)

Name: KEVIN MULLIGAN

Address: [REDACTED]

I represent: MYSELF

Address: [REDACTED]

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 4/23/25

(PLEASE PRINT)

Name: SARA LIND

Address: [REDACTED]

I represent: OPEN PLANS

Address: 377 W BROADWAY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 4-23-25

(PLEASE PRINT)

Name: Dior St-Hilaire

Address: _____

I represent: GreenFenn Organix

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. OVERSIGHT W/BOOK DINING Res. No. _____

☐ in favor ☐ in opposition

Date: 4/23/25

(PLEASE PRINT)

Name: ANDREW RIGIE

Address: _____

I represent: NYC HOSPITALITY ALLIANCE

Address: 65 W 55 ST, NY, NY 10019

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: MARY EVANCHO

Address: [REDACTED] NYC

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Crizette Woods

Address: 328 Lenox Ave. NY, NY 10027

I represent: Sylvias Restaurant

Address: _____

Please complete this card and return to the Sergeant-at-Arms

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. Oversight Hearing Res. No. Dining out NYC
☐ in favor ☐ in opposition

Date: April 23, 2025

(PLEASE PRINT)
Name: Valerie De La Rosa Board chair
Address: New York NY 10014

I represent: Manhattan Community Board 2
Address: 3 Washington Square Village #1A

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. Oversight Res. No. 4/23/25
☐ in favor ☐ in opposition

Date: 4/23/25

(PLEASE PRINT)
Name: MAX BOORMAN
Address: 325 Broadway
I represent: Residency & Boorman PC
Address: 325 Broadway

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. Oversight Res. No. 16
☒ in favor ☐ in opposition

Date: 4/23/25

(PLEASE PRINT)
Name: Robert Boorman
Address: 325 Broadway, NYC
I represent: NYC Hospitality Alliance
Address:

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

17

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Bonacio Crespi

Address: _____

I represent: LOCAL 813

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

17

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 4-23-2025

(PLEASE PRINT)

Name: Sean Ryan

Address: persics007@gmail

I represent: Disabled IN Action of Metropolitan NY

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

18

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Brooklyn Borough President

Address: Antonio Reynoso

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

19

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Megan D. Johnson

Address: _____

I represent: Sunday 3AM

Address: 364 Atlantic Ave Brooklyn NY 11217

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

20

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: CHARLOTTA JANSSEN

Address: 310 MALCOLM X BLVD

I represent: CHEZ OSKAR

Address: 310 MALCOLM X BLVD

BROOKLYN

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

21

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Cecil Brooks Jr.

Address: _____ Bronx, NY

I represent: Open Plans NYC

Address: 377 Broadway, New York, NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

23

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: Norman Cate

Address: [REDACTED] NYC

I represent: Public

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

24

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Lacey Tauber

Address: _____

I represent: Borough President Reynolds

Address: (he had to leave)

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

25

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 04/23/25

(PLEASE PRINT)

Name: ISABEL ROSARIO

Address: 115 W 11th St Apt 1 NYC

I represent: NYC Council

Address: 264 W 11th St NYC

ESPAÑOL

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

22

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Sandra Jacquez

Address: _____

I represent: Latino Restaurant Association

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 04/23/25

(PLEASE PRINT)

Name: MARLENE ENSALDO

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 4/23/25

(PLEASE PRINT)

Name: Madison Prochace

Address: _____

I represent: New York Lawyers For the Public Interest

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 4/23/2005

(PLEASE PRINT)

Name: Sharon Brown

Address: [REDACTED] Jamaica NY 11430

I represent: Rose of Sharon Enterprises

Address: [REDACTED]

Bklyn NY 11238
Please complete this card and return to the Sergeant-at-Arms