



LINDA B. ROSENTHAL  
Assemblymember 67<sup>th</sup> District

THE ASSEMBLY  
STATE OF NEW YORK  
ALBANY

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Commission on Science & Technology

CHAIR  
Subcommittee on Mitchell-Lama

COMMITTEES  
Agriculture  
Corporations, Authorities & Commissions  
Energy  
Health  
Housing  
Tourism, Parks, Arts & Sports

**TESTIMONY OF ASSEMBLYMEMBER LINDA B. ROSENTHAL BEFORE THE NEW YORK CITY COUNCIL LAND USE COMMITTEE, SUB-COMMITTEE ON ZONING AND FRANCHISES PUBLIC HEARING ON THE PROPOSED APPLICATION BY 50 WEST 72ND RESTAURANT, LLC, D/B/A RIPOSO 72 FOR A REVOCABLE CONSENT TO ESTABLISH, MAINTAIN AND OPERATE AN UNENCLOSED SIDEWALK CAFE LOCATED AT 50 WEST 72ND STREET, BOROUGH OF MANHATTAN, COMMUNITY DISTRICT 7, COUNCIL DISTRICT 6**

**August 18, 2014**

I am Assemblymember Linda B. Rosenthal and I represent the 67th Assembly district, which includes the Upper West Side and parts of the Clinton/Hell's Kitchen neighborhoods in Manhattan. I am testifying today in opposition to the application to operate an unenclosed sidewalk cafe at 50 West 72nd Street.

The community has been vociferous in its opposition to the proposed unenclosed sidewalk cafe, and I share their concerns. The full length of 72nd Street, and particularly the grand block between Central Park West and Columbus Avenue, is one of the main pedestrian thoroughfares between Central Park and the 1/2/3 subway lines, and is congested at all times. Allowing the addition of a sidewalk cafe on this heavily traversed street would mean more overcrowding on an already overburdened residential side street.

The Upper West Side/Central Park West Historic District includes 72nd Street where both the Dakota, on the north side and the Majestic on the south side of the street, are individual city landmarks. The park block also is the site of other architecturally noteworthy buildings, all densely populated, in close proximity to the proposed sidewalk cafe. Central Park and Strawberry Fields lure visitors, and the street is often jammed with tour buses full of tourists, as well as pedestrians and area residents. Access to sidewalk space is often difficult to manage.

The addition of an unenclosed sidewalk cafe on this block, regardless of its size, would increase pedestrian traffic and will undoubtedly be a nuisance, intensifying the sidewalk congestion and noise. The Dallas BBQ restaurant located across the street is already the source of complaints from area residents because of the constant loading and unloading of tourists buses. There are many bars, restaurants and sidewalk cafes close to the proposed outdoor cafe, and it is unclear what public benefit would be conferred in this highly residential area by approving this application. In fact, the quality of life for this block's residents is already impinged upon, and an unenclosed sidewalk cafe would become an unwelcomed source of added congestion and disturbance.

When the applicant was first granted its liquor license by the New York State Liquor Authority (SLA) in 2007, the applicant stated repeatedly its intentions not to operate a sidewalk cafe of any kind at the location. Also, the original liquor license was granted subject to three stipulations, one of which required the applicant to make "an effort [...] to keep the sidewalk clear of smokers and noise." Keeping the door closed at all times was another stipulation, and it is often violated. Clearly the presence of an unenclosed sidewalk cafe and its patrons will create additional noise, and flies in the face of those stipulations. It has come to my attention that the SLA, in granting the applicant a conditional approval for an alteration to its existing liquor license to operate the unenclosed sidewalk cafe, the subject of today's hearing, did not consider the stipulations in its final decision. I have raised these issues with the SLA, which has agreed to investigate its approval of the alteration in light of this new information.

Though the New York City Council is not responsible for enforcing stipulations on liquor licenses, I believe it would be inappropriate for this body to act before the community as well as my office has had ample opportunity to explore this new information. To that end, the community and I respectfully request that this subcommittee reserve its judgment until all facts have been brought to light.

Thank you.

Susan S. Ruttner  
15 West 72<sup>nd</sup> Street  
Apartment 21E  
New York, NY 10023

**My name is Susan Ruttner. I have lived at 15 West 72<sup>nd</sup> Street since 1979.**

**The neighborhood in the 1980s was not what you see today. I used to work at the Corner of 72<sup>nd</sup> St. and Broadway. I remember one particular day when I counted 7 beggars on the street between my office and my home. The decision in 1985 to allow restaurants to create outdoor cafes was obviously a wise one – increasing the visibility of law-abiding citizens and encouraging them to patronize neighborhood establishments into the evenings has done the trick. I have been a real estate broker since 1983. The fact that the Upper East Side (with the exception of certain ‘trophy’ properties) is now far less expensive a location than the Upper West is documented. The corner where my office building stood has apartments that rent for \$9-10,000 a month for a two bedroom.**

**Now is your time to serve the best interests of the many people who live there. You have seen the photos of the crowds – local and tourist – that walk our block. You have been given petitions from hundreds of residents of our block. What more proof do you need to care about your local citizenry and not just the additional business income of yet another bar.**

**Ladies and Gentlemen – you represent us. To allow this incursion on our sidewalks doesn't show representation – or even consideration.**

AT the meeting original  
request for 13 - not 16

owner refused to take  
fewer than 13. -

BRAD HOYLMAN  
27TH SENATE DISTRICT

**DISTRICT OFFICE**  
322 EIGHTH AVENUE, SUITE 1700  
NEW YORK, NEW YORK 10001  
PHONE: (212) 633-8052  
FAX: (212) 633-8096

**ALBANY OFFICE**  
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THE SENATE  
STATE OF NEW YORK  
ALBANY

**RANKING MINORITY MEMBER:**  
CONSUMER PROTECTION  
INVESTIGATIONS &  
GOVERNMENT OPERATIONS  
**COMMITTEES:**  
CODES  
CRIME VICTIMS, CRIME &  
CORRECTION  
CULTURAL AFFAIRS, TOURISM,  
PARKS & RECREATION  
JUDICIARY

**TESTIMONY OF STATE SENATOR BRAD HOYLMAN BEFORE THE NEW YORK  
CITY COUNCIL SUBCOMMITTEE ON ZONING AND FRANCHISES REGARDING  
THE REQUEST BY 50 WEST 72<sup>ND</sup> REST, LLC, D/B/A RIPOSO 72, FOR REVOCABLE  
CONSENT TO ESTABLISH, MAINTAIN AND OPERATE AN UNENCLOSED  
SIDEWALK CAFE**

**Application Number 20145615 TCM**

**August 18, 2014**

Thank you for the opportunity to submit testimony to the New York City Council Subcommittee on Zoning and Franchises regarding the application by Riposo 72 for revocable consent to operate an unenclosed sidewalk café at 50 West 72<sup>nd</sup> Street. I represent the 27<sup>th</sup> State Senate District, within which this establishment is located, and I urge the subcommittee to deny this application.

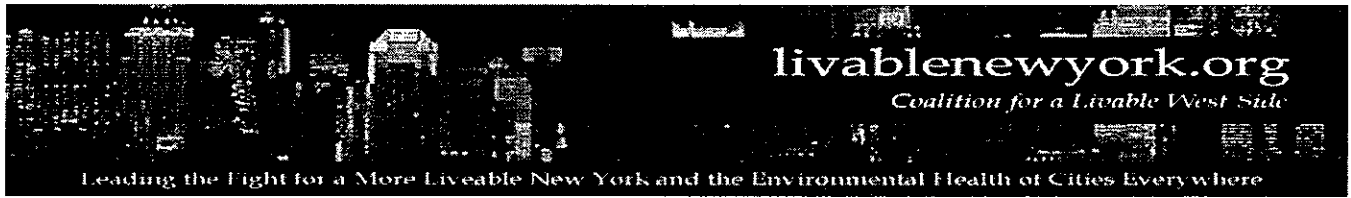
While sidewalk cafés are not themselves inherently problematic, I have heard from numerous constituents who have lived on West 72<sup>nd</sup> Street between Central Park West and Columbus Avenue for many years, and in some cases decades, that it is not an appropriate location for such usage. This largely residential block has relatively few commercial establishments, and in an effort to preserve its residential nature, sidewalk cafés have historically been denied. Residents rightly fear that the establishment of one sidewalk café could lead to multiple others on their block, deteriorating the character of this street, increasing sidewalk crowding and elevating levels of noise pollution.

These constituents note that the residential nature of their block has recently faced threats from commercial and tourist interests. The block has long been burdened by foot traffic from the subway station on the eastern end. Neighbors say that in recent years, with the rise of several establishments targeted to tourists and New Yorkers from outside the neighborhood, its traditional character has begun to erode and overcrowding of the streets and sidewalks has become a significant concern.

Any benefits of a sidewalk café here would be far outweighed by the costs to my constituents in diminished quality of life and sidewalk congestion. As such, I urge the subcommittee to deny this application.

Thank you again for the opportunity to submit testimony and for your consideration of my comments.





Coalition for A Livable West Side \* PO Box 230078 \* New York, New York 10023  
Email : [livablenewyork@erols.com](mailto:livablenewyork@erols.com) Phone: 1-212-874-3456 Website: [www.livablenewyork.org](http://www.livablenewyork.org)

August 18, 2014

### Hearing on Application by Riposo

To: Councilmember Helen Rosenthal and members of this committee.

The Coalition for a Livable West Side, formed in 1981, is a west side, grass roots all-volunteer, community-based environmental organization whose members care about our community and the city.

Coalition also focuses on quality of life issues on the upper west side.

We believe that sidewalk cafes are inappropriate on residential streets - especially in our landmarked districts. Coalition supports the West 72 park block **disapproval** of Riposo application for sidewalk café.

We urge the council to reject this application.

Sincerely,

*Batya Lewton*  
President

NYC COUNCIL ZONING AND FRANCHISES SUBCOMMITTEE HEARING - AUGUST 18, 2014  
APPLICATION NO. 20145468 - RIPOSO 72 - FOR SIDEWALK CAFE

Chairman Weprin, members of the New York City Council Zoning and Franchises subcommittee.  
good morning!

I am Jan Levy, a 28-year resident of the landmarked Majestic, 115 Central Park West, a former 20-year member of Manhattan Community Board 7, and founder of the CB 7 Landmarks Committee. And yes, I am the Jan Levy who went to the July 2007 State Liquor Authority [SLA] hearing at 317 Lenox Avenue to caution the Riposo attorney not to ask for a sidewalk cafe, because our block would oppose the request.

I am here to voice my unequivocal opposition to the Department of Consumer Affairs approval of a sidewalk cafe for the Riposo Wine Bar, 50 West 72 Street, and to urge the subcommittee to DISAPPROVE the application.

Many years ago, concerned by various proposals for inappropriate or obstructive uses on the West 72 Street Park block, the four residential buildings at the park end joined together and framed a policy. The buildings include two landmarks: The Dakota, 1 West 72 and The Majestic. The others are: Mayfair Towers, 15 West and the Oliver Cromwell, 12 West. Our objective was to protect the residential quality of this principal thoroughfare in the heart of the Central Park West Historic District.

Our policy is to refuse all applications for sidewalk cafes or other obstructions, thereby assuring that all applications are treated fairly and equally. We remain steadfast to this principle.

My testimony today is based on the SLA approval of the Riposo request for a liquor license, as determined at their October 31, 2007 Full Board meeting in Canandaigua. The SLA rationale could, reasonably, lead to the conclusion that the advantage is to the applicant, regardless of community board or public arguments in opposition.

In reviewing the SLA approval of the Riposo license application, I find that the two commissioners in attendance voted "Yes". And although arguing both sides of the issue, they were still able to justify approval. This in spite of the statement on page 1, under the heading "The Application" in para 2: **"There will be no sidewalk cafe."** [emphasis added.]

The Community Board 7 resolution at the June 5, 2007 full board meeting **disapproved** the application *"unless the following stipulations are added to their method of operation, in their SLA application: that in this establishment there will be no live or loud music, windows and doors are kept closed, and an effort is made to keep sidewalk clear of smokers and noise."*

The full board vote was: 29 TO DISAPPROVE; 4 OPPOSED; 0 ABSTAINING, 0 PRESENT NOT VOTING.

In a sworn statement on July 22, 2007, the applicant agreed to the three stipulations in the CB7 resolution.

In addition, the Alcoholic Beverage Control Law [Section 64], authorizing the SLA "to grant a license to sell liquor at retail for on-premises consumption, subsection 7(b) provides that ***no such license shall be granted for a premises that is within 500 feet of three or more existing premises.***" [emphasis added]

However, subsection 7(f) provides "*an exception to the prohibition*", allowing the SLA discretion to issue such license, "*if after consultation with the community board it determines that granting of the license would be in the public interest. The Authority must hold a hearing upon notice to the community board, and shall state and file its reasons for granting the license.*"

On July 10, 2007 the SLA held a 500 foot hearing "*...to determine whether granting the license would be in the public interest. After carefully reviewing and considering all relevant evidence, including the resolution of the local community board, as well as the opposition and support ...the Authority finds that granting the license would be in the public interest. Consequently, the application is granted.*"

The Authority also considered the existing noise level "***as well as the effect on pedestrian traffic near the location***" [emphasis added] and concluded that because "*the premises will be a restaurant, not a bar...there is a low risk in the increase of noise...*"

If I may, mere mention of "*the effect on pedestrian traffic near the location*" does not square with the burdensome reality of the ever-increasing volume of pedestrian traffic for residents, tourists and delivery of goods, nor the fact that the south side of the West 72 Street park block is also a major Central Park access and egress route.

And finally, acknowledging that Martin Algaze and I "*raised valid concerns, the Authority does not believe that their concerns outweigh the overall public benefit achieved by having a restaurant of this kind in the local community.*"

Let me assure the members of the Zoning and Franchises subcommittee, as well as the Land Use Committee, that neither West 72 Street, nor the local community lack for restaurants. Indeed, we are awash in the public benefit of restaurants, delis, and multiple sources of takeout and delivered food.

I appreciate the opportunity to address the Riposo request. If a sidewalk cafe is approved, it will detrimentally impact the residential quality of life that residents have so long sought and fought to sustain. Our block attracts tour buses and visitors from all over the world. Please, carefully weigh the negative effects and consequences that a sidewalk cafe will bring to our unique street in a historic district.

I thank the subcommittee for holding this hearing.



**The Majestic  
115 Central Park West Corporation  
115 Central Park West  
New York, New York 10023**

August 4, 2014

Councilmember Helen Rosenthal  
563 Columbus Avenue  
New York, New York 10024  
[Helen@HelenRosenthal.com](mailto:Helen@HelenRosenthal.com)

Penny Ryan  
Community Board 7 District Manager  
250 West 87th Street  
2nd Floor  
New York, New York 10024  
[pryan@cb7.org](mailto:pryan@cb7.org)

Dear Ms. Rosenthal and Ms. Ryan,

We are writing to object to the proposed sidewalk café by Riposo at 50 West 72nd Street. 72nd Street between Central Park West and Columbus Avenue is already extremely congested and we have concerns about the precedent this will set for all other restaurants on 72nd Street.

Sincerely,

Board of Directors

115 Central Park West Corporation

# Susan E. Cassidy

Special Event and Meeting Management

115 Central Park West

New York, NY 10023

Tel: (212) 580-1633

Cassidynyc@aol.com

18 August 2014

New York City Council

Attn.: Helen Rosenthal

And all members

Dear Ms. Rosenthal:

I've been a resident of the Upper west Side for almost 50 years and have seen it go from a poor neighborhood to one of the most desirable in the city. Throughout that time, I have also noted that the quality of life in the area is being carelessly eroded for "trendy" businesses, without regard to residents.

A prime example of this is Riposo, at 50 West 72<sup>nd</sup> Street which is applying for an unenclosed sidewalk café on one of the busiest park access blocks in the city. **NONE of the other major access streets between the Park and Columbus (on the west) and Fifth and Madison (on the east) have any sidewalk obstruction, cafes or anything else, perhaps because of safety concerns.**

Riposo is in violation of their SLA license which clearly states that the door must be closed and loud music is not permitted. When I've walked by at about 9 PM (or as early as 3:30 on a weekend) , guess what? The door is open and you can hear the music!!! I once enquired and was told "There is a smoke condition"—if that's what's happening every night, they should get that fixed—but I think they are just using a handy excuse and misleading us.

As part of their SLA license, Riposo was not to apply for a sidewalk café—but they have—and all the while ignoring their Liquor License agreement—They are not a very good neighbor and yet the city is rewarding their ongoing bad behavior.

Shame on each and every one of you involved in this—Community Board 7, the Department of Consumer Affairs and lastly you—the New York City Council whether elected or appointed to these agencies-- you have been derelict in your duties and responsibilities to represent your constituents. You have failed us. We feel abandoned and ignored and we are angry. As voters and taxpayers we are discouraged and mindful of your inability to help us and we will not forget!!



Date Aug. 14, 2014

To:  
Assemblymember Linda Rosenthal'  
C/O Community Liaison Erica Overton  
overtone@assembly.state.ny.us.

PLEASE RECOGNIZE OUR OPPOSITION TO THE REQUEST BY 'IL RIPOSO' 50 WEST 72ND ST, TO INSTALL OUTDOOR SEATING ON THE SIDEWALK.

WEST 72ND STREET IS AN EXTREMELY BUSY STREET BETWEEN TWO SUPER BUSY SUBWAY STATIONS. ONE AT CENTRAL PARK WEST, AND THE OTHER AT BROADWAY . THIS STREET IS THE EMERGENCY ROUTE OF CHOICE FOR POLICE ACTIVITY, AMBULANCE AND FIRE DEPARTMENT ACCESS TO CENTRAL PARK.

THERE ARE DAYS WHEN WALKING A BABY CARRIAGE OR WALKING A DOG IS NEARLY IMPOSSIBLE WITHOUT STEPPING INTO THE STREET FROM THE SIDEWALK. THIS HAS ALWAYS BEEN A RESIDENTIAL STREET WITH SOME BUSINESS ESTABLISHMENTS, BUT NOT THE COMMERCIALIZATION THAT IS FOUND ON COLUMBUS AVENUE.

THE TOURIST BUSES GOING TO STRAWBERRY FIELDS AND CENTRAL PARK ALREADY CREATE A MENACE TO THE RESIDENTIAL QUALITY OF THIS RESIDENTIAL STREET ALREADY.  
PLEASE DENY THIS REQUEST FOR SIDEWALK TABLES!

Signature Kathleen Battle

Printed Name KATHLEEN BATTLE

Apartment # 17E

Resident of: 115 Central Park West  
NUNY 10023

August 14, 2014

Councilmember Helen Rosenthal  
563 Columbus Avenue  
New York, NY 10024

Re: Riposo Wine Bar Sidewalk Cafe

Dear Councilmember Rosenthal:

Thank you for the opportunity to contribute an opinion on the suggested sidewalk expansion of the Riposo wine bar café. I am opposed to reducing the walk space due to the high volume of pedestrian traffic on this block.

Hundreds of people use this sidewalk daily; residents of the buildings, patients of neighborhood physicians, subway riders on the B and C lines using the Central Park West 72<sup>nd</sup> Street station, visitors to Central Park, many drawn to experience Strawberry Fields. Visitors arriving by tour bus usually disembark west of Columbus Avenue and walk this block in groups of 40.

People traveling this block don't just walk. They walk with their leashed dogs, ride skate boards and two wheeled scooters. They run. Children skip, and hop and ride in baby carriages and strollers (single, double and triple seat designs). Seniors walk, some use canes, some walkers, some need to ride in electric chairs, some pull or lean on shopping carts. Everyone has their own pace. All require time and space, some more than others.

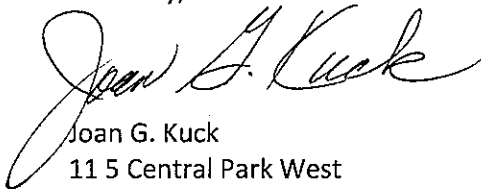
Like all city streets, nearly one quarter of the width of this sidewalk is unusable due to the location of parking machines, light posts, trees, etc. This leaves about 15 feet of sidewalk width for pedestrians. Diminishing it further with forty five pieces of café furniture (which becomes an obstacle whether patrons are occupying it or when it is empty, i.e. rainy nights) interferes with pedestrian movement.

The east side of Columbus Avenue from 72<sup>nd</sup> to 74<sup>th</sup> streets is an excellent example of congestion. At times the usable walk way is reduced to 5 feet for foot traffic moving both north and south. Gridlock.

We can do better. Observation, and rising tourist numbers, indicates this block is increasing in popularity and sidewalk use. We need to find ways to protect pedestrians of all ages with an assortment of needs, when they walk on established sidewalks.

Thank you for your consideration.

Sincerely,



Joan G. Kuck  
11 5 Central Park West  
New York, NY 10023

Date 8/15/14

To:  
Assemblymember Linda Rosenthal'  
C/O Community Liaison Erica Overton  
overtone@assembly.stateny.us.

PLEASE RECOGNIZE OUR OPPOSITION TO THE REQUEST BY 'IL RIPOSO' 50 WEST 72ND ST, TO INSTALL OUTDOOR SEATING ON THE SIDEWALK.

WEST 72ND STREET IS AN EXTREMELY BUSY STREET BETWEEN TWO SUPER BUSY SUBWAY STATIONS. ONE AT CENTRAL PARK WEST, AND THE OTHER AT BROADWAY . THIS STREET IS THE EMERGENCY ROUTE OF CHOICE FOR POLICE ACTIVITY, AMBULANCE AND FIRE DEPARTMENT ACCESS TO CENTRAL PARK.

THERE ARE DAYS WHEN WALKING A BABY CARRIAGE OR WALKING A DOG IS NEARLY IMPOSSIBLE WITHOUT STEPPING INTO THE STREET FROM THE SIDEWALK. THIS HAS ALWAYS BEEN A RESIDENTIAL STREET WITH SOME BUSINESS ESTABLISHMENTS, BUT NOT THE COMMERCIALIZATION THAT IS FOUND ON COLUMBUS AVENUE.

THE TOURIST BUSES GOING TO STRAWBERRY FIELDS AND CENTRAL PARK ALREADY CREATE A MENACE TO THE RESIDENTIAL QUALITY OF THIS RESIDENTIAL STREET ALREADY.  
PLEASE DENY THIS REQUEST FOR SIDEWALK TABLES!

Signature Jacques Slesinger

Printed Name JACQUES SLESINGER, Jacques Slesinger

Apartment # 18A

Resident of: 115 Central Park West  
NYNY 10023

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Attention: Council District #6  
SubCommittee on Zoning and Franchising

Re: Riposo 72 Cafe application

I am a resident/owner at 115 Central Park West, which also fronts on 72 Street.

In the 25 years that I have been living on 72 Street, I have observed many changes on the street.

- 1- there are far far more tour buses  
there are far more visitors walking 5 abreast
- 2- the number of families with small children have increased dramatically - bringing many carriages and strollers and many more "twin" vehicles to the street.
- 3- the number of roller bladders and skate borders has significantly increased along with the numbers of bikers and tricyclers.
- 4- the number of multi dog owners appears to be larger

In short, navigating MY street, 72 street, is significantly more difficult and complex than it was in 1989.

If I can predict trends, the above will only continue to get more difficult

Ergo - I strongly feel that permitting a street cafe (with alcoholic drinking) to open on this residential block would be a grave error, bringing great discomfort to those who reside here.

There are many cafes on Columbus Avenue, a commercial street, to satisfy the needs of residents and visitors

Rhea Graffman Cohen  
115 Central Park West

Subj: **Re: PETITION IN OPPOSITION OF SIDEWALK SEATING @ 50 W 72ND ST 'IL RIPOSO'**  
Date: 8/11/2014 8:32:55 A.M. Eastern Daylight Time  
From: [nwan2000@yahoo.com](mailto:nwan2000@yahoo.com)  
To: [overtone@assembly.stateny.us](mailto:overtone@assembly.stateny.us)  
CC: [cassidynyc@aol.com](mailto:cassidynyc@aol.com), [jannyc81@hotmail.com](mailto:jannyc81@hotmail.com), [gshapiro@gagecm.com](mailto:gshapiro@gagecm.com)

PETITION IN OPPOSITION OF SIDEWALK SEATING @ 50 W 72ND ST 'IL RIPOSO'

PLEASE RECOGNIZE OUR OPPOSITION TO THE REQUEST BY 'IL RIPOSO' 50 WEST 72ND ST, TO INSTALL OUTDOOR SEATING ON THE SIDEWALK.

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PLEASE DENY THIS REQUEST FOR SIDEWALK TABLES!

SINCERELY,

Nicolette Wan, mother of two children younger than ten years old

115 CENTRAL PARK WEST, APT. 7A  
NEW YORK, NY 10023  
917-690-7064

Subj: **PETITION IN OPPOSITION OF SIDEWALK SEATING @ 50 W 72ND ST 'IL RIPOSO'**  
Date: 8/11/2014 8:51:22 A.M. Eastern Daylight Time  
From: [gshapiro@gagecm.com](mailto:gshapiro@gagecm.com)  
To: [overton@assembly.state.ny.us](mailto:overton@assembly.state.ny.us)  
CC: [iannyc81@hotmail.com](mailto:iannyc81@hotmail.com), [cassidynyc@aol.com](mailto:cassidynyc@aol.com)

Subject: PETITION IN OPPOSITION OF SIDEWALK SEATING @ 50 W 72ND ST 'IL RIPOSO'

PETITION IN OPPOSITION OF SIDEWALK SEATING @ 50 W 72ND ST 'IL RIPOSO'

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PLEASE DENY THIS REQUEST FOR SIDEWALK TABLES!

SINCERELY,

GLENN SHAPIRO

115 CENTRAL PARK WEST, APT. 7A  
NEW YORK, NY 10023  
917-716-3511  
[GLENN.SHAPIRO@YAHOO.COM](mailto:GLENN.SHAPIRO@YAHOO.COM)



**From:** alleycat115

**Sent:** Tuesday, August 5, 2014 3:49 PM

**To:** Helen@HelenRosenthal.com

Dear Ms. Rosenthal:

Another restaurant encroachment on the residential nature of W. 72nd ST, is totally unacceptable. The traffic from the IND B and C and Broadway lines of #1 ,# 2 and #3 brings an inordinate number of pedestrians to W. 72nd ST. daily, not to speak of the staging areas for parades, triathlons, and tour buses to an already stressed environment. Poor garbage pick up on both the North and South sides of W. 72nd already exists. Lines to enter DALLAS BBQ also a negative factor on major holidays and on Mother's Day and Father's DAY to name just a few. and on top of that horse and buggy rides and bikes.

I hope you will defeat this application for sidewalk space that already does not exist and any others proposed now and in the future, including 20 W. 72nd ST.

Alice Shuchman

212-787-0786

212-787-0786

[alleycat115@me.com](mailto:alleycat115@me.com)

Alice Shuchman

**From:** RARONCPW@aol.com

**Sent:** Monday, August 4, 2014 7:25 PM

**To:** JHarding@council.nyc.gov

**Cc:** RAronscpw@aol.com, pryan@cb7.org, mhillmeyer@akam.com, Jannyc81@hotmail.com

**PLEASE SHARE WITH HELEN ROSENTHAL...**

Please acknowledge my objection to this proposed outdoor/sidewalk seating for Il Riposa 72. 50 West 72nd street. This is a very busy, active and crowded street without outdoor dining. There are two major subway stations, one at either end of the street.. central park west has one station, and broadway has another. On week ends one can hardly walk the street for lack of room, no less walk a dog or a baby carriage. This is an emergency vehicle thorough fare between riverside drive, west side highway, and central park.. ambulances and police vehicles race up and down the street on a regular basis for quick access to the park or west side highway. Tour buses are an ever present problem as they seek access to Strawberry fields for tourists. This street does not need more congestion.. let these vendors move to Columbus avenue which is a one way street ideal for this kind of use. I STRONGLY OBJECT TO THIS PROPOSAL FOR OUTDOOR SEATING. IT CREATES A HAZARD.

Respectfully, Rosette Arons, 115 CPW

Marty Algaze

Testimony at the NYC Council – August 18, 2014

Re: Riposo 72

My name is Marty Algaze. I work for Assemblyman Dick Gottfried. This is not in his district and I am here today as a private citizen.

I live at the Ruxton, a rental building located at 50 West 72 Street, between Columbus Avenue and Central Park West. It has approximately 210 rental units, many of them still rent stabilized. Sadly many have become destabilized by vacancy decontrol. On November 1<sup>st</sup> I will have lived in the building for 40 years and I was the longtime president of the tenant's association.

Riposo 72 opened in 2007 at the Ruxton, in what had been a small deli. Some of us had opposed the approval of their liquor license because we felt the space was much too small for a restaurant and that it would bring with it crowds, noise, odors, and patrons congregating outside to smoke and socialize. At the time we told the owner that we would oppose any attempt to open a sidewalk café. He agreed to keep the front door closed at all times and discourage smoking outside. As predicted the door is almost always propped open and people are constantly outside smoking. Now he is forcing us to accept his outdoor café.

I especially feel bad for my neighbors who live on the lower floors in the front. They will never be able to escape the noise or open their windows in the warm weather with this café right under their windows.

He initially said he was opening a wine bar with a limited bar menu. The menu has grown as has the vermin and bug problems in the building. The poorly ventilated kitchen causes the fire alarms to go off often and when the fire trucks arrive they discover there is no fire just a smoky kitchen. The residents have begun to ignore fire alarms when they go off thinking it is just Riposo's smokey kitchen.

Another major issue is trash. There are enormous mountains of residential trash piled at the curb in front of the Ruxton, three times a week. It is usually put out around 6 P.M. before the building staff go home. This proposed café will literally be a few inches away from the trash. There is also a munimeter right opposite the proposed café. In short it will be nearly impossible for more than one pedestrian to squeeze by the café, the trash, and the meter.

Currently there are no outdoor sidewalk cafes on West 72 Street between Central Park West and the Hudson River. There are three enclosed cafes that have been grandfathered in over the years.

West 72 Street is one of the busiest cross town streets on the Upper West Side. The 7<sup>th</sup> Avenue subway is at Broadway, the 8<sup>th</sup> Avenue subway at Central Park West, and

the M72, M57, and M5 buses all have routes on 72 Street. The Parks Department estimates that nearly 1 million pedestrians a year use 72 Street as a thoroughfare.

The block between Columbus and Central Park West is primarily a residential block made up of large apartment buildings. Every day thousands of tourists and tour buses are on our street so they can visit The Dakota, Strawberry Fields, and Central Park.

This is the wrong place for a sidewalk café. Our sidewalk is already too crowded and this will only make things worse.

# Susan E. Cassidy

Special Event and Meeting Management

115 Central Park West  
New York, NY 10023  
Tel: (212) 580-1633  
[Cassidynyc@aol.com](mailto:Cassidynyc@aol.com)

18 August 2014

New York City Council  
Attn.: Helen Rosenthal  
And all members

Dear Ms. Rosenthal:

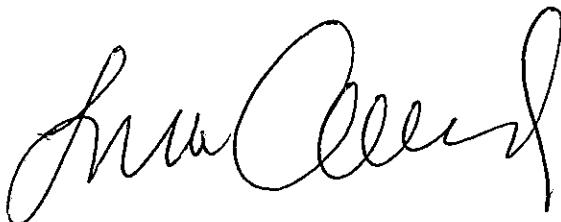
I've been a resident of the Upper west Side for almost 50 years and have seen it go from a poor neighborhood to one of the most desirable in the city. Throughout that time, I have also noted that the quality of life in the area is being carelessly eroded for "trendy" businesses, without regard to residents.

A prime example of this is Riposo, at 50 West 72<sup>nd</sup> Street which is applying for an unenclosed sidewalk café on one of the busiest park access blocks in the city. **NONE of the other major access streets between the Park and Columbus (on the west) and Fifth and Madison (on the east) have any sidewalk obstruction, cafes or anything else, perhaps because of safety concerns.**

Riposo is in violation of their SLA license which clearly states that the door must be closed and loud music is not permitted. When I've walked by at about 9 PM (or as early as 3:30 on a weekend) , guess what? The door is open and you can hear the music!!! I once enquired and was told "There is a smoke condition"—if that's what's happening every night, they should get that fixed—but I think they are just using a handy excuse and misleading us.

As part of their SLA license, Riposo was not to apply for a sidewalk café—but they have—and all the while ignoring their Liquor License agreement—They are not a very good neighbor and yet the city is rewarding their ongoing bad behavior.

Shame on each and every one of you involved in this—Community Board 7, the Department of Consumer Affairs and lastly you—the New York City Council whether elected or appointed to these agencies-- you have been derelict in your duties and responsibilities to represent your constituents. You have failed us. We feel abandoned and ignored and we are angry. As voters and taxpayers we are discouraged and mindful of your inability to help us and we will not forget!!



18 August 2014

My name is Susan Cassidy and I am president of the Board at The Majestic, 115 Central Park West at 72<sup>nd</sup> Street.

I am requesting that the City Council NOT VOTE TODAY on the application for a sidewalk Café being made by Riposo at 50 West 72<sup>nd</sup> Street for the following reasons

*Sept 2 agenda*

1. This application was not reviewed and voted on by the full Community Board. It was on an agenda but because of the location of the meeting, the meeting was More than 30 adjourned without hearing this item and residents did not have an opportunity to voice their concerns
2. Although the diagrams submitted accurately indicate the presence of the lamp post and muni meter in front of the wine bar, nowhere is there mention of the fact that three afternoons a week all of the residential garbage from 50 West 72<sup>nd</sup> is put out on the sidewalk in front of Riposo where it stays until collected by the Sanitation Department the next morning. This is a substantial amount of Trash sometimes as high as 3' or 4'
3. Riposo is not a good neighbor and is in violation of their liquor license stipulation that the door be kept closed and music volume low—Their door is propped open most days for 8 months a year and the music can be heard in the street.

**This application shouldn't be on your agenda today and I am respectfully requesting that you return it to Community Board 7 and to the Department of Consumer Affairs for them to revisit with all of the pertinent information available, and community sentiment, represented.**

**Thank you.**

NEW YORK STATE LIQUOR AUTHORITY  
FULL BOARD AGENDA  
MEETING OF OCTOBER 31, 2007  
REFERRED FROM: ZONE I LICENSING BUREAU

2007-03593I

REASON FOR REFERRAL  
REQUEST FOR DIRECTION

NEW YORK OP 1189161  
50 W 72<sup>ND</sup> REST LLC  
DBA "RIPOSO 72"  
50 A W 72<sup>ND</sup> STREET  
NEW YORK, NY 10023

FILED 2/21/07

500' HEARING 7/10/07

(NEW ON PREMISES)

The Members of the Authority at their regular meeting held in Canandaigua, New York on OCTOBER 31, 2007 determined.

Martin Mehler & Philip Alotta appeared.

Application approved subject to:

- 1 The submission and acceptance of any and all conditions necessary to complete the application,
- 2 The premises has no live or loud music,
- 3 Premise windows & doors to be kept closed, and
- 4 An effort is made to keep sidewalk clear of smokers and noise

Approval of this application would be in the public interest for the reasons stated in the attached listing

Voting was as follows

- 1 CHAIRMAN DANIEL B BOYLE Voted YES
- 2 COMMISSIONER NOREEN HEALEY Voted: YES



NEW YORK OP 1189161  
50 W 72<sup>nd</sup> STREET REST LLC  
DBA: RIPOSO 72

50 A W 72<sup>nd</sup> STREET  
NEW YORK, NY 10023

Preliminary Statement

The applicant-limited liability corporation, 50 W 72nd Street Restaurant, LLC, dba Riposo 72, seeks a license to sell liquor at retail for consumption on the premises at its restaurant cafe located at 50 A 72<sup>nd</sup> Street, New York, New York. Based upon the record before the Authority, including the information in the application, the evidence presented at the hearing, the consultation with the community board, the arguments in opposition and support of the issuance of the license, as well as the applicable law, the application is granted.

The Application

The applicant seeks to operate a restaurant/café. There are four principals of the applicant limited-liability corporation. They are Philip Alotta, Leonard Franzblau, James Barker and Daniel Alotta. The business is to be open from 3:00 p.m. until 2:00 a.m. seven days a week. The owners of the business intend to manage it. The applicant will hire 3 employees. No security personnel will be hired to oversee the premises.

The restaurant has a maximum occupancy of sixty people. There will be 12 tables for patrons to use, 24 seats with a 16 foot stand up bar with 12 stools. There will be no outdoor café. There will also be a kitchen and dining area on the premises. The restaurant has a full service menu which consists of country Italian cuisine. According to the applicant, the restaurant will feature good food at affordable prices. There will be background music played for patrons. However, dancing will not be permitted on the premises.

The principals intend to invest \$203,802 into the business of which \$150,000 will be used for renovations at the premises. These funds are to be obtained through a \$2 million line of credit with UBS Bank USA Account.

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MEETING OF 10/31/2007  
Page 2 of 6

NEW YORK OP 1189161  
50 W 72<sup>nd</sup> STREET REST LLC  
DBA: RIPOSO 72

All four principals have held liquor licenses in New York. Since 1996 Franzbleau has had a grocery store beer and wine products license. Philip Alotta, Daniel Alotta and James Barker are principals of two currently licensed on premises establishments. Philip has held liquor licenses in New York since 1974. None of the establishments operated by the applicant's principals has a disciplinary history with the Authority.

#### The History at the Premises

The location was not previously licensed by the Authority. Therefore, there is no history of Alcoholic Beverage Control Law violations on file with the Authority.

#### Consultation with the Community Board

The Manhattan Community Board #7 was consulted. During its meeting on June 5, 2007, the Community Board passed a resolution which disapproved the issuance of the license, unless certain conditions were added to the applicant's method of operation. These conditions were that the establishment will have no live or loud music on its premises, windows and doors are kept closed and that an effort be made to keep the sidewalks clear of smokers and noise.

#### The 500 Foot Rule Hearing

In this case, there are three or more premises which operate within 500 feet of the applicant's proposed site. As such, pursuant to section 64(7)(f) of the Alcoholic Beverage Control Law, a hearing was scheduled with notice to the Manhattan Community Board #7.

On July 10, 2007, a hearing was held. The applicant appeared with legal counsel and was heard at the hearing. Manhattan Community Board #7 did not appear at the hearing. However, its June 5, 2007 resolution was introduced into evidence at the hearing.

NEW YORK OP 1189161  
50 W 72<sup>nd</sup> STREET REST LLC  
DBA: RIPOSO 72

Also appearing at the 500 foot hearing was a neighbor, Jan Levy, who resides on 72<sup>nd</sup> Street. Levy stated that there already exist several outside cafes in the neighborhood. She was concerned that if there was an additional outside café that there would be an increase of tourist/pedestrian traffic. She also noted that there are 11 licensed restaurants in the immediate vicinity and that these establishments are sufficient to service the area. A second resident named Martin Algaze appeared at the hearing. Algaze lives in the building where the applicant will operate its restaurant. He stated that there are 12 existing licensed establishments that operate bars or restaurants within a 500 foot radius of the applicant's location. He objected to the issuance of the license at this location due to additional noise it would cause. He stated that the noise will pose a problem since there will be no sound proofing. He also indicated that the increase of noise will especially present a problem to those residents who live in the building where the restaurant is to operate.

#### The Decision of the Authority

The applicant-corporation seeks a license to sell liquor for on-premises consumption at its restaurant. On July 10, 2007, a 500 foot hearing was held in order to determine whether granting the license would be in the public interest. After carefully reviewing and considering all relevant evidence, including the resolution of the local community board, as well as the opposition and support for the issuance of the license, the Authority finds that granting the license would be in the public interest. Consequently, the application is granted.

Section 64 of the Alcoholic Beverage Control Law authorizes the Authority to grant a license to sell liquor at retail for on-premises consumption. Subsection 7(b) provides that no such license shall be granted for a premises that is within 500 feet of three or more existing premises (ABC Law § 64 [7] [b]). However, subsection 7[f] provides an exception to the prohibition. It provides that the Authority, in its discretion, may issue such license if after consultation with the local community board it determines that the granting of the license would be in the public interest. The Authority must hold a hearing upon notice to the community board, and shall state and file its reasons for granting the license (ABC Law § 64 [7] [f]).

NEW YORK OP 1189161  
50 W 72<sup>nd</sup> STREET REST LLC  
DBA: RIPOSO 72

In order to determine whether it would be in the public interest to grant such license, ABC Law § 64 [6-a] [a-f] lists the factors that the Authority may consider. It authorizes the Authority to consider the number of licenses near the location ABC Law § 64 [6-a] [a]), and whether the necessary permits have been obtained (ABC Law § 64 [6-a] [b]). It also authorizes the Authority to consider the effect that granting the license would have vehicular traffic and the parking near the location (ABC Law § 64 [6-a] [c]), as well the existing level of noise at the location and any increase in noise that would be generated by the premises (ABC Law § 64 [6-a] [d]). The Authority may also consider the history of liquor violations and reported criminal activity at the premises (ABC Law § 64 [6-a] [e]) and any other facts specified by law or regulations relevant to determine whether public convenience, advantage as well as the public interest of the community would be served by the issuance of the license (ABC Law § 64 [6-a] [f]). If after considering these factors the Authority finds that it is in the public interest to grant the license, it may, in its discretion do so.

In this case, the Authority has consulted with the local Manhattan Community Board #7. The Community Board had passed a resolution objecting to the issuance of the license unless the applicant added certain conditions to its method of operation. These conditions were that there will be no live or loud music in the establishment; the doors are kept closed; and that an effort will be made to keep the sidewalk clear of smokers and noise. The applicant has agreed to these conditions and submitted a sworn to statement to that effect dated June 22, 2007.

Thus, the Authority has consulted with the local board community and carefully considered and weighed its position regarding the specified conditions. It has also considered that the applicant has agreed to each and every condition. The question then turns as to whether granting the license would be in the public interest. The Authority has considered whether all necessary permits have been obtained (ABC Law § 64 [6-a] [b]), and finds that the applicant has complied in this regard. It also has considered the history of liquor violations and reported criminal activity at the premises (ABC Law §64 [6-a] [e]), and finds that there is

NEW YORK OP 1189161  
50 W 72<sup>nd</sup> STREET REST LLC  
DBA: RIPOSO 72

neither criminal history nor any Alcoholic Beverage Control Law violations at the premises.

Next, the Authority has considered the existing level of noise at the location and any increase in noise that would be generated by the premises by granting the license as well as the effect on pedestrian traffic near the location (ABC Law § 64 [6-a] [d]). With respect to noise concerns, the Authority has considered that the premises will indeed be a restaurant, not a bar; that experienced principals of the corporation with sterling credentials will oversee the business; that the applicant has agreed to operate and comply with the numerous restrictions imposed by the local community board regarding their method of operation, and that these principals already have other liquor licenses with no ABC Law violations. Based on these facts and circumstances, the Authority finds that with respect to the location and these owner-operators overseeing the premises, there is a low risk to the increase of noise, disturbance or that rowdiness will be brought into the neighborhood.

Moreover, other than the community board's opposition which was resolved by the applicant agreeing to comply with the recommended conditions, the issuance of the license was opposed by two other individuals, named Jan Levy and Martin Algaze. Though these individuals raised valid concerns, the Authority does not believe that their concerns outweigh the overall public benefit achieved by the community having a restaurant of this kind in the local community. Additionally, the applicant has agreed to operate within the confines of those conditions as set forth by the local community board who is the representative of the local community residents. Thus, the Authority has evaluated these protests in accordance with the relevance to this application, and measured them accordingly.

In sum, the Authority has considered and weighed the community board's objection which is now rendered moot due to the applicant's agreement to abide by the conditions set by the community board. The Authority has further considered those factors constituting public interest. The principals of the applicant have extensive knowledge and skills in operating a licensed premises, as well as an exemplary record with the Authority and good reputation with their neighbors at their establishments in other locations. In addition, the applicant has agreed to

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NEW YORK OP 1189161  
50 W 72<sup>nd</sup> STREET REST LLC  
DBA: RIPOSO 72

cooperate with the local community board, and with all necessary permits to operate their restaurant under the restrictions and conditions set forth by the local community board and the Members of the Authority. Based on all of these factors, the Authority finds that it would be in the public interest to grant a liquor license to this applicant.

Accordingly, the application is granted with the following conditions:

- (1) The submission and acceptance of any and all conditions necessary to complete the application;
- (2) The premises has no live or loud music;
- (3) Premises windows and doors are to be kept closed; and
- (4) An effort is made to keep the sidewalk clear of smokers and noise



Department of  
Consumer Affairs

May 09, 2014

Julie Menin  
Commissioner

The Honorable Penny Ryan

42 Broadway  
New York, NY 10004

250 W. 87th Street  
New York, Ny 10024

Dial 311  
(212-NEW-YORK)

nyc.gov/consumers

**UNENCLOSED SIDEWALK CAFÉ REQUEST FOR RECOMMENDATION**

TO:

The Honorable Melissa Mark-Viverito  
The Honorable Gale Brewer  
Penny Ryan, Com Board #107  
Council Member Helen Rosenthal

FROM:

ENTITY NAME: 50 W. 72ND REST, LLC
D/B/A NAME: RIPSO 72
ADDRESS: 50 W 72ND ST NEW YORK, NY 10023-4199
BOROUGH/STATE/ZIP: Manhattan/NY/10023-4199
LICENSE/APPLICATION #: 5871-2014-ASWC

*LM on 5/21/14*

Enclosed please find Application for a new Sidewalk Cafe for an **Unenclosed Sidewalk** Café with **13** tables and **30** chairs.

The Department of Consumer Affairs (DCA) must receive Community Board recommendations for the above no later than June 23, 2014

See below for the section of Title 6 of the Rules of the City of New York, which explains Community Board action:

**§2-44 Action by the Department on Petition.** (a) When a petitioner agrees to revise a petition or plan to resolve objections raised by the Community Board, any such agreed revisions, along with new blueprints showing the revised plan, must be submitted by the petitioner to the Department in writing, and signed by both the applicant and the chairperson of the Community Board, not later than five (5) days before the Department is required to hold its public hearing on the petition. Such agreed revisions shall be incorporated into, and be deemed to modify, the original petition in accordance with its terms. The Department shall then hold its public hearing based on the petition as so modified. If such written agreements to modify an original petition to address objections raised are not received within the time specified, the Department shall hold its public hearing based on the original petition and the objections to it that have been raised.

RECEIVED

MAY 14 2014

COMMUNITY BOARD 7



\*5871-2014-ASWC\*

Please record your response where indicated or attach a copy of the recommendation/response and return it to DCA in ONE of the following ways:

- Email to: sidewalkcafe@dca.nyc.gov
- Fax to: +1 347 788 4501 (Public Hearing and Dept of Finance) and +1 646 500 5832 (Insurance)
- Mail to: Department of Consumer Affairs  
Attn: Sidewalk Café Unit  
42 Broadway  
New York, NY 10004



\*5871-2014-ASRC\*



## Sidewalk Café Recommendation Form

TO: NYC Department of Consumer Affairs

FROM: Penny Ryan, Com Board #107

Re: License/Application #: 5871-2014-ASWC  
Business Name: 50 W. 72ND REST, LLC  
Business Address: 50 W 72ND ST NEW YORK, NY 10023-4199

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The CB#: 107 recommends the following:

\_\_\_\_\_ We have "NO OBJECTION" to the stated use.

\_\_\_\_\_ We have the following "OBJECTIONS" to the stated use.

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\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Email



\*5871-2014-ASWC\*



LICENSING CENTER  
 42 Broadway, 5th floor  
 New York, NY 10004  
 Monday-Friday: 9:00 a.m.-5:00 p.m.  
 Wednesday: 8:30 a.m.-5:00 p.m.  
 www.nyc.gov/consumers

## PETITION FOR CONSENT TO USE SIDEWALK SPACE

Applicants for a Sidewalk Café license must petition the City of New York for permission to use public sidewalk space for the construction, maintenance, and operation of the proposed sidewalk café.

<p>Please select the statement that describes you:</p>	<p><input checked="" type="checkbox"/> I am a new applicant for a Sidewalk Café license and will submit:</p> <ul style="list-style-type: none"> <li>• Scale drawings to outline the placement of the proposed sidewalk café AND</li> <li>• Proof of consent from the landlord, owner, lessee, or management of the premises for the operation of a sidewalk café</li> </ul> <p><input type="checkbox"/> I am a current license holder submitting an application to renew my Sidewalk Café license. My DCA license number is: _____</p>
<p>Name of Petitioner:</p>	<p>Philip Alotta</p>
<p>Business Title:</p>	<p>Riposo 72</p>
<p>Legal Name of Business:</p>	<p>50 W. 72 Rest LLC</p>
<p>Business's Trade or Doing-Business-As (DBA) Name, if applicable:</p>	<p>Riposo 72</p>
<p>Business's State of Incorporation, if applicable:</p>	<p></p>
<p>Business Address:</p>	<p>50 W 72nd St.          NY, NY 10023</p>

On behalf of the business applying for a Sidewalk Café license from the Department of Consumer Affairs (DCA), I seek permission to use a portion of the public sidewalk in front of the business premises to operate a sidewalk café.

I understand that a DCA Sidewalk Café license does not give my business any right, title, or interest in any part of the sidewalk space approved for use.

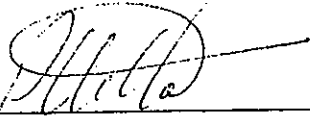
I agree to hold harmless the City of New York, its officers and employees, for any loss or damage arising from the use of the public sidewalk or the discontinuance of use resulting from an order, demand, or notice of any governmental agency with jurisdiction.

I understand that DCA and/or any government agency with jurisdiction may revoke my consent to use public sidewalk space at any time for any reason whatsoever. Consent can be revoked for failure to comply with any terms and conditions of the consent or any agreements between my business and the City of New York or for violation of any of the rules and regulations enforced by DCA. I understand there will be no refund of any fees or compensation paid to the City of New York.

I agree to promptly remove any property placed on the sidewalk space or reimburse the City of New York for the cost of moving my business' property upon receipt of any written notice, demand, or order to vacate the sidewalk space from a governmental agency with jurisdiction.

I have read and agree with the terms and conditions outlined above.

I understand that falsification of any statement made herein is an offense punishable by fine or imprisonment or both.

  
\_\_\_\_\_  
Signature

4/8/14  
\_\_\_\_\_  
Date



LICENSING CENTER  
 42 Broadway, 5th floor  
 New York, NY 10004  
 Monday-Friday: 9:00 a.m.-5:00 p.m.  
 Wednesday: 8:30 a.m.-5:00 p.m.  
 www.nyc.gov/consumers

## SIDEWALK CAFÉ COMPLIANCE CHECKLIST

Applicants must answer a series of questions to demonstrate that the café meets City requirements. Please answer all questions and sign the Checklist.

1. Is there a minimum of 12 feet of sidewalk space for the entire length of the property?  Yes  No
  
2. Will your café be at an address zoned for the type of sidewalk café you plan to operate?  Yes  No

If you answered "No" to question 1 or 2, you cannot apply for a Sidewalk Café license and must stop the application process.

3. Sidewalk Café Business Name: Riposo 72
  
4. Sidewalk Café Type: *Check all that apply.*  Enclosed  Small Unenclosed  Unenclosed
  
5. Application Type:  New  
 Renewal  
 Assignment *(Consent assigned by previous owner more than 90 days before expiration date)*  
 Modification *(Changes to an existing consent)*
  
6. Maximum number of tables in your café: 13
  
7. Maximum number of chairs in your café: 30
  
8. Block Number: 1124
  
9. Lot Number: 59
  
10. Community Board Number: 107
  
11. Will your café be on the same level as the adjoining sidewalk? *(Unenclosed and Small unenclosed only)*  Yes  No

- 12. Is your café in a historic district or in or adjacent to a landmarked building or district?  Yes  No
- a. If Yes, have you applied to the Landmarks Preservation Commission (LPC) for approval to operate your café?  Yes  No
- i. If Yes, have you received approval from LPC to operate your café?  Yes  No

**Sidewalk Café Business Information**

13. Sidewalk Café Business Address: Riposo 72  
50 West 72nd St.  
New York, NY 10023

- 14. Is there an alternate entrance to your sidewalk café with a different address than your business address?  Yes  No

If Yes, please enter address: \_\_\_\_\_  
 \_\_\_\_\_

**Sidewalk Café Architect or Engineer Information**

- 15. Full Name of Architect or Engineer: Carlo Zaskorski
- 16. Business Name of Architect or Engineer: Zaskorski & Notaro Architects
- 17. Address: 575 Eighth Avenue, Suite 2212  
New York, NY 10018
- 18. Telephone Number: 212-239-7212
- 19. Fax Number (optional): 212-268-1987
- 20. E-mail Address: info @ ZNarchs.com

  
 \_\_\_\_\_  
 Sidewalk Café Applicant's Signature

Philip Alotta  
 \_\_\_\_\_  
 Print Name

President  
 \_\_\_\_\_  
 Title (if any)

04/09/14  
 \_\_\_\_\_  
 Date

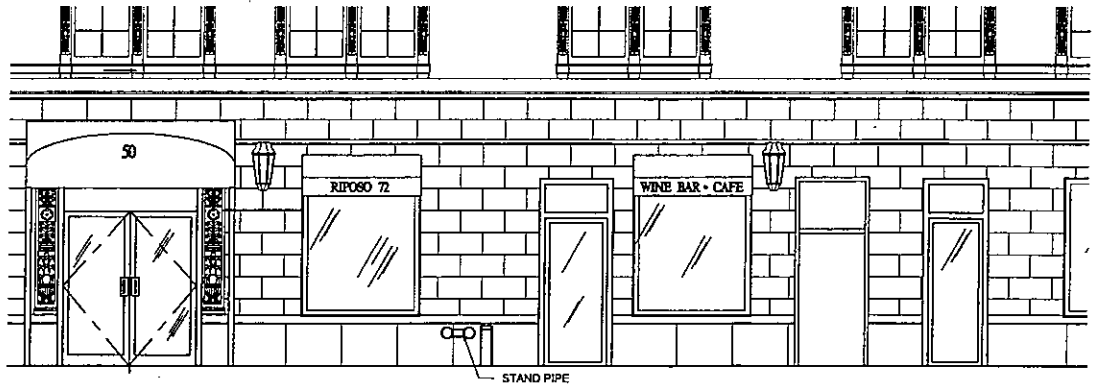


50

RUXTON TOWERS

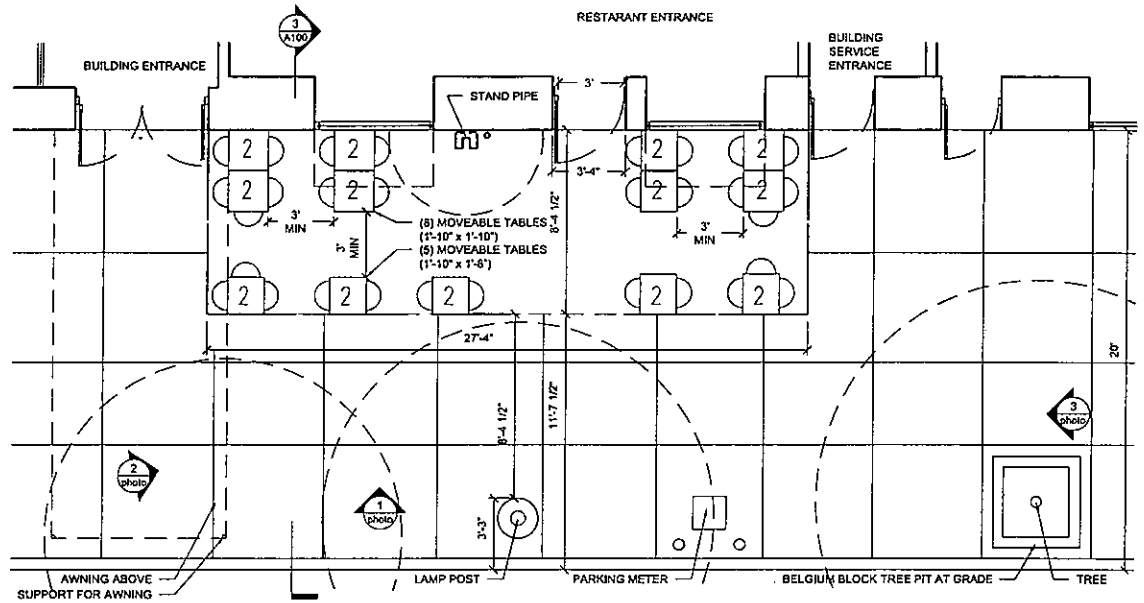
Wine Bar Cafe

Wine Bar



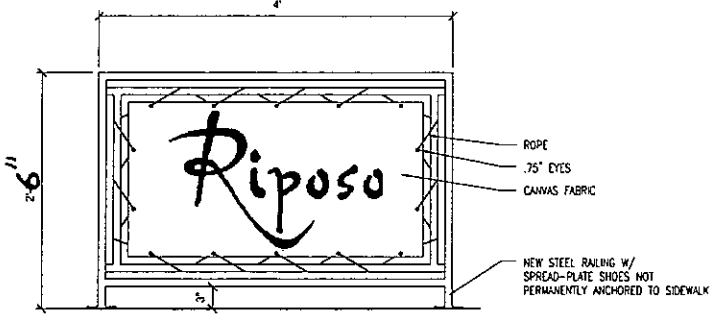
2 SIDEWALK CAFE ELEVATION  
1/4" = 1'-0"

PROPOSED UNENCLOSED  
SIDEWALK CAFE 30 CHAIRS  
(229 SQ. FT.)



1 SIDEWALK CAFE PLAN  
1/4" = 1'-0"

50 WEST 72ND STREET



4 SIDEWALK CAFE BARRIER  
1" = 1'-0"



# BASIC LICENSE APPLICATION

Please print.

## Section 1 – All applicants

What is your Business's legal structure?

- Business/General Partnership
- Corporation
- Limited Liability Company
- Limited Liability Partnership
- Limited Partnership
- Non-Profit
- S-Corporation
- Sole Proprietorship

If your Business's legal structure is Sole Proprietorship, complete Sections 1, 2, and 4.

If your Business's legal structure is NOT Sole Proprietorship, complete Sections 1, 3, and 4.

### Business Information

<b>Business Name</b> (The Business Name that you provide must be exactly as filed with the New York State Secretary of State or County Clerk.) 50 West 72nd Rest LLC				
<b>Doing-Business-As (DBA)/Trade Name</b> (The DBA/Trade Name that you provide must be exactly as filed with the New York State Secretary of State or County Clerk.) Rigso 72				
<b>Premises Address (Building Number, Street Name, Apartment/Suite/Other)</b> 50 West 72nd St.				
<b>City</b> New York	<b>State</b> NY	<b>ZIP Code</b> 10023	<b>Country/Region</b> USA	<b>Borough:</b> <input type="checkbox"/> Bronx <input type="checkbox"/> Brooklyn <input checked="" type="checkbox"/> Manhattan <input type="checkbox"/> Queens <input type="checkbox"/> Staten Island <input type="checkbox"/> Outside of NYC
<b>E-mail</b> DALOTTA@HOTMAIL.COM (By providing your e-mail address, you consent to receive communications electronically from the Department of Consumer Affairs (DCA), and you affirm that the e-mail listed is a reliable form of communication for you.)				
<b>Phone 1 (Primary)</b> (212) 799-4140	<b>Phone 2 (Alternate)</b> (917) 612-4915	<b>Text Telephone (TTY Phone)</b> NA	<b>Fax</b> ( ) NA	
<b>Employer Identification Number (EIN)</b> (Required for sole proprietorships with paid employees, corporations, and partnerships) [ ] [ ] - [ ] [ ] [ ] [ ] [ ] [ ]		<b>New York State Sales Tax Identification Number or Certificate of Authority Application Confirmation Number</b> (You must complete this section if "Sales Tax Identification Number" is a requirement on your license application checklist.)  The Sales Tax Identification Number is the 9, 10, or 11-digit number on your New York State Department of Taxation and Finance Certificate of Authority. If you have not received your Certificate of Authority, please enter the 6-digit confirmation number you received when you successfully submitted the application for a Certificate of Authority. 208345940-[ ]-[ ] or [ ] [ ] [ ] [ ] [ ] [ ]		



### Contact Mailing Information

If you want DCA correspondence addressed and mailed to a contact other than the business name and address provided on page 1, please complete the information below.

First Name <i>Patricia</i>	Middle Name (optional)	Last Name <i>Hopkins</i>	
Title/Position (Check one box only.) <i>Project Manager</i>	<input type="checkbox"/> Chairman <input type="checkbox"/> Director <input type="checkbox"/> Officer <input type="checkbox"/> President <input type="checkbox"/> Secretary	<input type="checkbox"/> Treasurer <input type="checkbox"/> Trustee <input type="checkbox"/> Vice President <input checked="" type="checkbox"/> Other (Please specify.)	
Mailing Address (Building Number, Street Name, Apartment/Suite/Other) <i>Zaskorski &amp; Notaro Architects, 575 Eighth Ave, Suite 2212</i>			
City <i>New York</i>	State <i>NY</i>	ZIP Code <i>10018</i>	Country/Region <i>U.S.A.</i>

Providing Social Security Number or Individual Taxpayer Identification Number in Sections 2 and 3 is voluntary. The City requests this information under the NYC Charter and Administrative Code. This information will or may be used to allow the City of New York to maintain and update City databases, to carry out the powers and duties of the Department, and for other purposes necessary to promote the general welfare.

### Section 2 - Sole Proprietorship

Last Name	Suffix (Jr., Sr., Esq.) (optional)	First Name	Middle Name (optional)
Social Security Number or Individual Taxpayer Identification Number □ □ □ - □ □ - □ □ □ □			
Home Address (Building Number, Street Name, Apartment/Suite/Other)			
City	State	ZIP Code	Country/Region

### Section 3 - General Partners, Corporate Officers, Shareholders, and Members

You must provide information on *all* general partners and *all* corporate officers and *each* shareholder owning 10% or more of the business applying for a license. Note: Limited Liability Companies must provide information on *all* members. Non-Profits must provide information on *all* officers and *all* Board of Directors members. **Attach additional sheets if necessary.**

**Important:** If the partner or shareholder is a business (rather than an individual), DCA will verify active status prior to license issuance. Corporations, Limited Partnerships, Limited Liability Companies, or Limited Liability Partnerships must register and remain active with the New York State Department of State. If you file your application in person, DCA can print a copy of the partner's or shareholder's Certificate of Incorporation and/or Certificate of Authority to Conduct Business in New York from the New York State Department of State's website.

See page 3.

## General Partners, Corporate Officers, Shareholders, and Members

## Individual #1

Last Name Alotta		Suffix ( Jr., Sr., Esq.) (optional)		First Name Philip		Middle Name (optional)	
Title/Position (Check one box only.)		<input type="checkbox"/> Chairman <input type="checkbox"/> Director <input type="checkbox"/> Officer <input checked="" type="checkbox"/> President <input type="checkbox"/> Secretary		<input type="checkbox"/> Treasurer <input type="checkbox"/> Trustee <input type="checkbox"/> Vice President <input type="checkbox"/> Other			
Social Security Number or Individual Taxpayer Identification Number 105-34-7446				% of Ownership 40%			
Home Address (Building Number, Street Name, Apartment/Suite/Other) 128 Austin Ave							
City Tappan		State NY		ZIP Code 10983		Country/Region U.S.A.	

## Individual #2

Last Name Franzblau		Suffix ( Jr., Sr., Esq.) (optional)		First Name Leonard		Middle Name (optional)	
Title/Position (Check one box only.)		<input type="checkbox"/> Chairman <input type="checkbox"/> Director <input type="checkbox"/> Officer <input type="checkbox"/> President <input type="checkbox"/> Secretary		<input type="checkbox"/> Treasurer <input type="checkbox"/> Trustee <input type="checkbox"/> Vice President <input checked="" type="checkbox"/> Other			
Social Security Number or Individual Taxpayer Identification Number 035-26-8826				% of Ownership 50			
Home Address (Building Number, Street Name, Apartment/Suite/Other) 37 West 72nd St.							
City New York		State NY		ZIP Code 10023		Country/Region U.S.A.	

## Business #1

Business Name							
Employer Identification Number (EIN) □□-□□□□□□□□						% of Ownership	
Mailing Address (Building Number, Street Name, Apartment/ Suite/Other)							
City		State		ZIP Code		Country/Region	
						Borough: <input type="checkbox"/> Bronx <input type="checkbox"/> Brooklyn <input type="checkbox"/> Manhattan <input type="checkbox"/> Queens <input type="checkbox"/> Staten Island <input type="checkbox"/> Outside of NYC	

**Business #2**

Business Name				
Employer Identification Number (EIN) <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>				% of Ownership
Mailing Address (Building Number, Street Name, Apartment/ Suite/Other)				
City	State	ZIP Code	Country/Region	Borough: <input type="checkbox"/> Bronx <input type="checkbox"/> Queens <input type="checkbox"/> Brooklyn <input type="checkbox"/> Staten Island <input type="checkbox"/> Manhattan <input type="checkbox"/> Outside of NYC

**Section 4: Applicant Background Questions – All applicants**

Please answer the questions below on behalf of *all* individuals named on the application (i.e., sole proprietorships, general partners, corporate officers, shareholders owning 10% or more of company stock, members, officers, Board of Directors members). **Attach additional sheets as necessary.**

Some background questions inquire about criminal and/or civil charges. A conviction does not, by itself, mean you will not get a license. Factors such as the nature and seriousness of the offense, the amount of time that has passed since the conviction, and your age at the time of the conviction will be considered. However, your license may be denied if you fail to disclose a conviction in response to the questions.

1. Has this individual ever been licensed by the New York City Department of Consumer Affairs (DCA)?

Yes     No

If Yes, provide the following information:

DCA License Number  
Business/Individual Name


2. Has this individual ever had a DCA license denied, suspended, or revoked?

Yes     No

If Yes, provide the following information:

DCA License Number  
Business/Individual Name


3. Has this individual ever been a principal (officer, shareholder, partner, member) of a DCA-licensed business?

Yes     No

If Yes, provide the following information:

DCA License Number  
Business/Individual Name


4. Is this individual related by blood or marriage to either a current or past DCA licensee or principal of a DCA-licensed business?

Yes     No

If Yes, provide the following information:

Relationship to Applicant  
Relative First Name  
Relative Middle Name  
Relative Last Name  
Relative Suffix  
DCA License Number  
Business/Individual Name


If you answer Yes for Questions 5 to 10, please include the requested description and attach all relevant documents to this application.

**NOTE:** Description should include the date of conviction, the nature of the incident, persons involved, and the outcome. Please include convictions for which you might have been imprisoned or fined even if, in fact, you only had to perform community service or were put on probation. You may omit parking violations and offenses that resulted in a finding of juvenile delinquency, youthful offender, wayward minor, or person in need of supervision.

5. Has this individual ever pled guilty or been found guilty of a crime, offense, or violation?  Yes  No  
If Yes, please describe the crime, offense, or violation.

6. Is there any criminal charge pending against this individual?  Yes  No  
If Yes, please describe the circumstances of the arrest.

7. Is there any civil charge (including administrative charge) pending against this individual?  Yes  No  
If Yes, please describe the charge(s).

8. Does this individual/individual's business owe fines or restitution?  Yes  No  
If Yes, please describe all obligations (fines or restitution) not satisfied in full.

9. Has any court rendered a judgment against this individual/individual's business?  Yes  No  
If Yes, please describe the court judgment.

10. Is there a judgment against this individual/individual's business that has not been paid in full for 30 days or more?

Yes  No

If Yes, please describe the judgment.

**PREPARER'S STATEMENT – Please check the box if the statement applies to you.**

I am not the license applicant. I am an authorized representative for the license applicant, and I will submit a Granting Authority to Act Affirmation completed by the license applicant.

**AFFIRMATION – Please read and sign below.**

I am authorized to complete and submit this application and all attachments (together, the "Application"). I have reviewed the entire Application. To the best of my knowledge, this Application is true, correct, and complete.

If any of the information in this Application changes, the applicant must inform the Department of Consumer Affairs of those changes. I also understand that the applicant must comply with all relevant laws and rules if granted a license to operate.

I understand that the Department of Consumer Affairs has not yet considered this Application. The applicant will not operate the business until receipt of an actual license document from the Department of Consumer Affairs or until / unless the Department of Consumer Affairs has given written permission to operate while this Application is pending. This affirmation shall be deemed executed in the City and State of New York and shall be governed by and construed in accordance with the laws of the State of New York (notwithstanding New York choice of law or conflict of law principles) and the laws of the United States.

I affirm that these statements are true and correct.

**PENALTY FOR FALSE STATEMENTS:** It is against the law to make a statement in this Application that you know is false. If you make a statement that you know is false, you may be punished.

Under Sections 210.45 and 175.30 of the New York Penal Law, you may be:

- fined up to \$1000 and / or
- sent to jail for up to one year

Under Section 175.35 of the New York Penal Law, you may be punished if you:

- make a statement that you know is false and / or
- make the statement because you intend to mislead the Department of Consumer Affairs

Under Section 175.35 of the New York Penal Law, you may be:

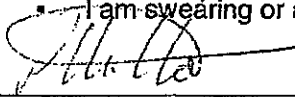
- fined up to \$5000 or
- fined an amount that is twice the amount of money you received by making the false statement and / or
- sent to jail for up to 4 years

The Department of Consumer Affairs may also punish you for making a false statement on this Application. These punishments may include:

- fines or penalties of up to \$500 for each false statement
- permanent loss (revocation) of your license

By signing below, I understand and agree that:

- I am swearing or affirming that I have told the truth on this Application.

  
\_\_\_\_\_

Signature  
Philip Alotta  
\_\_\_\_\_

Print Full Name

President  
\_\_\_\_\_

Title/Position (if any)

4/8/14  
\_\_\_\_\_

Date

<p><b>If you are not registered to vote, would you like to register here today?</b> <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>Whether you apply to register to vote or not, it will not affect the assistance DCA will provide to you. If you wish, we will help you in filling out the voter registration application.</p>
---

# NO MORE CONGESTION



# NO TO COMMERCIALISM





# RESIDENTIAL - FAMILIES



# WE ARE A NEIGHBORHOOD



# CONSIDER THE BIG PICTURE



# HEART AND SOUL



## **Dakota, Inc.**

STATEMENT OF THE DAKOTA - 1 WEST 72<sup>nd</sup> STREET TO THE ZONING  
AND FRANCHISES SUBCOMMITTEE HEARING - AUGUST 18, 2014

RE: RIPOSO - 50 WEST 72<sup>nd</sup> STREET

### **REQUEST FOR APPROVAL OF SIDEWALK CAFE APPLICATION**

The Dakota, mindful of the thousands from throughout the world who come to the West 72<sup>nd</sup> park block to photograph our iconic building and visit Strawberry Fields, has worked with our neighbors in Mayfair Towers, The Majestic and the Oliver Cromwell to preserve the residential character of the block.

We were active participants in the discussions resulting in the decision to refuse requests for sidewalk cafés or other obstructions, and appreciated the support of our neighbors to quash a proposal to rename the street "John Lennon Way".

Residents and neighbors know that The Dakota, a major tourism attraction, is an equally important contributor to the city's economy. Consequently, anything that detracts from our efforts to protect the special status of the block presents a significant challenge.

Therefore, we join the many residents of the West 72<sup>nd</sup> park block who are opposed to the Riposo application for a sidewalk cafe. It can only add clutter to an already heavily trafficked street, while affording no improvement or benefit to residents.

We request that the Zoning and Franchises subcommittee disapprove the Riposo sidewalk cafe application.

Thank you,

**Board of Directors**

# Riposo

72

50 West 72<sup>nd</sup> Street  
New York, NY 10023

August 15, 2014

Mr. Peter Janosik  
The New York City Council  
250 Broadway  
New York, NY 10007

**Re: Riposo 72 Sidewalk Café at 50 West 72<sup>nd</sup> Street**

Dear Mr. Janosik:

Riposo 72 is applying for a city license to operate an unenclosed sidewalk café at 50 West 72<sup>nd</sup> Street. Proposed hours of operation for Riposo 72 sidewalk cafe are as follows:

Monday-Thursday 4:00pm-11:00pm Friday-4:00-12:00am Saturday- 11:30am-12:00am Sunday-11:30am-11:00pm.

We have reduced the original number of tables and seats from 16 tables/30 seats to 8 tables/16 seats. Also, the square footage has been reduced from 223 square feet to 183 square feet.

Please let me know if you need any further information. We are more than happy to work with the City Council and the Community to ensure that Riposo 72 continues to be a positive addition to the neighborhood. Thank you.

Sincerely,  
  
Phil Alotta

753 Washington Trattoria Inc.  
753 Washington Street  
New York, NY 10014

DCA# 1382062

August 15, 2014

Council Member Corey Johnson  
224 West 30<sup>th</sup> Street  
Suite 1206  
New York, NY 10001

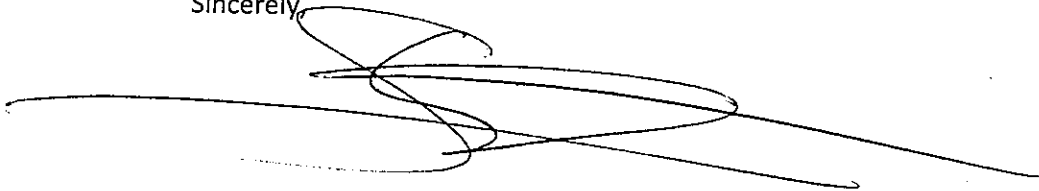
Dear Council Member Johnson,

This letter should serve as our agreement with the Chair, Council Member Mark Weprin, and The encompassing members of the Subcommittee on Zoning and Franchises that we will Commit to the following:

1. Reduce railing height to 30".
2. Modify size of tables to provide 8 feet clearance for pedestrians on Bethune Street.
3. No planters will be used on the sidewalk café.

If there are any questions please call my office. Thank you.

Sincerely,

A large, stylized handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

---

Sebastian Widmann, President  
(212) 255-2122

PESETSKY and BOOKMAN  
ATTORNEYS AT LAW  
325 BROADWAY, SUITE 501  
NEW YORK, N.Y. 10007

WARREN B. PESETSKY  
ROBERT S. BOOKMAN\*

(212) 513-1988  
FAX: (212) 385-0564

August 15, 2014

NYC Council Member Margaret S. Chin  
Chatham Green 165 Park Row  
Suite #11  
New York, NY 10038

Re: 265 Lafayette Ristorante, LLC

Dear Councilmember Chin:

Pursuant to my telephone conversation with your staff, we have agreed to the following:

At the "call up" of the sidewalk cafe application for 265 Lafayette Ristorante, LLC dba Sant Ambroeus at 263 Lafayette Street, NYC, currently scheduled for August 18, 2014, your office will withdraw any objections it has for DCA to issue the otherwise approved sidewalk cafe license as soon as possible.

In consideration of the same, my client will at its other location on 259 West 4th St, NYC voluntarily, and without prejudice to its pursuing an appropriate ruling and/or zoning change, discontinue any outdoor seating at that location, effective midnight, September 1, 2014 and will not resume any outdoor seating at said West 4th Street location unless and until the City agencies or the Courts determine it may lawfully so operate outdoor seating there. Nothing contained herein shall be deemed an admission of wrongdoing by either party.

Very truly yours,

  
Robert S. Bookman

  
Gherardo Guarducci

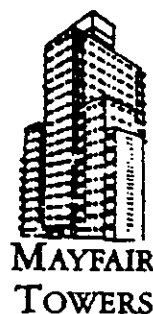
RSB: mm



15 WEST 72ND STREET OWNERS CORPORATION

15 WEST 72ND STREET  
NEW YORK, N.Y. 10023

(212) 874-5500



July 13, 2014

Council Member Helen Rosenthal  
563 Columbus Avenue at 87th Street  
New York, NY 10024  
Dear Council Member Rosenthal,

As residents of Mayfair Towers, the 37-story apartment building at 15 West 72nd Street between Central Park West and Columbus Avenue, we are respectfully writing in *firm* opposition to the proposed sidewalk café permit for Il Riposo 72 at the western end of our block.

With 480 apartments, we are a large presence on the block, and we are particularly concerned with the atmosphere of our neighborhood and city.

Our block is a gateway to visitors who participate in events like the NYC Marathon and stop at sites like the Strawberry Fields memorial in Central Park. But our block is also very much a beloved residential street, home to hundreds if not thousands families and longtime citizens.

As you well know, it is a block where you can sense genuine warmth when passing the familiar faces of neighbors and doormen. It is a block where we can enjoy shared conversation with neighborhood acquaintances.

We fear that that the fabric of our lovely residential block would be destroyed, or at least altered drastically, if Il Riposo opened a sidewalk café. We worry that there could be a domino effect if the three other restaurants on our block followed Il Riposo's lead, and sought sidewalk seating.

Please note that we are not opposed to Il Riposo's business. Many of us patronize Il Riposo, just as we patronize the other restaurants on the block.

Enclosed please find a diagram and photos that we believe will prove that the opening of this sidewalk café does not comply with the city's guidelines associated with opening a sidewalk café and that will also provide insight into understanding of our opposition to the Riposo proposal. Please also find a copy of a petition that was signed by Mayfair Tower residents.

We thank you for your consideration and time that you have given to the matter.

Sincerely,

Residents of Mayfair Towers

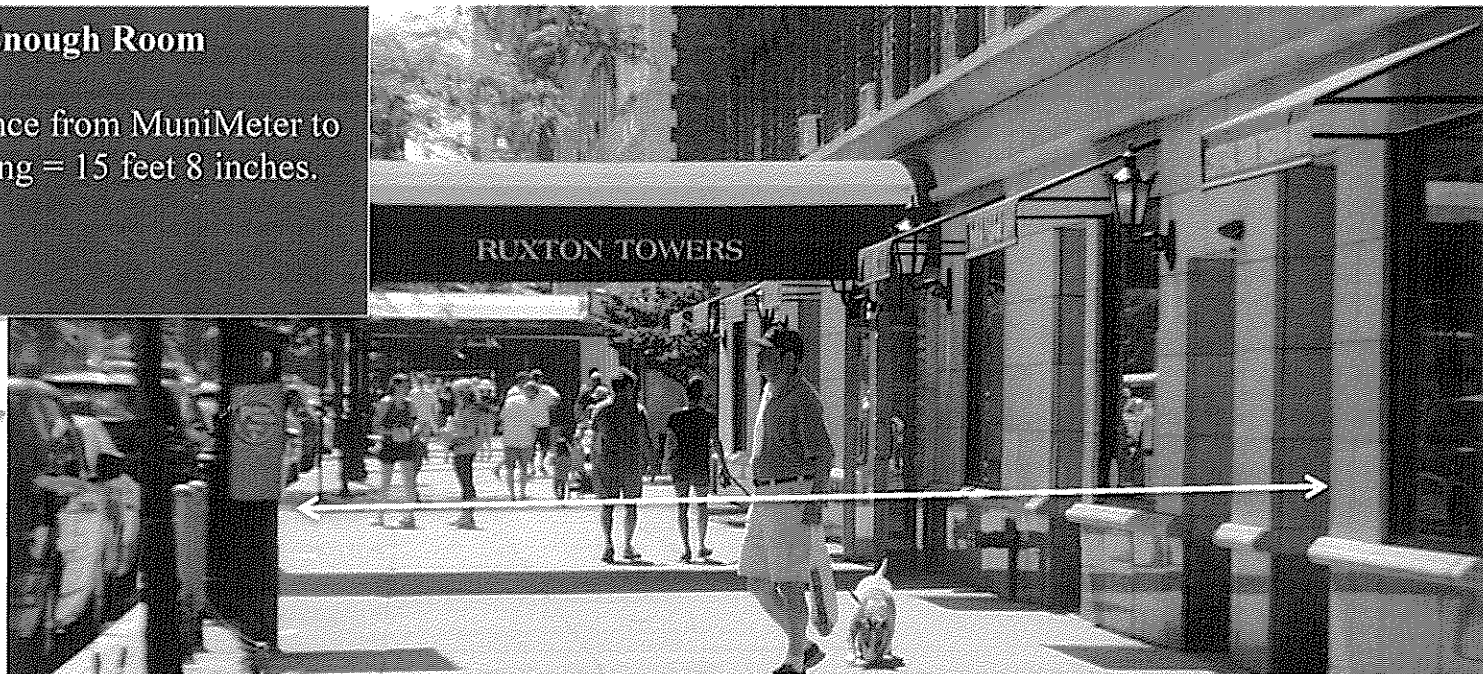
## SIDEWALKS AND SIDEWALK SAFETY GUIDELINES

1. Sidewalks are used by people to stroll, shop or go to or from work. The sidewalks of New York City were originally designed for four-and five story buildings. They now accommodate 40-story towers

**Sidewalk safety** – There is a need to prevent situations that would be uncomfortable and dangerous to pedestrians. This need is especially great when sidewalk cafés, which consume large portions of the sidewalks, are imposed upon public thoroughfares already occupied by other obstructions.

### Not Enough Room

Distance from MuniMeter to building = 15 feet 8 inches.



### NYC Guideline:

**8-foot clear path** – All sidewalk cafés must maintain a minimum clear path of 8 feet between the outer limit of the café and any object near the curb.

If Il Riposo 72 left an 8-foot clear path, it would have only 7 1/2 feet for tables -- and passersby would be squeezed.

**2. Obstructions** – Sidewalk “furniture” such as fire hydrants, bike racks, etc. including fixtures installed by government or private business that cannot interfere with clear path.

At the very least, if it's clear they are pro out door seating –

Given the width of the sidewalk is 15' 8", after “sidewalk furniture”, half is 7.54 feet. Minimum clear path is 8-feet so available space, per regulations, for sidewalk café would be 7.67 feet. Is it reasonable to expect the area can fit 13 tables while keeping a 3-foot aisle between them, per the NYC regulations?



**There are the following obstructions:**

**A Muni Parking Meter Machine, a lamppost, the awning poles, the service and entrance doors and the building red fire hook-up  
These obstructions foreshorten the width of the sidewalk in question.**

Excerpt from NYC Sidewalk Café Design and Regulation Guidelines  
[http://www.nyc.gov/html/dca/downloads/pdf/swc\\_design\\_regulations\\_guide.pdf](http://www.nyc.gov/html/dca/downloads/pdf/swc_design_regulations_guide.pdf)

**3. Garbage Disposal Area** – This is an area where garbage is placed. During this Fourth of July weekend, The garbage was not picked up for three days.



Excerpt from NYC Sidewalk Café Design and Regulation Guidelines  
[http://www.nyc.gov/html/dca/downloads/pdf/swc\\_design\\_regulations\\_guide.pdf](http://www.nyc.gov/html/dca/downloads/pdf/swc_design_regulations_guide.pdf)



Excerpt from NYC Sidewalk Café Design and Regulation Guidelines  
[http://www.nyc.gov/html/dca/downloads/pdf/swc\\_design\\_regulations\\_guide.pdf](http://www.nyc.gov/html/dca/downloads/pdf/swc_design_regulations_guide.pdf)



**4. Service Aisle** – Minimum 3-foot wait service aisle to ensure no public space is used by the café. Also, space must comply with Americans with Disabilities Act requirements.



A couple in front of Il Riposo 72



As an example: This gentleman is passing by The Dakota Bar on the North East side of 72<sup>nd</sup> Street. There is just enough space for him to navigate.

The Dakota Bar presently has an enclosed sidewalk café

Excerpt from NYC Sidewalk Café Design and Regulation Guidelines  
[http://www.nyc.gov/html/dca/downloads/pdf/swc\\_design\\_regulations\\_guide.pdf](http://www.nyc.gov/html/dca/downloads/pdf/swc_design_regulations_guide.pdf)

## Life on 72<sup>nd</sup> Street is Busy.

The following photos were taken on a Sunday, late morning in front of Il Riposo 72.





Excerpt from NYC Sidewalk Café Design and Regulation Guidelines  
[http://www.nyc.gov/html/dca/downloads/pdf/swc\\_design\\_regulations\\_guide.pdf](http://www.nyc.gov/html/dca/downloads/pdf/swc_design_regulations_guide.pdf)



Excerpt from NYC Sidewalk Café Design and Regulation Guidelines  
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Excerpt from NYC Sidewalk Café Design and Regulation Guidelines  
[http://www.nyc.gov/html/dca/downloads/pdf/swc\\_design\\_regulations\\_guide.pdf](http://www.nyc.gov/html/dca/downloads/pdf/swc_design_regulations_guide.pdf)



Excerpt from NYC Sidewalk Café Design and Regulation Guidelines  
[http://www.nyc.gov/html/dca/downloads/pdf/swc\\_design\\_regulations\\_guide.pdf](http://www.nyc.gov/html/dca/downloads/pdf/swc_design_regulations_guide.pdf)



Excerpt from NYC Sidewalk Café Design and Regulation Guidelines  
[http://www.nyc.gov/html/dca/downloads/pdf/swc\\_design\\_regulations\\_guide.pdf](http://www.nyc.gov/html/dca/downloads/pdf/swc_design_regulations_guide.pdf)

The following photos were taken on a typical Sunday morning in front of the Dakota Bar located on the North East corner of 72<sup>nd</sup> Street and Columbus Avenue. The Dakota Bar presently has an enclosed sidewalk café. It is often difficult to navigate because of the number of people that frequently pass through. Several Senior Citizens have claimed that they walk across the street or even in the street to avoid the crowd.



**3110.4 Obstructions prohibited.** No part of any awning, enclosure, fixture, equipment or removable platform of a sidewalk café shall be located:

1. Beneath a fire escape so as to obstruct operation of fire escape drop ladders or counter-balanced stairs;
2. So as to obstruct any exit from a building;
3. So as to obstruct any cellar access hatch or areaway;
4. So as to interfere with any vent or other mechanical ventilation outlet or inlet;
5. So as to interfere with or obscure any standpipe connections, hydrant or associated signage in any way that would hinder its use by the fire department.



**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: Robert Bookman

Address: 305 Broadway

I represent: 265 Lafayette Rupperto LLC

Address: 263 Lafayette St

IL Rifoso

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

105

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 8/18/14

(PLEASE PRINT)  
Name: Funsho (Iwalebi)

Address: 231 W 72<sup>nd</sup> Street 2F

I represent: Assemblymember Linda Rosenthal

Address: 231 W 72<sup>nd</sup> Street, 2F

IL Rifoso

**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: Richard Bloom

Address: 15 W 72 St Apt 5-D

I represent: Myself

Address: \_\_\_\_\_

12 RIPOSO

# 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: SUSAN RUTNER (PLEASE PRINT)

Address: 15 W 72 ST APT 21E

I represent: MYSELF

Address: \_\_\_\_\_

Riposo

# 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: Kay Sheehan (PLEASE PRINT)

Address: 12 W 72nd St 14F

I represent: Oliver Cromwell OWNERS

Address: 12 W 72nd

Riposo

# 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: 18 AUG 14

Name: SUSAN CASSIDY (PLEASE PRINT)

Address: 115 CPW 10023

I represent: Majestic

Address: 115 C.P.W



Riposo

# 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: 8/18/14

(PLEASE PRINT)

Name: JACK LAUVY

Address: 115 Central Park W

I represent: myself

Address: \_\_\_\_\_

Riposa

# 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: 8/18/14

(PLEASE PRINT)

Name: BRYAN LEWTON

Address: 315 W 86 ST

I represent: COALITION FOR A LIVABLE WEST SIDE

Address: 10 BX 230078

# THE COUNCIL THE CITY OF NEW YORK

Appearance Card

[ ]

I intend to appear and speak on Int. No. 105-72 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 8/14

(PLEASE PRINT)

Name: LEWIS BOXENBAUM

Address: 15 W. 72 ST 10023

I represent: MYSELF

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. ~~10572~~ 10572 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Nina Pinsky

Address: 15 W 72nd St #23N

I represent: MayFair Towers

Address: 15 W 72

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 10572 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Marian Conti

Address: 15 West 72nd

I represent: ~~15 West 72nd~~ MayFair Towers

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 105-72 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 8/18/14

(PLEASE PRINT)

Name: Stephen Heller

Address: 12 West 72nd St, 7G

I represent: Myself & my family

Address: 12 West 72nd St, 7G

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

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

105

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 8/18/2014

(PLEASE PRINT)

Name: Josh Cole

Address: 322 8th Ave Suite 1700

I represent: State Senator Brad Hoylman

Address: 322 8th Ave Suite 1700

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

105

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 8-18-14

(PLEASE PRINT)

Name: Phil Alotta

Address: 50 W 72 ST

I represent: Riposo 72

Address: 50 W 72 ST N.Y., N.Y. 10023

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

105

I intend to appear and speak on Int. No. 105 Res. No. 72

in favor  in opposition

Date: 8/18/14

(PLEASE PRINT)

Name: Carlo Zaskowski

Address: 575 Eighth Ave NY NY 10018

I represent: Phil Alotta Riposo 72

Address: 50 W 72nd St NY NY 10023

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

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

105

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)  
Name: Gerald Kohn

Address: 115 Central Park West

I represent: Opposition

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

105

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: 8/18

(PLEASE PRINT)  
Name: E. Lyons

Address: 1 West

I represent: Dakota Inc

Address: 1 West 72nd

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

105

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)  
Name: Mandy Algeze

Address: 50 W. 72 St., N.Y., N.Y. 10023

I represent: Tenant in building

Address: (Same as above)

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

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

105

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Shlomo Steve Wygod

Address: 190 E. Main St. Huntington  
11 PK PL. NYC RIPOSO

I represent: \_\_\_\_\_

Address: 20 W. 72

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

106

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: SEBASTIAN WILSON

Address: \_\_\_\_\_

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

107

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: ARIEL AUFLANG

Address: \_\_\_\_\_

I represent: ARCHITECT

Address: 650 3RD AVE

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

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

107

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor     in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: DAVID SCHWARTZ

Address: \_\_\_\_\_

I represent: OWNER

Address: 850 3RD AVE

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

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

107

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor     in opposition

Date: 8/18/14

(PLEASE PRINT)

Name: STEVEN SINACORI ESQ.

Address: \_\_\_\_\_

I represent: ACKERMAN

Address: 666 5TH AVE

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