

March 4, 2004

Gretchen Dykstra
Commissioner
NYC Department of Consumer Affairs
42 Broadway
New York, NY 10004

Iris Weinshall
Commissioner
NYC Department of Transportation
40 Worth Street
New York, NY 10013

Re: Proposed amendments to Sidewalk café regulations

Dear Commissioners Dykstra and Weinshall:

On February 18, the Transportation Planning Committee of Manhattan Community Board No. 4 was informed that the Department of Transportation was considering amending the regulations regarding the measurement of sidewalk clearance in sidewalk café applications. In our understanding, under the new changes, the curb would be included when measuring the sidewalk for the necessary 8' clearance between the boundary of the sidewalk café and the street.

Although the committee recognizes the many benefits of sidewalk cafes, it does not believe that these benefits should come at the expense of pedestrians. By including the curb as part of the sidewalk measurement, we would effectively be reducing the required sidewalk clearance to 7'6". The curb is almost never used for pedestrian travel; many curbs are clad in slippery steel or are uneven in surface, making them potential slip/trip hazards, and therefore should not be included when measuring for pedestrian clearance.

On March 3, 2004, the full Board voted in favor of the committee's recommendation to oppose any amendment that would include the curb as walkable sidewalk when permitting sidewalk cafes.

Sincerely,



Walter Mankoff
Chair
Manhattan Community Board No. 4



Joshua David
Co-Chair
Transportation Planning Committee



John Rust
Co-Chair
Transportation Planning Committee

Cc: Local elected officials