

To Whom It May Concern,

I am Charlotta Janssen, the owner of Chez Oskar, and have been following your great efforts to make this a successful and equitable program. I believe it's the one silver lining that came out of the pandemic. I am adding visual links as I am aware your file capacity may have limits. I too want this program to be successful and invite progress and innovation. This is why I urge you: PLEASE KEEP CANOPIES IN THE OUTDOOR DINING PROGRAM LANGUAGE AND GIVE THOSE WHO MADE IT THROUGH THIS HARD TIME A FAIR CHANCE TO LEGALIZE. THIS PROGRAM NEEDS TO STAY A LIFELINE AND NOT JUST BECOME ANOTHER BANDAID.

PLEASE REVIEW THESE 2 EVENTS 24 MINUTES APART:

Dining out in pouring rain on June 25 2023 at 11:35 AM:

 [IMG_2638.mov](#)

Dining out in the sun on June 25th 2023 at 11:59 AM:


 [IMG_2643.mov](#)

With only fabric awnings and/or umbrellas as shown on DOT schematics this would be a miserable day as would be many. We invite you all to dine in the rain,wind,sleet or snow under our covers to experience how fun it can be for yourselves.

SOME BACKGROUND INFORMATION:

Restaurants in Bed Stuy fought for outdoor dining for years. When the pandemic hit, we were finally included in the bill and first ever mentioned by BP President Adams on May 15, 2020. Setting up tables and chairs outside, someone passing by remarked, "What do they think this is - Paris?" This comment became our battle cry. Here are our first iterations:

 [IMG_9181.jpg](#)

 [201007_Oskar 546.JPG](#)

We started with tents but faced issues with them blowing down and leaking. So, we decided to build something stronger. Then we finally got EIDL. I found affordable steel with great fittings to build structures reminiscent of the early industrial age. Inspired by Brooklyn's historic fire escapes and wrought iron gates, I turned to Hector Guimard, who designed the Paris Metro.

 [IMG_4634.JPG](#)

 [IMG_4968.JPG](#)

 [IMG_4966.JPG](#)

Eva Landsberry, an architect, and I started with building a model

 [IMG_5168.jpg](#)

 [IMG_5170.jpg](#)

 [IMG_5169.jpg](#)

Then we started building, adding water misters, shade sails, and pellet stoves for comfort. We built them not just to protect diners, but pedestrians, wheelchair users as well as our servers, busboys, runners and managers:

-  [IMG_6055.jpg](#)
-  [221031_Chez_Oskar_.JPG](#)
-  [220902_Oskar_2.JPG](#)
-  [IMG_1136.jpg](#)
-  [220902_Hudson_Clothier_91.JPG](#)

-  [220902_Oskar_6.JPG](#)
-  [220902_Oskar_1.JPG](#)
-  [220902_Hudson_Clothier_89.JPG](#)
-  [IMG_1146.jpg](#)

Here the pellet stove solution (it pushes heat out under tables safely as it is approved for indoor use with 3 thermal couplings to control and uses wood pellets that are non combustibile and safe to store):

-  [IMG_2797.MOV](#)

We also helped our neighbors build covers to support their businesses (even with the help of a local church youth work program). I am happy to share that all of them are still in business: DSK, Anmwey Eatery, Zaca Cafe, Secret Garden and La Nacional:

-  [IMG_0889.jpg](#)
-  [IMG_1820-2.jpg](#)
-  [IMG_0516.jpg](#)
-  [IMG_1753.JPEG](#)
-  [220427_Chez_Oskar_37.JPG](#)
-  [221114_Chez_Oskar_319.JPG](#)
-  [IMG_1371.JPEG](#)

To address the rodent issue, we need to be proactive as a community. The Burrow RX machine has been incredibly successful in reducing rodents, with a 100% success rate according to the NY Post. We'll implement it in our treepits and offer it to our neighboring restaurants and gardens too. The machine is pet-proof, making it an efficient solution. Check out this article for more information:

<https://nypost.com/2023/10/31/metro/new-rat-killing-method-eliminated-100-burrows-on-upper-east-side-were-not-getting-complaints-anymore/>

I applied for a permit for a structure in Hudson, NY, taking into consideration its significant historical value. To obtain a building permit, I had to present my plans to the housing preservation committee. Fortunately, they voted unanimously in favor of my project. My vision for the building design is to emulate the movement of an insect wing in mid-flight:

-  [IMG_3512.JPG](#)

Steel and corrugated clear canopies over outdoor dining can be an affordable option to ensure safety while also incorporating a Brooklyn-inspired aesthetic because regular weather events shouldn't disrupt outdoor dining or affect various participants. This is why strong lightweight canopies are needed to protect everyone on the sidewalk, including diners, pedestrians, wheelchair users, prams and staff members. I am also including these video links to show more extreme weather:

Pedestrians running to Chez Oskar's covers for shelter (this happens often, because there is no shelter for pedestrians):

 [IMG_2664.MOV](#)

Chez Oskar at over 25 mph winds:

 [WINDS OVER 25 MPH VIEW OF UNMOVING CANOPY.MOV](#)

The Hudson wing I built at 60+ miles an hour winds:

 [60 MPH winds 5/16/22.MOV](#)

And snow breaking up and sliding off quickly (long before it slides off others):

 [SLIDING-SNOW.mov](#)

You probably know by now how impactful the outdoor dining program has been. I took it upon myself to do a collective narrative of some of my colleagues. It is so crucial to get this right so this program can be a true lifeline and not become just another bandaid:

 [12 RESTAURANTS ON 2020.mp4](#)

I AM PAINFULLY AWARE THAT DOT IS WANTING TO DO AWAY WITH STRONG CANOPIES WHEN CANOPIES HAVE SAVED OUR BUSINESS. WE ALL DREAD THE SCHEMATICS THAT ONLY SEEM CONSIDER FAIR WEATHER. I FEEL LIKE WE ARE BEING ERASED: IT'S BACK TO BUSINESS AND WE CAN DIE. PLEASE RECONSIDER AND ALLOW FOR LIGHTWEIGHT CANOPIES.

I intend on testifying next week with the DOT for steel and clear canopies because of their numerous benefits:

1. B1 fire rating of clear and steel

2. Lightweight and Strong Structures: The steel and clear covers provide a durable and secure shelter for outdoor dining areas. They are also customizable and can easily adapt to accommodate obstacles such as tree pits and bike stands.

3. Minimal Waste and Customization: These covers require less material and construction waste compared to other options like fabric awnings and umbrellas or wood. They can be easily customized to fit the specific needs of each space.

4. Greening the City: The clear covers allow light to pass through, creating a bright and inviting atmosphere. Additionally, they provide an excellent space for growing plants, contributing to a greener city environment.

5. Sound Barrier: Compared to fabric and umbrellas, the steel and clear covers offer better sound barriers, creating a quieter and more enjoyable dining experience for customers as well as tenants above them.

6. Safety and Sightlines: The covers enhance safety on the streets by providing better sightlines and attracting more people to the area. This increased foot traffic benefits local businesses and contributes to a safer community.

7. Protection from Extreme Weather & Steady Jobs in spite of it: The covers protect diners from extreme weather conditions, allowing them to enjoy outdoor dining even in the wind, rain & snow. This transforms a potentially miserable experience into a beautiful and enjoyable one and provides New Yorkers with steady jobs.

8. Unique and Aesthetic Design: The design of the steel and clear covers pays homage to the early industrial age, complementing the architectural style of the neighborhood. These covers add character and charm to the streetscape, making them more visually appealing.

9. Greater Visibility for Small Businesses: Illuminated outdoor dining spaces increase the visibility of small businesses, especially those located in the middle of blocks. This increased visibility attracts more customers and supports the growth of local establishments.

10. Inclusive Dining: The steel and clear covers provide better insulation, allowing individuals who are immunocompromised to participate in the dining culture without compromising their health. We urge you to expand the materials allowed for outdoor dining to include steel and clear lightweight plastic.

I will also address the elephants in the Room:

1) Umbrellas and Fabric Awnings are a NIGHTMARE and a huge liability.

They cause accidents and don't protect well in extreme weather, often getting damaged by weather or disruptive individuals. Reverting back to these options would erase the progress we have made.

2) Rodent Control

Additionally, we would like to address the issue of rodent control. While restaurants are often blamed for rodent problems, the reality is that these pests primarily inhabit the empty and decaying storefronts that now dot our avenues and do not respect property lines. We have invested in the Burrow RX, a highly effective rodent control program, and are willing to share it with fellow restaurants. Embracing innovative solutions like this can help address the rodent issue while supporting the outdoor dining program

3) Making Permitting for Existing Structures Impossible and Unaffordable

We also request that you consider grandfathering in the best solutions developed during the pandemic as a way to memorialize the challenges we have overcome. Our covers, along with those built for Zaca Cafe, Anmwey, Secret Garden, DSK, and La Nacional, have proven to be successful in sustaining our businesses. Removing the option for hard plastic covers would erase the positive impact we have made. Furthermore, we emphasize the importance of protecting all users of the sidewalks, including diners, pedestrians, and restaurant staff. Making waiters, bussers, runners, and managers carry heavy objects in and out daily, and exposing them to rain and snow without proper covering, creates a miserable work environment. It is crucial to develop rules that incorporate their well-being.

4) Keep Outdoor Dining as the Permanent Lifeline - Don't make it a Bandaid

To ensure that outdoor dining remains a viable option year-round, we propose the inclusion of lightweight (not just fabric) canopies. While dining on the sidewalk has been possible, the absence of partially enclosed rigid covers makes it challenging during the winter and summer months. Our industry operates on thin profit margins, and the inconsistency in capacity affects job security, taxable revenue, and the overall dining experience.

In conclusion, canopies provide pedestrians, wheelchair users, patrons and our staff with the ability to withstand harsh weather conditions like rain, wind, snow, and sleet. They have proven essential in serving our community effectively. We kindly request your consideration to preserve and protect these canopies, while taking appropriate measures to address any misconduct.

Thank you for your time,

Charlotta Janssen