West 200 Block Association
200 blocks from 19th to 22nd Street

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Jesenko Vukadinovic, President
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19th Street Block Rep: Sean Holihan
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21st Street Block Rep: Gina Moss
22nd Street Block Rep: Jason Weinzimer

November 9, 2026

Mike Flynn
Commissioner
Department of Transportation
55 Water Street, 9th Floor
New York, NY, 10041

RE: Sidewalk Café Enclosures Law

Dear Commissioner Flynn:

My name is Jesenko Vukadinovic, and I am the President of the Chelsea West 200 Block Association. The Chelsea West 200 Block Association covers the blocks bounded by West 19th and West 22nd streets and Seventh and Eighth avenues in the Chelsea neighborhood in Manhattan.

My block association is generally supportive of the proposed rule changes. We believe strongly in the positive role outdoor dining can play in promoting the well-being of our neighborhood, and we are hopeful that the proposed rules will help support existing and future outdoor dining venues. Within our block association area, we currently have about 20 businesses with sidewalk cafes and roadway cafes, and we would be happy to welcome more.

Toward that end, we are eager for DOT to adopt common sense rules that will: (1) be clear to both businesses and residents; (2) be embraced by businesses, resulting in higher levels of compliance; and (3) make enforcement by DOT more efficient and effective.

Many of the proposed rule changes are steps in the right direction, but some also pose concerns about compliance and enforcement:

Perimeter barriers: Eliminating the need for a perimeter barrier for restaurants with a single row of tables makes sense, particularly for businesses that do not provide table service. We are concerned, however, that without some demarcation separating the cafe boundary and the clear path, cafe tables and chairs will inevitably extend beyond

the boundaries of the sidewalk cafe and block the clear path. How are restaurant users and pedestrians supposed to know what the boundaries are? How does DOT intend to enforce this requirement?

Vertical winterization coverings: The proposed rule allowing for readily removable vertical winterization coverings also makes sense. We are concerned, however, that such coverings will be attached to awnings that extend beyond the boundaries of the sidewalk cafe. While not permitted it is common for awnings, especially extendable ones, to go beyond the boundaries of sidewalk cafes and cover clear path areas. We suspect that compliance with this new rule will be low, and that enforcement will be limited. Moreover, while the rules use the simple terms “clear visibility” and “transparent” these terms are not defined, inviting non-compliance. Must the coverings be 100 percent transparent? What constitutes “clear visibility”? Are only panels that are entirely clear permitted? If so, say so. If not, say what is permitted. We suggest that these terms be made more explicit, so that businesses will have a better sense of what is required, and DOT will have specific standards to enforce.

Other changes are welcome and not problematic. We applaud the changes that clarify the definition of a major building entrance and that include curb width in the measurement of a clear path. Both changes resolve uncertainties in the existing rules. We are hopeful that public comments will help inform the final set of rules.

Thank you for your time and consideration.

Jesenko Vukadinovic