



CITY OF NEW YORK

**MANHATTAN COMMUNITY BOARD FOUR**

330 West 42<sup>nd</sup> Street, 26<sup>th</sup> floor New York, NY 10036  
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**JOHN WEIS**

Chair

**ROBERT J. BENFATTO, JR., ESQ.**

District Manager

July 22, 2010

Jonathan Mintz  
Commissioner  
City of New York  
Department of Consumer Affairs  
42 Broadway  
New York, NY 10004

Dennis Rosen  
Chairman  
New York State Liquor Authority  
80 S. Swan Street, 9<sup>th</sup> Floor  
Albany, New York 12210

**Re: Atrio LLC dba Pio Pio Restaurant**  
*604 Tenth Avenue (43<sup>rd</sup>/44<sup>th</sup>)*

Dear Commissioner Mintz and Chairman Rosen:

Manhattan Community Board 4 (MCB4) recommends denial of a alteration for an UNENCLOSED sidewalk café permit for **Atrio LLC dba Pio Pio Restaurant**, unless the following stipulations, agreed to by the applicant, are part of the method of operation for this establishment:

- Hours of operation for the sidewalk café will be 11:00 am to 11:00 pm Sunday through Thursday and 11:00 am to 12:00 am on Fridays and Saturdays.
- Applicant is filing an alteration to its SLA license to include the outdoor sidewalk café. This letter applies to that alteration.
- There will be 8 tables outdoors with 18 seats in the outdoor café.
- The applicant stated they will have background music playing in the restaurant, but no amplified sound outdoors.
- There are no French doors or windows that open to the street front.
- Applicant will mark the sidewalk boundaries according to the approved plans submitted to MCB4 and approved by the DCA.

- Delivery bikes will be locked to a bike rack or stored in a way as to not block the sidewalk.
- Applicant will not install a storm vestibule enclosure that will project more than 18 inches as per DOB code. Storm enclosures can only be used between November 15th and April 15th.

A signed copy of the stipulations agreed to by the applicant is enclosed. This application is for an unenclosed sidewalk café permit only and there are no changes to the method of operation already in existence for this establishment with the SLA.

Sincerely,



John Weis  
Chair  
Manhattan Community  
Board 4



John Owens  
Co-Chair  
Business License & Permits  
Committee - North



Chuck Spence  
Co-Chair  
Business License & Permits  
Committee - North