



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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J. LEE COMPTON
Chair

ROBERT J. BENFATTO, JR., ESQ.
District Manager

April 6, 2007

Beverly Gotay
Assistant Director of Licensing
Department of Consumer Affairs
42 Broadway, 8th floor
New York, NY 10004

Re: Sidewalk Café [NEW]

Applicant: P&A 665 REST. Corp. d/b/a Galaxy Diner
Location: 665 Ninth Avenue
DCA License No.: 1249100
Type: New Application – Unenclosed Sidewalk Café
Tables/Seats: 21 tables/42 seats

Dear Ms. Gotay:

At its March 21, 2007 meeting, Manhattan Community Board No. 4’s Transportation Committee heard from the above applicant and reviewed plans to open a new unenclosed sidewalk café. No one appeared in opposition to the renewal. The Committee voted to recommend approval, based on the owner’s agreement to the following stipulations and submitted revisions to the architectural plans:

- The owner will install and maintain a new tree and an iron grid on the existing tree pit facing the café on Ninth Avenue
The owner will install the café railing at a distance of eight feet from each tree or furniture on the sidewalk and three feet from the residential entrance on Ninth Avenue.
The owner will install planters on 46th Street at the corner of 9th Avenue.
The owner will close the restaurant French doors at 11PM seven days of the week and whenever the background music can be heard from the street.
The owner will mark the café’s outer boundaries on the sidewalk, as required by DCA’s sidewalk café regulations.

We are pleased that the owner accepted these stipulations and revisions. The restaurant owner also understands that if markings are not in place when the applicant returns to the Board for renewal, or if other stipulations have not been respected, this committee will recommend denial of the renewal application.

On April 4, 2007, the Full Board approved the application with the above stipulations.
Sincerely,

[Signature of J. Lee Compton]

J. Lee Compton
Chair
Manhattan Community Board No. 4

[Signature of Jay Marcus]

Jay Marcus
Chair
Transportation Planning Committee

[Signature of Christine Berthet]

Christine Berthet
Co-Chair
Transportation Planning Committee