



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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JEAN-DANIEL NOLAND
Chair

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

January 29, 2008

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

Re: Sidewalk Café Renewal

Applicant: Seta Restaurant Corp. d/b/a Amarone
Location: 686 Ninth Avenue (between 47th and 48th Streets)
DCA License No.: 0958014
Type: Renewal Application – Unenclosed Sidewalk Café
Tables/Seats: Current: 5 tables/16 seats, Revised: 9 tables/18 seats

Dear Ms. Gotay:

At its December 19, 2007 and January 16, 2008 meetings, Manhattan Community Board 4's Transportation Planning Committee heard from the above applicant and reviewed plans for the renewal of an unenclosed sidewalk café license.

Residents representing two block associations complained that the café obstructs pedestrians' movement on the sidewalk. Upon review of the plan, there are only 5.5 feet between the café boundary and two tree pits. There are no grates to cover the pits. In addition, the café does not comply with the DCA requirement that its boundaries be marked on the sidewalk. Community Board 4's approval letter dated March 2005 stipulated that failure to do so would cause denial of the renewal.

The owner has revised the plans to include a level metal grate around the tree and has redesigned the café to enable 6'5" between the tree and the café. The owner is also proposing a redesign for other portions of the café that make provide more sidewalk space throughout and add additional tables and chairs to the South.

Several transportation committee members were concerned that the revised plans did not come closer to meeting the community preferred 8' clearance to the tree, particularly since the café could have provided 7'6" clearance, while still having a net increase in the number of tables and chairs (as compared to its current license). However, since the proposal meets city sidewalk café design standards and since the Board preferred standards provides exceptions for renewals, the Transportation Committee voted to recommend approval of the plan with the following stipulations:

- the café boundaries are marked on the sidewalk before the café reopens
- the owner files a modification of his license to reflect the plan shown to the Transportation Committee and the Community Board.

This letter was passed by the Executive Committee of CB4 on Monday, January 28, and is subject to ratification by the full board at its next scheduled meeting on 6 February, 2008.



Jean-Daniel Noland
Chair
Manhattan Community
Board No. 4



Jay Marcus
Co-Chair
Transportation Planning
Committee



Christine Berthet
Co-Chair
Transportation Planning
Committee

cc: Manhattan Borough President Scott M. Stringer
City Council Speaker Christine Quinn

Mr. Spiridiglozzi, Seta Restaurant Corporation