



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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JEAN-DANIEL NOLAND
Chair

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

February 11, 2008

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

Re: Sidewalk Café Renewal

Applicant: Pam Real Thai II Inc. d/b/a Pam Real Thai
Location: 402 West 47th Street
DCA License No.: 1274576
Type: New Application – Unenclosed Sidewalk Café
Tables/Seats: 6 tables/14 seats

Dear Ms. Gotay:

At its January 16, 2008 meeting, Manhattan Community Board 4's Transportation Planning Committee heard from the above applicant and reviewed plans for a new unenclosed sidewalk café.

The Committee is opposed to this application for several reasons. First and foremost is that, according to the Building Department, this restaurant does not have a certificate of occupancy for operating a restaurant. It is operating illegally. We feel that should invalidate their ability to apply for a sidewalk café. On a more minor, but still substantive, note Pam Real Thai does not have a permit for its outdoor sign. (We understand that DOB has issued violations for both issues).

In addition, Pam Real Thai has not abided by previous Community Board requests. In its letter of approval for a Beer & Wine license, which the applicant stated they would agree to, Community Board 4 asked that they not alter or modify the façade of the building, i.e. no glass French doors. French doors were indeed installed and opened when weather conditions warranted.

Separately from the above issues, which we feel should invalidate their application, we are concerned about the precedent that this café would create. Pam Real Thai is located 60 ft into the West 47th Street residential block that is part of the Clinton Special District. The restaurant is surrounded by buildings no more than 66 feet in height and an outdoor café would adversely affect the quality of life for residents living directly above the restaurant, as well as those living in buildings to the east and west of 402 West 47th Street. Noise from patrons talking and the clatter of dishes would travel to these neighboring buildings. And second hand smoke would cause health issues for many. This would be the first sidewalk café (other than those at the

corner) in the West 40's between 9th and 10th Avenue in the Clinton Special District and we feel sidewalk café's would violate the residential nature of those blocks.

Members of the West 47th/48th Block Associations also expressed concerns about the restaurant and strongly opposed this application.

At the Transportation Planning Committee the business' representatives offered no explanations or new insights in response to these issues nor did they give the committee the impression that would move forward on obtaining a certificate of occupancy or consider changing their operations to address the community's concerns. The Committee therefore strongly recommends denial of this application.

On February 6, 2008 the Full Board voted to recommend denial of this application for a new side walk café permit.

Sincerely,



Jean-Daniel Noland
Chair
Manhattan
Community Board 4



Christine Berthet
Co-Chair
Transportation Planning
Committee



Jay Marcus
Co-Chair
Transportation Planning
Committee

cc: Manhattan Borough President Scott M. Stringer
City Council Speaker Christine Quinn
R. Panyasiri, Pam Real Thai II Inc.