



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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JEAN-DANIEL NOLAND

Chair

ROBERT J. BENFATTO, JR., ESQ.

District Manager

March 13, 2008

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

Re: SIDEWALK CAFÉ APPLICATION (Renewal)

Applicant: Mercury Bar
Location: 659 9th Avenue
DCA License No.: 1101272
Type: Renewal – Unenclosed Sidewalk Café
Tables/Chairs: 4 tables/8 chairs

Dear Ms. Gotay:

At its February 20, 2008 meeting, Manhattan Community Board 4's Transportation Planning Committee heard from the above applicant and reviewed the application for renewal of a permit for an unenclosed sidewalk café.

Block Association representatives present at the meeting noted that the sidewalk is frequently crowded with patrons congregating outside the rail to smoke. This situation is of further concern since a bus stop is located a few feet south of the café. Bus riders stepping off the bus back door just in front of the café may have no room to get on the sidewalk.

Therefore, the Committee voted to recommend approval of the application for the sidewalk café with the following stipulations:

- the applicant will designate an employee to ensure that no one congregates in front of the café at any time, and
- the applicant will put up signs on the rail to direct patrons to congregate by north and south of the café.

Manhattan Community Board 4 received a written statement (see attached) dated February 21, 2008 from the applicant agreeing to the above stipulations.

At its meeting on March 5, 2008 the Full Board voted to recommend approval this application with the above stipulations.

Sincerely,



Jean-Daniel Noland
Chair
Manhattan
Community Board 4



Christine Berthet
Co-Chair
Transportation Planning
Committee



Jay Marcus
Co-Chair
Transportation Planning
Committee

C.c.

Manhattan Borough President Scott M. Stringer
City Council Speaker Christine Quinn
Micheal Kelly, 659 Restaurant Inc.

Attachment: Letter applicant to CB4