



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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JEAN-DANIEL NOLAND
Chair

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

December 8, 2008

Chairman Daniel Boyle
New York State Liquor Authority
80 South Swan Street
Albany, NY 12210

Re: 44<sup>th</sup> & Ninth Restaurant Inc. d/b/a L'Allegría – 623 Ninth Avenue (44)

Dear Commissioner:

Manhattan Community Board 4 voted to recommend denial of a alteration of an existing liquor license for & Ninth Restaurant Inc. d/b/a L'Allegría unless the following stipulations, agreed to by the applicant, are part of the method of operation for this establishment:

- The applicant will comply with CB4 policy regarding French doors/large windows that open onto the street. The applicant agreed these will be closed at 10 pm S-T and 11 pm F-S and, as per law, during all times that amplified sound is played inside.
The applicant will work with DCA to mark their sidewalk café, as per DCA requirements by painting the boundaries on the sidewalk.
The applicant acknowledged that the seating arrangement of the outdoor café tables was not arranged according to the architectural diagram submitted and approved by CB4 and DCA, but stated they would comply with the approved sidewalk café design in the future.
Hours of operation will be 12 pm to 12 am, 7 days per week.
Total capacity is 74.

L'Allegría is an existing restaurant establishment that is moving the service bar to the rear of the restaurant and will be including the sidewalk café in their liquor license alteration to be compliant with the laws regarding alcohol service in the outdoor space.

Sincerely,

Jean-Daniel Noland

Jean-Daniel Noland
Chair
Manhattan Community
Board Four

Lisa Daglian
Co-Chair
Business License & Permits
Committee

Chuck Spence

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Co-Chair
Business License & Permits
Committee

cc: Applicant
Fred Gioffre
Elected Officials