



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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JEAN-DANIEL NOLAND

Chair

ROBERT J. BENFATTO, JR., ESQ.

District Manager

October 21, 2008

Daniel Boyle
Commissioner
New York State Liquor Authority
84 Holland Avenue, 2nd floor, A-Wing
Albany, NY 12208

Re: Terraza Toscana, 742 Ninth Avenue (50th)

Dear Commissioner:

Manhattan Community Board 4 recommend denial of a new full liquor license for Terraza Toscana unless certain stipulations, agreed to by the applicant, were part of the method of operation for this establishment. Enclosed is a copy of the letter from the full board as well as an artist rendering from several website.

We have observed and learned that the applicant has disregarded the agreed stipulation that the rooftop not be used as it is literally just outside the windows of many apartments of neighboring buildings. Based on prior experience with outside patio/rooftop usage, we feel this will create severe problems for the community and will result in future action to resolve ongoing disturbances. Additionally, we find the applicant is not working in good faith with the community when he agreed to the stipulations at the MCB4 BLP Committee meeting.

As this establishment is clearly in the process of constructing the rooftop dining and must undergo the 500 foot rule, we emphasize that we recommend denial as a result of the flagrant disregard for the community's concerns and hope that the board of the SLA will stand with our request to keep disturbances to neighboring residents to a minimum.

We thank you in advance for your consideration.

Sincerely,

Jean-Daniel Noland
Chair
Manhattan Community Board 4

cc: Applicant
Fred Gioffre, SLA
Leah Donaldson, DOB