



CITY OF NEW YORK

**MANHATTAN COMMUNITY BOARD FOUR**

330 West 42<sup>nd</sup> Street, 26<sup>th</sup> floor New York, NY 10036  
tel: 212-736-4536 fax: 212-947-9512  
www.ManhattanCB4.org

**JEAN-DANIEL NOLAND**  
Chair

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

March 27, 2009

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

**Re: 659 Rest Inc. d/b/a Mercury Bar and Grille – 659 Ninth Ave. (45 St.)**

Dear Commissioner Boyle:

Manhattan Community Board 4 recommends renewal of the liquor license for 659 Rest Inc. d/b/a Mercury Bar and Grille but noted ongoing violations of sidewalk café operations. The establishment has consistently flouted laws requiring that furniture be moved inside when the sidewalk café is not in use and after its closing hours. This matter will be referred to the City of New York for Enforcement, and the community board’s Quality of Life Committee for consideration when the sidewalk café renewal comes due.

Sincerely,

Jean-Daniel Noland  
Chair  
Manhattan Community  
Board Four

Lisa Daglian  
Co-Chair  
Business License &  
Permits Committee

Chuck Spence  
Co-Chair  
& Business License & Permits  
Committee

cc: Applicant  
Fred Gioffre  
Elected Officials