



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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**JOHN WEIS**  
Chair

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

January 20, 2011

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

Dennis Rosen  
Chairman  
New York State Liquor Authority  
80 S. Swan Street, 9th Floor  
Albany, New York 12210 ebruary 2, 2011

**Re: Pepe Giallo**  
*253 Tenth Avenue (25<sup>th</sup>)*

Dear Chairman and Assistant Director:

Manhattan Community Board 4 recommends conditional approval of an application for an unenclosed sidewalk café, with 6 tables seating 12 people, submitted by the above applicant.

This was subsequent to a review of the site by the Business License & Permits Committee South and an appearance before the Executive Committee by the applicant or a spokesperson for the applicant. No one appeared in opposition to this application.

The conditions to the unenclosed sidewalk café are:

- Removal of one table and two chairs (the one under the top/down ladder)
- Staff will be advised to remove all table and chairs in case of an emergency (e.g., fire)
- The establishment's hours of operation are 11:00 a.m. to 11:00 p.m.

We continue to request that the outer boundaries of cafes be marked on the sidewalk and the café permit be posted in a visually accessible location, as required by the Department of Consumer Affairs' sidewalk café regulations.

In addition, CB4 approves a soon to be submitted application for an alteration to the beer and wine liquor license provided the CB4 Office receives the legally required certified notice of intent.

Sincerely,

John Weis  
Chair  
Manhattan Community Board  
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Paul Seres  
Co-Chair  
Business License & Permits  
Committee - South

Burt Lazarin  
Co-Chair  
Business License & Permits  
Committee - South