



JOHN WEIS
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MANHATTAN COMMUNITY BOARD FOUR

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July 22, 2010

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

***Re: 24 Easts LLC d/b/a Empire Diner
210 Tenth Avenue (at W22nd Street)***

Dear Commissioner Mintz and Chairman Rosen:

Manhattan Community Board 4 (MCB4) recommends approval of an unenclosed sidewalk café permit for 24 Easts LLC d/b/a Empire Diner. This letter replaces the previous letter approved by MCB4 at its meeting of June 7, 2010.

The application is for a sidewalk café permit with 28 tables seating 80 people (this configuration reflects the revised application and accompanying plan; originally there was an inconsistency between the plan and the application). The applicant has agreed to close the sidewalk café by 11:00 pm Sunday through Thursday and by 12:00 am on Friday and Saturday.

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. It should be noted that the existing demarcation is misleading (the distance between the base of the signal and the corner of the boundary line is 6'8" which is significantly less than the required 8') and will be modified to conform to regulations.

The permit represents an increase in the number of tables (6) and seats (19) from the existing permit.

Sincerely,

John Weis
Chair
Manhattan Community
Board 4

[Signed 7/22/10]
Burt Lazarin
Co-Chair
Business License & Permits
Committee – South

[Signed 7/22/10]
Hugh Weinburg
Co-Chair
Business License & Permits
Committee – South