



CITY OF NEW YORK

**MANHATTAN COMMUNITY BOARD FOUR**

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**JOHN WEISS**  
Chair

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

January 8, 2010

Dennis Rosen  
Chairman  
New York State Liquor Authority  
80 S. Swan Street, 9<sup>th</sup> Floor  
Albany, New York 12210

**Re: Rachels on 9th Corp d/b/a Rachels.**  
*608 Ninth Avenue (43/44)*

Dear Chairman Rosen:

Manhattan Community Board 4 (MCB4) recommends denial of a renewal of a full operating liquor license for Rachels on 9<sup>th</sup> Corp d/b/a Rachels for the following reasons:

- Multiple noise complaints were made by the community about the level of amplified sound emanating from the open French Doors & Windows of the establishments in the summer evenings.
- The operator has not abided by its agreement with CB4 to close their French Doors and Windows as per policy at 10 pm on weekdays and 11 pm on weekends.
- Despite repeated calls and emails inviting the operator to the CB4 meetings to address the community complaints, they did not attend.

It was noted at the full CB4 board meeting that several board members did go into the establishment to talk to management about the complaints. The management apologized and stated they would work with us but to date they have not reached out to CB4 to schedule a meeting.

If the operator does appear before CB4 to discuss and resolve the noise complaints and problems, we will reconsider our recommendation at that time.

Sincerely,

John Weiss  
*Chair*  
Manhattan Community  
Board 4

John Owens  
*Co-Chair*  
Business License & Permits  
Committee - North

Chuck Spence  
*Co-Chair*  
Business License & Permits  
Committee - North