



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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JOHN WEIS
Chair

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

November 19, 2010

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

Re: Uncle Mario's Brick Oven Pizza LLC
739 Ninth Avenue (48th)

Dear Chairman Rosen:

Manhattan Community Board 4 (MCB4) recommends denial of a restaurant wine and beer license to Uncle Mario's Brick Oven Pizza LLC, unless the following stipulations, agreed to by the applicant, are part of their method of operation:

- Hours of operation will be no earlier than 10:30 a.m. and no later than 11:00 p.m., 7 days per week.
- The applicant stated they will have background music playing in the restaurant.
- French doors and/or windows will be closed by 10:00 p.m. Sunday through Thursday and 11:00 p.m. on Friday and Saturday. They will also be closed whenever amplified sound is played inside, as per law.
- Delivery bikes will be stored out of pedestrian traffic; a bike rack will be installed.
- The gate installed on W. 50th Street between Ninth and Tenth Avenues will be removed and cellar doors will be reinstalled.
- Applicant will not install a storm vestibule enclosure that will project more than 18 inches as per DOB code. Storm enclosures can only be used between November 15th and April 15th.
- Kitchen exhaust will exit through ventilation above the highest floor of surrounding buildings and be constructed in a manner to not disturb neighboring residents or offices. Additionally it will be compliant with NYC DOB code.

This is a restaurant that will have a capacity of no more than 74, with 20 tables and 47 seats. A signed copy of the original letter with stipulations and aforementioned stipulations agreed to by the applicant are enclosed on the MCB4 form.

Sincerely,



John Weis
Chair
Manhattan Community
Board 4

[signed 11/19/10]

Lisa Daglian
Co-Chair
Business License & Permits
Committee - North



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