



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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COREY JOHNSON
Chair

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

October 13, 2011

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

Re: Top One Top, Inc. d/b/a Tabata Noodle Restaurant
540 Ninth Avenue (39th/40th)

Dear Chairman Rosen:

Manhattan Community Board 4 (MCB4) recommends denial of a new restaurant wine and beer license, for an eating and drinking establishment, to **Top One Top, Inc. d/b/a Tabata Noodle Restaurant**, a full service restaurant with a total capacity of 74 with six tables and 24 seats, and one food service bar with eight seats, unless the following stipulations, agreed to by the applicant, are part of the method of operation as follows:

- Hours of operation will be Noon – 10:00 p.m. seven days a week.
- The applicant agrees to clean the sidewalk after garbage collection
- Delivery bikes will not be used
- A storm vestibule (freeze box) will not be used

A signed copy of the stipulations and community agreements is enclosed. This application is for a wine and beer license to be used at a restaurant located at *540 Ninth Avenue, New York*

Sincerely,

Corey Johnson
Chair

[signed 10/13/11]
Paul Seres
Co-Chair
Business License & Permits
Committee

[signed 10/13/11]
Lisa Daglian
Co-Chair
Business License & Permits
Committee