



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD No. 4

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WALTER MANKOFF
Chair

ANTHONY M. BORELLI
District Manager

March 3, 2005

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

Re: SIDEWALK CAFÉ APPLICATION

Applicant: Nothing Heavy Inc. d/b/a Empire Diner
Location: 210 Tenth Avenue (22nd/23rd)
DCA License No.: 0738345
Type: Renewal Application – Unenclosed Sidewalk Café
Tables/Chairs: 23 tables/65 chairs

Dear Ms. Gotay:

At its February 16, 2005 meeting, Manhattan Community Board No. 4's Transportation Planning Committee heard from the above applicant and reviewed plans for an unenclosed sidewalk café. No one appeared in opposition to the application. Therefore, the Committee voted unanimously to approve the application for renewal of the sidewalk café with one stipulation.

- The café's outer boundaries will be marked on the sidewalk, as required by DCA's sidewalk café regulations. If markings are not in place when the applicant returns to the Board for its next renewal, this committee will recommend denial of the renewal application.

On March 2, 2005 the Full Board approved the application with the above stipulation.

Sincerely,

Walter Mankoff
Chair
Manhattan Community Board No. 4

Jay Marcus
Chair
Transportation Planning Committee

cc: Elected Officials
Applicant