



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

330 West 42nd Street, 26th floor New York, NY 10036
tel: 212-736-4536 fax: 212-947-9512
www.ManhattanCB4.org

JEAN-DANIEL NOLAND
Chair

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

March 13, 2008

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

Re: SIDEWALK CAFÉ APPLICATION (Renewal)

Applicant: 757 Rest. LLC d/b/a Rogue
Location: 757 6th Avenue
DCA License No.: 1200498
Type: Renewal Application – Unenclosed Sidewalk Café
Tables/Chairs: 10 tables/20 Chairs

Dear Ms. Gotay:

At its February 20, 2008 meeting, Manhattan Community Board 4's Transportation Planning Committee heard from the above applicant. No one appeared in opposition to the application, and the Board office has no record of problems with the applicant.

The Committee, however, continues to express concern with the proximity of the outer boundary of the café to a street tree. Although the tree pit is paved, tree roots have displaced the pavers. Thus, the paving does not provide a surface flush to the sidewalk as the distance from the tree pit to the café is well short of the mandatory eight feet.

The Committee voted to recommend approval of the renewal of the new sidewalk café with the following stipulation:

- The applicant will install a tree grate flush with the sidewalk. If that is not feasible, then the applicant will reconfigure its tables and service lane to allow a full eight-foot pedestrian path.

We continue to request that the outer boundaries of cafes be marked on the sidewalk, as required by Department of Consumer Affairs' sidewalk café regulations.

Manhattan Community Board 4 received a written statement (see attached) dated February 21, 2008 from the applicant agreeing to the above stipulations.

On March 5, 2008, the Full Board voted to recommend approval of the application with the above stipulations.

Sincerely,



Jean-Daniel Noland
Chair
Manhattan
Community Board 4



Christine Berthet
Co-Chair
Transportation Planning
Committee



Jay Marcus
Co-Chair
Transportation Planning
Committee

C.c.

Manhattan Borough President Scott M. Stringer
City Council Speaker Christine Quinn
Micheal Kelly, 757 Rest. LLC

Attachment: Letter applicant to CB4