



CITY OF NEW YORK

**MANHATTAN COMMUNITY BOARD FOUR**

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**JEAN-DANIEL NOLAND**  
Chair

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

June 5, 2009

Jonathan Mintz, Commissioner  
New York City Department of Consumer Affairs  
42 Broadway  
New York, NY 10004

**Re: Pietrasanta, 683 Ninth Avenue**

Dear Commissioner Mintz:

Manhattan Community Board 4 is writing asking that you waive the application fee for a new permit for an unenclosed café for Pietrasanta located at 683 Ninth Avenue and that the paperwork for the new café application be submitted to CB4 as quickly as possible.

The applicant submitted for an enclosed sidewalk cafe in 2007. CB4 recommended denial and the applicant appeared before the New York City Council subcommittee on Zoning and Franchises on Tuesday, June 2, 2009.

CB 4 still opposes an enclosed café but would support an unenclosed café for four tables and 9 chairs. The applicant is willing to seek a revocable consent for an unenclosed cafe instead of an enclosed café if the application fee could be waived and if DCA could expedite the application.

The applicant is unwilling to withdraw currently as the cost for a second application is prohibitive and because delays could make them miss the entire summer/ fall 2009 season.

Community Board 4 strongly urges the DCA to waive the application fee for Pietrasanta and to expedite its new application. This new application is being sought out of respect to Community Board 4's resolution made with the greater good of our community in mind. As a matter of public policy this is a sound and reasonable request. No application fee funding would be

lost as the applicant would instead move ahead against the community's interest should the DCA refuse. All that should be required is the funding to cover DCA staff's time reviewing the permit.

The City Council's Zoning and Franchises subcommittee has delayed its vote to June 10th with the hope that a resolution favorable to all could be reached.

We thank you for your consideration and prompt response.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jd', with a long horizontal stroke extending to the left.

Jean-Daniel Noland  
Chair  
Manhattan Community Board 4

cc: Beverly Gotay, Assistant Director of Licensing, Department of  
Consumer Affairs  
NYC Council Speaker Christine Quinn  
NYC Council Land Use Division