



CITY OF NEW YORK

**MANHATTAN COMMUNITY BOARD FOUR**

330 West 42<sup>nd</sup> Street, 26<sup>th</sup> floor New York, NY 10036  
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**JEAN-DANIEL NOLAND**  
Chair

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

June 22, 2009

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

**Re: Renewal Sidewalk Café:**

**Applicant:** 119 7<sup>th</sup> Avenue Cafeteria LLC d/b/a Cafeteria  
**Location:** 119 Seventh Avenue (17)  
**DCA License No.:** 1000228  
**Type:** Renewal Application – Unenclosed Sidewalk  
Café  
**Tables/Seats:** 21 tables/42 seats

Dear Ms. Gotay:

Manhattan Community Board 4 recommends denial of the application for this renewal application for an unenclosed sidewalk café pending significant changes which need to be included in the method of operation to satisfy local residents. Local residents have a documented history of complaints regarding noise, crowd control and improper venting from kitchen.

We urge that a meeting be scheduled with pertinent representatives from the building; the landlord, the General Manager and the Night Manager of the Cafeteria and residential tenants. We would offer the Board offices as a venue for such a meeting and be prepared to act as arbitrators to resolve the issues.

Long term solutions which need to be resolved include operation hours for the sidewalk café, proper exterior venting from the kitchen, the appropriate number of tables and chairs for the sidewalk space together with new

architect's plans that include the umbrellas used in warm weather and gas heaters used in cold weather.

It should also be noted that after approval of new plans, the outer boundaries of cafes must be marked on the sidewalk, as required by Department of Consumer Affairs' sidewalk café regulations.

Sincerely,

A handwritten signature in cursive script that reads "Jean-Daniel Noland".

Jean-Daniel Noland  
Chair  
Manhattan Commu  
nity  
Board 4

cc: Manhattan Borough President Scott M. Stringer  
City Council Speaker Christine Quinn