



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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**JOHN WEIS**  
Chair

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

July 31, 2009

Commissioner Daniel Boyle  
New York State Liquor Authority  
80 South Swan Street  
Albany, NY 12210

**Re: 401 W 50 Tavern Inc. d/b/a Hibernia- 401 West 50<sup>th</sup> Street (9/10)  
Alteration**

Dear Commissioner Boyle:

Manhattan Community Board 4 recommends denial of an alteration to a full liquor license to include a sidewalk café at 401 W 50 Tavern Inc. d/b/a Hibernia unless the following stipulations, agreed to by the applicant, are added to the current method of operation for this establishment:

- The French Doors to the street will be closed by 10 pm Sunday through Thursday, 11 pm Friday and Saturday and whenever amplified sound is played inside, as per law.
- Hours of operation for the establishment are 12 pm to 4 am 7 days per week. Hours of operation for the sidewalk café will be 12 pm to 9 pm, 7 days per week.
- The sidewalk café will only allow seated service of food and beverage provided by the staff of Hibernia.
- The owners, management and staff will prohibit consumption of alcohol on the public sidewalks, as per law, by patrons who stand outside (to smoke) by not allowing patrons to carry any drinks outside of the establishment.
- The applicant is not applying for a cabaret license.
- The applicant will meet with community associations, as necessary, to resolve complaints/problems stemming from their establishment.

This establishment is a restaurant and bar with a total capacity of 74 with a dining area capacity of 26 and bar seating of 18.

Sincerely,



John Weis  
Chair  
Manhattan  
Community Board 4

[signed 7/31/09]

Lisa Daglian  
Co-Chair  
Business License &  
Permits Committee



Chuck Spence  
Co-Chair  
Business License &  
Permits Committee

cc: Applicant  
Fred Gioffre  
Elected Officials