



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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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: Terraza Toscana-742 Ninth Avenue (50) Alter OP

Dear Commissioner Boyle:

Manhattan Community Board 4 recommends denial of an alteration to a full liquor license to include outdoor rooftop patio of Terraza Toscana unless the following stipulations, agreed to by the applicant, are part of the method of operation for this establishment:

(NOTE THESE STIPULATIONS ARE IN ADDITION TO THOSE EXISTING IN THE CURRENT METHOD OF OPERATION)

- The rooftop will have a total of 12 tables that seat no more than 4 patrons per table.
- There will be no smoking on the rooftop.
- The rooftop will be used only for seated food and beverage service by wait staff. Patrons will not be allowed to stand and drink/smoke on the rooftop.
- There will be no amplified sound on the rooftop.
- Hours of operation are 11 am to 11:30 pm 7 days per week. Hours of the operation of the rooftop will be 11 am to 10 pm Sunday through Thursday and 11 am to 11 pm Friday and Saturday. The rooftop space will be completely vacated by the respective closing times.
- The applicant will not be applying for a cabaret license and the rooftop patio will not be used for special events or large parties.

- Lighting will be designed and installed so that it does not disturb neighboring apartments.
- There will be no bar (service or standing) on the outside rooftop patio.

This establishment is an Italian restaurant and bar with a total capacity of 220 with a dining area capacity of 214 and bar seating of 6.

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