



John Weis
Chair

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

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

December 14, 2009

Dennis Rosen
Chairman
New York State Liquor Authority
80 South Swan Street
Albany, NY 12210

Re: 785 Café Inc.
785 Ninth Avenue (52/53)

Dear Chairman Rosen:

Manhattan Community Board 4 (MCB4) recommends denial of a transfer of a full operating liquor license for 785 Café Inc. unless the following stipulations, agreed to by the applicant, are part of the method of operation for this establishment:

- Hours of operation will be 11:00 am to 4:00 am, 7 days per week. Background music only will be played from 12 pm to 3 am, 7 days per week. (There will be no live music or DJ's) The kitchen will be open and serving food from 11 am to 2 am, 7 days per week.
- There will be no use of any outdoor spaces (rooftop, patio or sidewalk café) at this time. The applicant MAY apply for a sidewalk café license at some time in the future.
- The operator is not applying for a cabaret license.
- The applicant stated they intend to hire one certified security guard for any potential late night crowd control issues.
- The applicant will only install 'storm door enclosures' that are compliant with NYC building codes, specifically, no deeper than 18 inches so it does not obstruct the sidewalk.
- The applicant has agreed to CB4's policy to have the French doors/large windows closed by 10 pm on weekdays and 11 pm on weekends and, as per law, whenever amplified sound is played inside the restaurant.
- Applicant will follow the recommendations of a certified sound engineer to mitigate potential noise disturbance to the neighboring residents and buildings.

- Kitchen exhaust will exit through ventilation above the highest floor of surrounding buildings and be constructed in a manner to not disturb neighboring residents or offices. Additionally it will be compliant with NY DOB code.

A signed copy of the stipulations agreed to by the applicant is enclosed. This application is for a transfer of a license from Lasagna Restaurant with one stand up bar and no service bars. Total capacity is 74 patrons with 60 seated at 22 tables and the rest standing or seated at the bar.

Sincerely,



John Weiss
Chair
Manhattan Community
Board 4



John Owens
Co-Chair
Business License & Permits
Committee - North



Chuck Spence
Co-Chair
Business License & Permits
Committee - North