



CITY OF NEW YORK
MANHATTAN COMMUNITY BOARD FOUR

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JOHN WEIS
Chair

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

February 19, 2010

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

Re: Sidewalk Café Renewal

Applicant: 659 Rest. Inc. d/b/a Mercury
Location: 659 9th Avenue (/)
DCA License No.: 1101272
Type: Renewal Application – Unenclosed Sidewalk Café
Tables/Seats: 4 tables/8 seats

Dear Ms. Gotay:

Manhattan Community Board 4 recommends approval of the application to renew the permit for an unenclosed sidewalk café submitted by the above applicant.

This was subsequent to a review of the site by the Business License & Permits Committee North and an appearance before the Committee by the applicant or a spokesperson for the applicant but do note they are not compliant with NYC Laws concerning amplified sound emanating from the establishment when their French doors are open, as well as keep them open past the agreed time of 10pm weeknights and 11pm weekends.

We continue to request that the outer boundaries of cafes be marked on the sidewalk, as required by Department of Consumer Affairs' sidewalk café regulations.

Sincerely,

John Weis
Chair
Manhattan Community Board
4

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

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