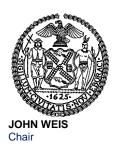
CITY OF NEW YORK



MANHATTAN COMMUNITY BOARD FOUR

330 West 42nd Street, 26th floor New York, NY 10036 tel: 212-736-4536 fax: 212-947-9512 www.nyc.gov/mcb4

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

January 20, 2011

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

Dennis Rosen Chairman New York State Liquor Authority 80 S. Swan Street, 9th Floor Albany, New York 12210 ebruary 2, 2011

Re: Pepe Giallo

253 Tenth Avenue (25th)

Dear Chairman and Assistant Director:

Manhattan Community Board 4 recommends <u>conditional approval</u> of an application for an unenclosed sidewalk café, with 6 tables seating 12 people, submitted by the above applicant.

This was subsequent to a review of the site by the Business License & Permits Committee South and an appearance before the Executive Committee by the applicant or a spokesperson for the applicant. No one appeared in opposition to this application.

The conditions to the unenclosed sidewalk café are:

- Removal of one table and two chairs (the one under the top/down ladder)
- Staff will be advised to remove all table and chairs in case of an emergency (e.g., fire)
- The establishment's hours of operation are 11:00 a.m. to 11:00 p.m.

We continue to request that the outer boundaries of cafes be marked on the sidewalk and the café permit be posted in a visually accessible location, as required by the Department of Consumer Affairs' sidewalk café regulations.

In addition, CB4 approves a soon to be submitted application for an alteration to the beer and wine liquor license provided the CB4 Office receives the legally required certified notice of intent.

Sincerely,

John Weis Paul Seres Burt Lazarin
Chair Co-Chair Co-Chair
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Manhattan Community Board Business License & Permits Business License & Permits

4 Committee - South Committee - South