



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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JOHN WEIS
Chair

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

September 17, 2010

Dennis Rosen
Chairman
New York State Liquor Authority

Re: Niagara Café
302 West 38th Street

Dear Chairman Rosen:

Manhattan Community Board 4 (MCB4) recommends denial of a new restaurant wine and beer license for Niagara Café, unless the following stipulations, agreed to by the applicant, are part of the method of operation for this establishment:

- Hours of operation will be no earlier than 5:30 am and no later than 12:00 am, 7 days per week. Hours of operation of the kitchen will be 5:30 am to 12:00 am, 7 days per week.
- There will be no use of any outdoor spaces for rooftop, patio or sidewalk cafe.
- The applicant is not applying for a cabaret license with this current application.
- The applicant stated they will have background music and television.
- There will be no French doors and/or windows that open to the street front.
- There will be absolutely no use of delivery bikes.
- Applicant will not install a storm vestibule enclosure that will project more than 18 inches as per DOB code. Storm enclosures can only be used between November 15th and April 15th.
- 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 café beer and wine license. Total capacity will be 48 with 4
tables and 8 seats. There will be no stand up bars.

Sincerely,



John Weis
Chair
Manhattan Community
Board 4



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