

April 9, 2004

Commissioner Edward Kelly
New York State Liquor Authority
84 Holland Avenue
Albany, NY 12208

Re: Eagle Open Kitchen Inc. d/b/a Eagle, 550 West 28th Street

Dear Commissioner Kelly,

At its meeting on March 9, 2004, the Business Licenses and Permits Committee of Manhattan Community Board No. 4, heard the application of Eagle Open Kitchen LLC for an alteration to its on-premises liquor license, wherein a service bar on its unenclosed roof deck would become a patron bar. By a vote of six in favor and two opposed, the Committee recommended approval of this alteration, provided the following stipulations are attached to the altered liquor license.

1. Applicant agrees that no music will be played or heard on the roof.
2. Applicant agrees that if and when any space in surrounding or nearby buildings becomes residential, applicant will enclose this roof space with a permanent, sound-proof structure.

On April 7, 2004, Manhattan Community Board No. 4 approved this recommendation with these stipulations attached.

Sincerely,



Walter Mankoff
Chair

Kevin Kossi
Co-chair, Business Licenses & Permits



Cheryl Kupper
Co-chair, Business Licenses & Permits

cc: Local Elected Officials
Applicant
Fred Gioffre