

October 8th, 2004

Commissioner Edward Kelly
New York State Liquor Authority
84 Holland Avenue, 2nd floor, A-Wing
Albany, NY 12208

Re: Los Amigos de Morgan Inc., d/b/a Medina, 315 Tenth Avenue (28/29)

Dear Commissioner Kelly,

At its September 14th, 2004 meeting, the Business Licenses and Permits Committee of Manhattan Community Board No. 4 considered a restaurant wine and beer license renewal application for Los Amigos de Morgan Inc. d/b/a Medina, located at 315 Tenth Avenue (28/29). It is also the Committee's understanding that a new on-premises liquor license application for this location is pending. It has come to our attention that commercial occupancy of the backyard is not currently legal. It is unclear whether it can become legal. The existing and new liquor licenses should be amended accordingly.

The Committee was notified of problems with the applicant's Certificate of Occupancy and related Buildings Permits with regards to its use of its backyard. The Board office has also received numerous complaints regarding late night patron use of the backyard. We have been notified by various City agencies about potential problems with:

- Fire egress from the backyard
- Obtaining a Certificate of Occupancy to allow a use that is contrary to zoning
- Construction of a deck in the backyard without necessary Buildings permits (the deck was constructed at the beginning of the summer and used for several months. It has now been removed upon order of the Mayor's Office of Midtown Enforcement.)

Although wine and beer was served in the backyard this summer, it is unclear to us whether the backyard space is included in the current restaurant wine and beer license issued by the SLA.

We ask that you fully consider these issues in regards to the license renewal and the new license application.

Sincerely yours,



Walter Mankoff
Chair
Manhattan Community Board No. 4

Kevin Kossi
Chair
Business Licenses & Permits Committee

At its full board meeting on October 6th, 2004, Manhattan Community Board No. 4 voted to approve this letter.

cc: Applicant, Fred Gioffre, Department of Buildings, Mayor's Office of Midtown Enforcement, Local Elected Officials