



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
80 S. Swan Street
Albany, NY 12210-8002

Re: CCH Restaurant Management LLC d/b/a Zen Palate
663 Ninth Avenue (45th/46th Streets)

Dear Chairman Rosen:

Manhattan Community Board 4 (MCB4) recommends denial of a new restaurant wine and beer license for **CCH Restaurant Management LLC d/b/a Zen Palate**, 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 12:00 p.m. and no later than 2:00 a.m., 7 days per week. The hours of operation of the kitchen will be no earlier than 12:00 p.m. and no later than 12:00 a.m., 7 days per week.
- There will be no use of any outdoor spaces (rooftop or patio) however there is a sidewalk café along West 46th Street (not along Ninth Avenue) with 10 tables that seat 20 patrons for outdoor service. Alcohol will be served to sidewalk café patrons only via seated wait service, as per law. Hours of operation of the sidewalk café will be 12:00 p.m. to 10:00 p.m. weekdays and 12:00 p.m. to 11:00 p.m. on weekends.
- The operator is not applying for a cabaret license.
- The applicant stated they will have background music playing in the restaurant. No music will be played outside.
- There will be French doors and/or windows that open to the street front. Applicant has agreed to close them by 10:00 p.m. Sunday through Thursday and 11:00 p.m. on Friday and Saturday. They will also be closed whenever amplified sound is played inside, as per law.

- Delivery bikes will be locked to a bike rack or stored in a way as to not block the sidewalk. The delivery bikes will be stored near the wall of the establishment to the West most section of the building on West 46th Street.
- 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.
- 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.

A signed copy of the stipulations agreed to by the applicant is enclosed. This application is for an existing vegetarian restaurant that will install one stand up bar. There will be 10 tables in the bar area with 20 seats. Total capacity is 75 patrons with 56 seated at 18 tables.

Sincerely,

John Weis
Chair
Manhattan Community
Board 4

Chuck Spence
Chair
Business License & Permits
Committee - North

cc: Applicant
Fred Gioffre
Elected Officials