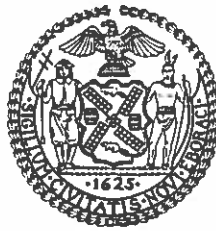


James G. Clynes
Chairman

Latha Thompson
District Manager



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The City of New York Manhattan Community Board 8

February 10th, 2017

Heather L Bermingham, Deputy Director of Licensing
Licensing Department
Department of Consumer Affairs
42 Broadway
New York, New York 10004

RE: Coliomore Inc, dba Five Mile Stone, 1640 2nd Avenue (85th/86th) – Renewal application for an unenclosed sidewalk café with 12 tables and 26 chairs. DCA # 2009032-DCA. Due Date March 6th.

Dear Ms. Bermingham:

At the February 8th, 2017 Land Use Committee meeting of Manhattan Community Board 8, the following recommendation was adopted by a vote of 29 in favor, 5 opposed, 0 abstentions and 0 not voting for cause:

WHEREAS this is a renewal application for a sidewalk cafe; and

WHEREAS there are no changes to the application; and

WHEREAS several members of the public objected and approx. 30 signed letters from members of the public who could not be in attendance were also presented; and

WHEREAS the public concerns involved loud noise from the establishment; as well as questions about whether the footprint of the sidewalk café exceeded permitted size, as well as concerns about wait staff serving from the sidewalk and not using the designated service aisle; and

WHEREAS in response to such concerns the applicant offered to close the second floor balcony on the 85th Street side commencing at 8pm daily; and offered to close all doors and windows commencing at 9pm daily; and offered to clearly mark where the legal footprint of the sidewalk café; and offered to provide the owners phone number to the public and the community board to address any future concerns; and

WHEREAS the committee accepted those offers and shall be stipulations to this resolution; and

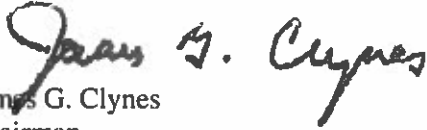
WHEREAS a committee member included one stipulation to the resolution, which was that for a period of three months the applicant limit the size of the sidewalk café to 12 tables and 26 chairs (only along 85th Street), as opposed to the 27 tables and 59 chairs which was approved in a recent modification; and

WHEREAS the applicant did not agree to the temporary reduction in tables in chairs aforementioned; therefore

BE IT RESOLVED that the application is **DISAPPROVED**, subject to the stipulations above.

Please advise this office of any action taken regarding this matter.

Sincerely,



James G. Clynnes
Chairman



Abraham Salcedo
Co-Chairs, Street Life Committee

Cc: Honorable Bill de Blasio, Mayor of the City of New York
Honorable Gale Brewer, Manhattan Borough President
Honorable Liz Krueger, NYS Senator, 26th Senatorial District
Honorable Dan Quart, NYS Assembly Member, 73rd Assembly District
Honorable Rebecca Seawright, NYS Assembly Member, 76th Assembly District
Honorable Ben Kallos, NYC Council Member, 5th Council District
Honorable Daniel Garodnick, NYC Council Member, 4th Council District