**Valerie S. Mason**
**Chair**

**Will Brightbill**
**District Manager**

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**The City of New York**
**Community Board 8 Manhattan**

July 2, 2025

Jennifer Sta. Ines
Manhattan Deputy Borough Commissioner
Department of Transportation
59 Maiden Lane, 37th Floor
New York, NY 10038

**RE: Tumma Khakuen Inc, dba Thep, 1439 Second Avenue (Between East 74th Street and East 75th Street) New Outdoor Dining Application for a Sidewalk Café – Unenclosed – 21 Tables and 42 Chairs**

Dear Deputy Commissioner Sta. Ines,

**Applications will only be approved based upon the applicant's agreement to the following stipulations:**

1. **Abide by the NYC bicycle laws and guidelines and shall make all reasonable efforts to ensure that any third-party delivery service you contract with abides by the laws and guidelines.**
2. **Will only use lawful vehicles and/or means of transportation for deliveries and make all reasonable efforts to ensure any third-party delivery services do the same.**
3. **Have my delivery persons wear the proper attire such as helmets, identifiable clothing, etc. and make all reasonable efforts to ensure that any third-party delivery service I contract with shall wear proper attire such as helmets, identifiable clothing, etc.**
4. **Not to participate in bar or pub crawls.**
5. **Will comply and remain in compliance with all DOT rules and regulations for outdoor cafés, including the removal of any unlawful existing structures.**
6. **If you have any outdoor dining space, either a sidewalk café or roadway dining, not serve alcohol in those outdoor spaces beyond 10 PM.**
7. **If you have the right to lawfully use any outdoor rear yard space (enclosed or unenclosed), cease use of such space no later than 10 PM.**
8. **Remove the Street Life Committee meeting notices you posted following the next applicable Full Board meeting on the date indicated on the notice.**

At the Full Board meeting of Community Board 8 Manhattan held on June 18, 2025, the board approved the following resolution by a vote of 30 in favor, 9 opposed, 0 abstentions, and 0 not voting for cause:

> **WHEREAS** this is a New Application to the Department of Transportation for a Sidewalk Café – 21 Tables and 42 Chairs; and
>
> **WHEREAS** no one from the public objected; and

**WHEREAS** the applicant has agreed to a stipulation that they will not obstruct access to any fire safety regulation necessities; and

**WHEREAS** the applicant has agreed to Community Board 8's stipulations above; therefore

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

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

Sincerely,

*Valerie S. Mason* *Lindsey Cormack and Abraham Salcedo*

Valerie S. Mason
Chair

Lindsey Cormack and Abraham Salcedo
Co-Chairs, Street Life Committee

cc: Honorable Kathy Hochul, Governor of New York State
Honorable Eric Adams, Mayor of the City of New York
Honorable Mark Levine, Manhattan Borough President
Honorable Jerry Nadler, 12th Congressional District Representative
Honorable Liz Krueger, NYS Senator, 28th Senatorial District
Honorable José M. Serrano, NYS Senator, 29th Senatorial District
Honorable Edward Gibbs, NYS Assembly Member 68th Assembly District
Honorable Alex Bores, NYS Assembly Member, 73rd Assembly District
Honorable Rebecca Seawright, NYS Assembly Member 76th Assembly District
Honorable Keith Powers, NYC Council Member, 4th Council District
Honorable Julie Menin, NYC Council Member, 5th Council District
Honorable Diana Ayala, NYC Council Member, 8th Council District