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COMMUNITY BOARD NO. 2, MANHATTAN

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May 23, 2016

Dawn Tolson, Director
CECM/Street Activity Permit Office
100 Gold Street, 2nd Floor
New York, NY 10038

Michael Paul Carey, Executive Director
Citywide Event Coordinator and Management (CECM)
Office of the Mayor of New York City
253 Broadway, 6th Floor
New York, NY 10007

Margaret Forgione
Manhattan Borough Commissioner
NYC Department of Transportation
59 Maiden Lane, 35th Floor
New York, NY 10038

Dear Manhattan Borough Commissioner Forgione, Director Tolson and Carey:

At its Full Board meeting May 19, 2016, Community Board #2, adopted the following resolution:

Resolution with recommendations for rules to regulate pedestrian plaza events in relation to rulemaking required by the new Pedestrian Plaza Legislation (Int 1109- B-2016, enacted 04/21/16).

Whereas Community Board 2, Manhattan (CB2) thanks Michael Carey, Director of Citywide Event Coordination and Management (CECM) and Dawn Tolson, Director of the Street Activity Permit Office (SAPO) for attending CB2's Traffic and Transportation Committee meeting, giving an overview of the plaza event rule-making process required by the new pedestrian plaza legislation (a process they're currently putting together), answering our community's many questions and responding to the community's input; and

Whereas they described some of the changes that CECM and SAPO have already done to make plaza event permitting more community-friendly, such as a five-day limit on the duration of events, increased enforcement on illegal uses, a 10% decrease in commercial events, a 24% increase in civic activities, and more time (30 days) for applications for events to be reviewed; these are expected to be incorporated into the new pedestrian plaza rules as well; and

Whereas up to now there have been no rules regulating either the process for issuing permits for or the management of operations during events in the pedestrian plazas, rules that are greatly needed to avoid undue impacts (many already experienced) on the neighborhoods surrounding the plazas and to ensure community access and comfort in these spaces that were created for the public's use and enjoyment; and

Whereas substantial attention must be given to the needs and concerns of mixed use, heavily residential neighborhoods surrounding smaller, less commercial plazas, with a diversity of age groups, users and uses, such as those in CB2, especially to ensure community review of all proposed events with ample time to receive notice

of applications, conduct reviews, obtain community input and give or withhold community board approval, with a duration that will fit within the framework of community board schedules and calendars; and

Whereas at present, the sole way plaza partners can recoup their costs for managing, maintaining, programming and operating pedestrian plazas is through the operation of concessions, which don't necessarily cover costs sufficiently;

Whereas Mr. Carey and Ms. Tolson confirmed that CECM and SAPO are looking for and open to recommendations from the community as they prepare these rules, and CB2 welcomes this opportunity to give input on what requirements should be part of the rules;

Therefore be it resolved that CB2 urges that the following prerequisites be incorporated into the rules for conducting events in pedestrian plazas:

- Applications for all events (regardless of nature or size) should be reviewed by the community board (CB) representing the pedestrian plaza in question (as CBs similarly review applications for newsstands, street activities and sidewalk cafes for the local sidewalks and streets they affect). Relevant CBs should receive 60 days advance notice of such applications within which they must hold a public hearing (with the applicant presenting), gather community input and approve or reject the application.
- A cap should be put on the number of commercial (branded) events allowed each year in any one plaza, and preference should be given to civic, community-oriented events benefitting the immediate neighborhood (whose total should far outweigh the number of commercial events), such as farmers markets, local art exhibits and crafts-people's displays, arts and crafts activities, local small businesses participation, children's activities, and health fairs.
- The total number of events held per year should be restricted to a bare minimum, no more than five event days maximum in anyone month, to allow for the extensive public use and enjoyment originally intended in these plazas.
- An event should be held for no more than five consecutive days.
- CECM and SAPO should create a map and calendar, accessible online by the public, that displays all the events scheduled, and this calendar should be updated regularly 30 days before each event.
- Events should not be held back-to-back.
- Limitations should be placed on both the number of daylight and nighttime hours when events are allowed to take place, as well as on what times of day they should occur.
- A strict limit should be placed on the number of events with amplified sound that can be held annually allowing no more than three-to-four amplified music events per year and restricting them within a time period that begins no earlier than 12:00 pm and ends no later than 8:00 pm.
- Any event must be in harmony with the neighborhood surrounding the plaza, including its land use, character, population, environment, activities and general needs.
- Consideration needs to be given to the size and design of the plaza.
- Sufficient space must be assured for a specific event to allow for safe, comfortable, uncrowded circulation with adequate public access.
- 50% of the fees paid to the city for events should go back to the plaza partners (i.e. the organizations caring for the pedestrian plazas) and be dedicated to ongoing maintenance and security of the plazas.; and

Be it further resolved that CB2 asks that the completed proposal for rules on issuing permits for and managing events in pedestrian plazas be presented to CB2 for review and comment.

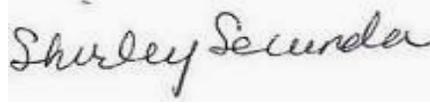
Vote: Unanimous, with 34 Board Members in favor.

Please advise us of any decision or action taken in response to this resolution.

Sincerely,



Tobi Bergman, Chair
Community Board #2, Manhattan



Shirley Secunda, Chair
Traffic & Transportation Committee
Community Board #2, Manhattan

TB/EM

c:

Hon. Jerrold L. Nadler, Congressman
Hon. Brad Hoylman, NY State Senator
Hon. Daniel Squadron, NY Senator
Hon. Deborah Glick, State Assembly Member
Hon. Gale Brewer, Manhattan Borough President
Hon. Corey Johnson, Council Member
Hon. Margaret Chin, Council Member
Hon. Rosie Mendez, Council Member
Marco A. Carrión, Commissioner, Community Affairs Unit