

March 5, 2004

Mildred Duran, Director
Street Activity Permit Office
100 Gold Street, 2nd floor
New York, NY 10038

Re: STREET ACTIVITY PERMIT APPLICATION

Applicant: Penn South Independence, Inc.
Location: Eighth Avenue, West 23rd- 34th Streets
Date: Sunday, September 5, 2004
Time: 11:00 a.m. to 6:00 p.m.

Dear Ms. Duran:

At its February 18, 2004 meeting, the Transportation Planning Committee of Manhattan Community Board No. 4 heard the above Street Activity Permit application. When this application originally came to the board in 2002, the board recommended denial. The fair was approved by SAPO over the Board's objection. Penn South's application came to the Board again in 2003, this time requesting Ninth Avenue. The Transportation Committee would not recommend approval for Ninth Avenue due to traffic concerns around Penn Station, but approved an alternate application for Eighth Avenue. The fair was approved by SAPO for Ninth Avenue, over the Board's objection; and was so poorly attended that several entire blocks only had one vendor at each corner. In addition, committee members reviewing the fair's financial statement found irregularities that disturbed us, especially given the low attendance of the fair and thus the reduced revenues it generated. Due to these points, and additional traffic which will be caused by the Republic National Convention, which ends the day before the application date, the committee voted to recommend denial of this application.

At its meeting on March 3, 2004, the full Board voted to recommend denial of this application.

Sincerely,



Walter Mankoff
Chair
Manhattan Community Board No. 4



Joshua David
Co-Chair
Transportation Planning Committee



John Rust
Co-Chair
Transportation Planning Committee

cc: Hon. Michael Bloomberg, Mayor
Hon. C. Virginia Fields, Manhattan Borough President
Local Elected Officials
Applicant