

April 8, 2004

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

Re: Hells Kitchen Flea Market Street Activity Permit Renewal

Dear Ms. Duran:

Manhattan Community Board No. 4, at its regular meeting on April 7, 2004, voted 27 in favor, 3 against, 2 abstaining, and 1 present but not eligible, to approve the renewal of the street activity permit of the Hell's Kitchen Flea Market (HKFM).

The HKFM has been controversial, providing a welcome addition to neighborhood life for some community members, but remaining a source of irritation for others. Members of the Board staff and the Transportation Committee visited or talked to residents or business owners on 39th Street who are affected by the market, and the committee heard from the new HKFM management team and 39th Street residents at its March 17 meeting.

Based on these efforts, the Board approves the HKFM's renewal application with the revised stipulations agreed to by the Board and HKFM management in 2003, attached, and with these further stipulations:

- In order to further reduce problems for 39th Street businesses, HKFM will staff its Ninth Avenue information booth at all times, will ensure that staff is properly trained to facilitate the entry of customers and suppliers to 39th Street, and will maintain suitable, highly visible signage informing customers and suppliers that they may enter the street.
- Before 9AM HKFM will maintain a ten booth buffer zone between the eastern-most booth and the buildings on the east end of 39th Street. Beginning at 9AM HKFM may fill this open space with booths, starting at the west end of the buffer zone.
- HKFM will not employ a raised stage.
- On the advice of the Police Department and the Department of Transportation, the Board requests that the permit not include the weekend of May 15-16, 2004, which includes

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“Gridlock Sunday,” when traffic disruptions from the Ninth Avenue Food Festival, the Fordham University commencement and a Fifth Avenue parade combine to make midtown nearly impassable.

- The renewal will be on a month-to-month basis in consultation with the Board, with inspection and oversight by the appropriate City agencies to ensure that HKFM meets all requirements, complies with all stipulations and does not cause unforeseen problems. The Board will review the HKFM’s growth in vendor participation before any renewal for 2005 to determine whether the market has attained a size sufficient to justify the continued closing of 39th street every weekend.

Sincerely,



Walter Mankoff
Chair
Manhattan Community Board No. 4



John Rust
Co-Chair
Transportation Planning Committee

cc: C. Virginia Fields, Borough President
Local elected officials
Pat Fosen, West 39th Street Block Association Steering Committee

Encl.: Letter to SAPO, re Hell’s Kitchen Flea Market, September 4, 2003.