



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD No. 4

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J. LEE COMPTON
Chair

ANTHONY M. BORELLI
District Manager

January 5, 2006

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

Re: Street Activity Permit Application #M4-013

Applicant: Hell's Kitchen Flea Market
Location: West 39th Street, between Ninth and Tenth Avenues
Date: Saturdays and Sundays in 2006
Time: 5:00am Saturday to 6:00pm Sunday

Dear Ms. Duran:

Manhattan Community Board No. 4 supports the renewal of the street activity permit for the Hell's Kitchen Flea Market (HKFM). The applicant and the Board have agreed to the following changes (in **bold**) to the preexisting list of stipulations, as agreed in 2003 and amended in 2004:

- Permit vendor load-in at **5:00am** (was 6:00am), except in the "buffer zone" (defined below) where load-in shall begin no earlier than **7:00am** (was 9:00am);
- Have on hand a minimum of **two** security personnel and **three** maintenance personnel, down from four and five, respectively;
- Maintain a "buffer zone" extending **70 feet** (was 100 feet) west from the entryway of 411 West 39th Street (a residential building);
- **Permit** the Hell's Kitchen Flea Market to operate on the weekend of the Ninth Avenue International Food Festival with the extra provisions that management take the following measures:
 - Employ extra security personnel at 39th and 9th Avenue and 39th and 8th Avenue to assist in directing traffic;
 - Notify all business on West 39th Street between Eighth and Ninth Avenues of the street closure;
 - Employ extra personnel on that weekend to assist businesses on 39th Street between 8th and 9th Avenue in their deliveries;
- **Delete** the stipulation that HKFM install and plant street trees on the southern sidewalk by June 2003 (this condition has been satisfied).

We are also requesting the addition of three stipulations, to which the HKFM operators have agreed:

- A minimum of one staff person from HKFM must assist in directing traffic at 9th Avenue and West 39th Street beginning at 6pm on both Saturday and Sunday nights;
- Should Community Board No. 4 vote to change any stipulation in the HKFM SAP, then HKFM operators will make that change effective the following weekend and going forward (unless the stipulation is subsequently further amended);
- HKFM must designate at least one nonprofit co-sponsor for the HKFM and shall ensure its name is on the banner at the entryways to the street fair and will designate a minimum of 50% of its net profits to that nonprofit.
- HKFM is encouraged to discuss the possibility of including a farmers' market on site. However, vendors selling prepared food should be prohibited.

The above stipulations were changed based on discussion with the HKFM operators to support their recent expansion and increased pedestrian traffic. The operators have worked to address previous complaints and the Board office has not received any new complaints about HKFM during the last year.

Sincerely,



J. Lee Compton
Chair
Manhattan Community Board No. 4



Jay Marcus
Chair
Transportation Planning Committee

cc: Hon. Michael Bloomberg, Mayor
Hon. Scott Stringer, Manhattan Borough President
Local Elected Officials
Applicant

encl.