

**Testimony - Gramercy Park Block Association President Arlene Harrison
New York State Liquor Authority Full Board Meeting**

January 6, 2011, 10:00 AM - 317 Lenox Avenue, New York, NY

Re: Restaurant Wine License for 38 Gramercy LLC at 38 Gramercy Park North

I'm Arlene Harrison. I live at 34 Gramercy Park East. I am the founder and President of The Gramercy Park Block Association, a proactive community group of 2,000 area residents dedicated to public safety, crime prevention, historic preservation, and quality of life issues. The Association works with the NYPD, Community Boards, historic-preservation organizations, city agencies, and city and state elected officials on programs and issues affecting our area. I am also a Trustee of Gramercy Park.

I am speaking as a concerned private resident who has lived on Gramercy Park for the past 39 years.

I would like to explain why this community is so vehemently opposed to this particular bar, as voiced by the hundreds of neighbors who signed petitions, wrote letters and attended meetings over the past 12 months. In the 39 years that I have lived on Gramercy Park, this is the first time that the community has so vigorously opposed a bar despite the fact that hundreds of bars (including bars and restaurants on Park Avenue South, Third Avenue, Lexington Avenue, and Irving Place) have come to the backyards of the 34 residential buildings that directly face the 4 sides of Gramercy Park. These residential buildings are known as Lot Owner buildings, as they are a part of the original Gramercy Park Trust established by Samuel B. Ruggles in 1831 as he laid out the plots of land for the residential buildings that would eventually be built on the four streets that directly face Gramercy Park.

Why is this proposed bar so different from all the other bars that have come to our neighborhood?

When I first came to NY in the early 1970s, there were no bars or restaurants on Park Avenue South or Third Avenue (the two major thoroughfares that surround Gramercy Park) or in the surrounding neighborhood. If you wanted to go out to dinner, you had to go to the Upper East Side or to Greenwich Village.

In the early 1990s, when the restaurants and bars started arriving on Park Avenue South, the community welcomed them. When there were quality of life issues (and there were), since they were in the backyards of many of our residential buildings, we addressed them directly. In more recent years, the restaurant and bar scene has come with a vengeance to Third Avenue as well as Lexington Avenue and Irving Place, all streets that surround the backyards of the 34 residential buildings that directly face Gramercy Park, as set forth on the attached plan. Right now, within the past 2 months, 4 new restaurants and bars have opened one half block away on Third Avenue.

So what is the problem with this proposed bar?

Both Park Avenue South and Third Avenue are commercially-zoned major thoroughfares with four lanes of traffic each. Lexington Avenue is also a major thoroughfare with two lanes of traffic, and Irving Place has two lanes of traffic. The Developers are now planning to place a bar on Gramercy Park North, which is a narrow one lane residential side street, one half a block from historic Gramercy Park, on a street that has parking on both sides and a bike lane, and in a residential

building where no previous license has existed. It is proposed for the front yard of the 34 residential Lot Owner buildings on the Park that are part of the original Gramercy Park Trust established by Samuel B. Ruggles in 1831 as he laid out the plots of land for the residential buildings that would eventually be built on the four streets that directly face the Park.

As the surrounding Union Square and Flatiron districts have developed and flourished over the past 50 years, it has been the vigilance of the residential Lot Owners who jointly own the Park property that has protected the immediate environment of Gramercy Park from any overt commercial development that would undermine its historic character.

In the original 1831 Gramercy Park Indenture, Ruggles imposed certain restrictions on the Lot Owners, designed to preserve these properties as a dedicated residential neighborhood, including restriction on any properties being used for businesses that were “offensive to the neighboring inhabitants.”

Therefore, when hundreds of residents of the other 33 Lot Owner residential buildings that face the Park learned that another residential Lot Owner building member of the Park Trust, 38 GPN, decided to lease their basement commercial space to a bar, they became extremely upset. They felt this would not only undermine the historic residential character of the community but would also aggravate the serious traffic congestion, public safety concerns and quality of life issues that their neighbors on that street and the NYPD had been dealing with for years. All of this being clearly, “offensive to their neighbors.”

In 1966, the Landmarks Preservation Commission designated the Gramercy Park Historic District (the second oldest historic district in Manhattan) “as one of the few historic residential neighborhoods left in Manhattan.” Most of Gramercy Park is in this historic district and the Commission made it clear that its inhabitants have an obligation to protect the historic character of the streets surrounding the Park. “In spite of the changes over the years, the Gramercy Park Historic District still maintains its quiet withdrawn charm, which proves the soundness of Ruggles’ 1831 basic residential plan.”

Most of us in this community have taken our obligation very seriously.

We are not by any means anti-business. We would welcome any business at that location that its neighbors would feel would not lead to the destruction of the historic, residential nature of the Gramercy Park neighborhood. For example, for many years there was a small antique store at that location, with primarily foot traffic, that was welcomed by the neighborhood. Any business at all (i.e. a print shop, children’s clothing store, art gallery) with mostly foot traffic, that would not add additional late night vehicular traffic to an already overwhelmed street would be welcomed.

Although there are 34 residential buildings, there is only one commercial building, and that is the Gramercy Park Hotel. The hotel’s bars and restaurants have been grandfathered in since the hotel’s establishment in 1926, and their entrances are on Lexington Avenue and not on Gramercy Park North. Two private clubs, The Players and The National Arts Club, located on Gramercy Park South, have been there for more than a hundred years and are also grandfathered in. In any event, these clubs are located on Gramercy Park South, a street that does not have the extreme traffic congestion, noise and public safety issues as Gramercy Park North.

Some years ago, when one Gramercy Park Hotel owner tried to open a bar on Gramercy Park North, the community rose in opposition and began working with him and he agreed to move the bar entrance to Lexington Avenue. When another hotel owner wanted to put an outdoor café on Gramercy Park North, the community once again rose in opposition and he changed his plans, since he concluded the extreme traffic congestion, gridlock and resulting noise from horn honking would have made it impossible to have an outdoor café at that location.

It's not the Developers themselves that we're against; it's the location they've chosen. If our neighbor Danny Meyer, the present owner of a restaurant in the Gramercy Park Hotel, wanted to open a restaurant or bar in the location the Developers have chosen, or even have his present restaurant's entrance on Gramercy Park North instead of Lexington Avenue, we would just as vigorously oppose him.

There is another reason why the community is so opposed to this particular bar. If the Developers had come to the community before they chose that location (as other developers have done), we would have told them about our 17-year history working with the NYPD, Community Board 6 and the Department of Transportation focused on the extreme congestion and public safety and resulting quality of life issues only on Gramercy Park North and not the other three sides of the Park that have normal city traffic issues. This narrow one lane residential side street is very different from its surrounding major thoroughfares, which are already saturated with bars, as per the attached map. All these years, the Police Officers of the 13th Precinct have told us that it is the most heavily trafficked street in the Precinct because it is where five lanes of traffic merge into one. If you look on the Block Association's website, there are 26 articles written just about traffic, quality of life and public safety problems just on Gramercy Park North, and not on the other three streets facing the Park.

Even members of the Board of Directors of 38 Gramercy Park North and other residents have complained about the traffic, the resulting noise and the other quality of life issues on Gramercy Park North. In fact, in 2005, I received a communication from Laura Holt, the former President of the Board of 38 Gramercy Park North who negotiated and signed the lease with the proposed bar. In the letter, Ms. Holt said "One of the most serious issues affecting 38 Gramercy Park, and all the buildings on the north side of the Park, is noise. As you are surely aware, 21st street is a very tight, slow-moving street. Traffic congestion and the idling of engines, honking horns, and frustrated drivers it spawns dramatically affect our quality of life."

In January 2005, I received a communication from Ms. Holt's husband Stephen. Mr. Holt said, "Traffic already moves slowly on 21st Street. To do something that creates additional honking and traffic snarls will certainly meet with resistance from the community". Mr. and Mrs. Holt no longer live at 38 Gramercy Park North. They, like many other apartment owners in the building, have rented out their apartments and now live elsewhere.

Another significant factor in our opposition to this bar is that the location they have chosen is one half a block from the 13th Precinct, which houses the Emergency Service Unit, one of two ESU Units in all of Manhattan that responds to 20-30 emergencies daily all over Manhattan. Its most direct route from the east side to the west side is across Gramercy Park North.

Deputy Inspector Tim Beaudette, the former Commanding Officer of the 13th Precinct, spoke at four prior Community Board 6 meetings on how traffic gridlock on that street impacts public

safety, by blocking police emergency vehicles exiting the 13th Precinct. Beaudette went on record saying that “a bar at 38 Gramercy Park North would add considerably to East 21st Street's one-way gridlock as it is where 5 lanes of traffic merge into one.”

In a March 11 article in Town & Village newspaper, Deputy Inspector Timothy Beaudette was quoted as saying to Committee members "I've never been down here before to oppose any restaurant or bar, but I'm very much against this. The traffic on 21st Street (Gramercy Park North) is very, very heavy. I can't be more against the location."

"Right now it doesn't back up to the Precinct," said Beaudette. "But if we put an establishment here, if it's a restaurant a bar or something else that generates a lot of people, there's going to additional traffic."

We have met with these Developers and discussed their proposal in detail. However, it is the location that presents the problem. If these Developers could move the entrance around the corner to 3rd Ave, we'd have a solution.

But unfortunately, they can't.

Moreover, allowing a bar to operate in a residential building where no previous license existed with the cache of a Gramercy Park address would become a certain destination of the spillover of the bar hopping crowds of the surrounding Third Avenue and Park Avenue South bar corridors. This certainly would further burden neighbors on that street who have suffered for years from the severe quality life issues resulting from the extreme congestion and late night traffic from surrounding neighborhood bars.

And so, we believe the only way to protect the public safety, quality of life and historic residential nature of the Gramercy Park neighborhood is to vote to deny the application for a wine bar at 38 Gramercy Park North.