



NEW YORK STATE SENATOR

Thomas K. Duane

## Reiterating my Opposition to Private Use of Public Space in Union Square Park

THOMAS K. DUANE April 18, 2012

In light of the recent announcement that the City has approved the bid by Chef Driven Market LLC to operate a seasonal restaurant in the north end of Union Square Park, I wrote to New York City Parks and Recreation Commissioner Adrian Benepe on April 17 to reiterate my long-held opposition to the City's misguided effort to allow a private use of this historic public space. I stated my belief that this auctioning of parkland is shortsighted and wrong and, moreover, that it violates widely-recognized case law.

I expressed my displeasure that the newly selected operator is planning to sell food at prices that are inaccessible to many New Yorkers. Like Manhattan Community Board Five (CB5), I have long argued that any private concession in this space must be affordable to the general public, and the approved bid apparently fails to meet that criterion. I added my dismay that the community was not consulted on the selection of this restaurant and, further, that my and CB5's recommendation that the RFP be open to cultural and community groups was not heeded.