

**(Originally printed on official Alan Gerson / City Council letterhead)**

October 6, 2005

Hon. Adrian Benepe  
Commissioner  
Department of Parks and Recreation  
The Arsenal, Central Park  
New York, NY 10021

Dear Commissioner Benepe:

We are delighted that we have reached an understanding as to fundamental assurances and a framework for resolving the outstanding major issues pertaining to the renovation of Washington Square Park. Our mutual agreement follows many public meetings and, as you know, months of discussions between your department and our offices undertaken pursuant to the resolution of Community Board 2.

Your department, Manhattan Borough Commissioner Bill Castro, and his Chief of Staff, Steve Simon, in particular, deserve commendation for your commitment to this process and our park. The result will be a restoration plan that satisfies fundamental community needs and priorities as well as the concerns of residents from all parts of our city as to the free and open character of this special place.

The following sets forth the points of our agreement:

**1. Council Funding**

In consideration of all set forth below, we will support the release of all currently allocated Council funds to the Parks Department for the Washington Square Park renovation and will in ongoing years allocate additional sums from our discretionary capital funds allotment.

**2. Renovation Design**

***Fencing***

The height of any fence on the perimeter of the park will be no higher at any point than four feet on the exterior (sidewalk) side and three feet six inches on the interior (park) side. These measurements shall be taken from the ground/sidewalk to the tip of any fence including any foundation.

Any fence design will not include any spears or points on top and will consist of a decorative “delicate” design to preserve the park’s sense of openness and its inviting character.

### ***Mounds***

The three existing mounds shall be rebuilt in a similar form, with the addition of soft surfacing to meet safety standards.

### ***Playgrounds***

The Parks Department will create an additional 8,000-10,000 square feet in playground or general play space geared toward 7-12-year-olds, including the mounds area.

The Parks Department will develop final designs for the children's play areas upon consultation with parents and guardians of children along with the Community Board. Play areas will incorporate state-of-the-art safety measures and accommodations for children with disabilities.

The size of the existing "tot" area shall remain the same. The size of the younger children's play area shall be no less than 7,000 square feet. In addition to the play areas, there will be an area for children to plant flowers.

### ***Elevated Concert Space***

The Parks Department will construct a permanently elevated concert stage at roughly the same location as the current "Teen Plaza." The stage shall be open for public use, including functioning as a space for community activities, speakouts and summer concerts, and will be constructed to meet the needs of the Washington Square Music Festival.

### ***Dog Runs***

The large dog run shall incorporate the same number of trees as it currently does, with seating benches around the trees. The small dog run shall incorporate a proportionate number of trees or umbrellas, with equivalent seating.

There shall be at least 15 feet between the outer fence of both dog runs and the sidewalk curbs. The shape of both dog runs has been changed from the original proposed elongated shape to a more oval or circular shape. Entrances shall be from the interior park side of both dog runs. The final design will be worked out by the parks Department in consultation with the community of dog run users. Overall, the location and design of the dog runs will be made by the Parks Department in consideration of nearby residents, houses of worship and classrooms.

### ***Fountain Plaza***

The total square footage of the inner circle, from the outermost edge of the fountain wall to the innermost edge of any seating, will be no less than 90% of the current area. The design shall incorporate the same or increased amount of permanent seating between the inner and outer circles.

### ***The Fountain***

At any event, irrespective of the fountain's location, the interior of the fountain shall remain essentially in its current form, including the steps used for seating.

The Parks Department shall provide documentation regarding the condition of the plumbing and general infrastructure of the fountain, including the estimated cost of the renovation and proposed relocation of the fountain. If the documents reflect that a major repair is not required, or that the cost is significantly greater than the initial understanding, we reserve the right to oppose this aspect of the park's renovation.

Both the Department and the Council Members recognize that the Landmarks Preservation Commission and the Art Commission may issue findings and decisions as to the locations of the fountains and the statues and the elevation or lack thereof of the plaza, as well as other features of the proposed design, including those referred to in this letter. The Parks Department agrees to fully proceed with the park renovation subject to any such findings or determinations. Likewise we agree to fulfill our funding commitments set forth herein subject to any such findings or determinations from the landmarks Preservation Commission and the Art Commission.

### ***Gaming Areas***

The current chess area shall be upgraded to preserve the number of chess tables and to incorporate a "chess motif" in the ground and the area's overall design. The design details shall be determined through consultation with the U.S. Chess Federation, the Washington Square Park chess community and the Community Board 2 task force.

Council Member Gerson will provide funding to the U.S. Chess Federation for monthly chess events, including youth chess activities, for at least eight months of the year. The Parks Department agrees to permit and facilitate, free of charge, such non-profit events in this area, subject to its rules and regulations.

The current Scrabble seating area shall be designed to facilitate table games, including a sufficient amount of area for viewing and congregating around playing tables.

### ***Public Restrooms***

Renovation of the bathroom facilities shall include the addition of a children's bathroom, incorporating a baby's changing table. The Department shall make this a priority item to be undertaken as soon as finances permit.

### ***Historic Preservation/Art***

The park's historic value shall be enhanced with appropriate design features and informational markers that convey the park's rich history. The park design shall include an area for the placement of permanent or temporary public art that reflects the character or history of park or Greenwich Village.

### **Trees and Plantings**

The Department shall make all reasonable efforts to salvage all healthy trees presently within the park. The Department shall replace any trees removed during or as a result of the park renovation with trees as close to the nature, height and breadth of any removed. The Parks Department shall not lessen the amount of flowers presently within the lawn areas of the park.

The department recognizes the desire and historic use by park users of walkways for congregating, seating and standing informally, and the need to maintain adequate width to accommodate this use, as well as to allow passageway by persons with wheelchairs, canes, walkers, and baby strollers. Accordingly, all walkways and alcoves shall be free of planting except for three of the four arteries leading to or generating from the fountain area, and the four corner alcoves. The width of the portion of those two arteries with plantings from the outer edges of both sides of such plantings to the front edges of the seats of and benches on either side walkways shall be not less than 17 feet.

Plantings shall be directly on the ground and not on any elevated structures. All other walkways and alcoves shall be entirely free of plantings, except for lawn area. The Department shall not lessen the amount of bench seating within the park. The design shall include alcove informal seating areas.

### **Miscellaneous**

The Department recognizes the desire and historic use by park users of walkways for congregating, seating and standing informally, and the need to maintain adequate width to accommodate this use as well as to accommodate persons with wheelchairs, canes, walkers and baby strollers. Accordingly, all walkways and alcoves shall be free of plantings, except for three of the four arteries leading to or generating from the plaza and the four corner alcoves.

The Department shall not lessen the amount of bench seating within the park.

The Department shall make best efforts to recreate a heart-shaped tulip patch, as close as possible to its previous dimensions and location, if documentation can be found of such.

The Parks Dept. acknowledges the councilmember's' concerns for making Washington Square Park fully accessible. To that end, the Parks Dept. will dialogue with disability experts and advocates as well as the Community Board and elected officials prior to finalization of design details.

### **3. Additional Issues**

#### ***Events with Amplified Sound***

The Parks Department shall make best efforts to minimize the number of permits for events with amplified sound issued for the park and to schedule those events away from residential areas, especially the vicinity of the Arch.

### ***Commercial Activity***

No commercial structures, including refreshment kiosks, shall be included in the renovation.

The Parks Department will make best efforts to minimize the number of commercial events in the park and give prior notice to and receive input from the Council Members and Community Board 2 before approving any such events.

### ***Fundraising***

In the event that a conservancy-type organization is established to raise funds for the park, the parks Department will encourage this entity to include a representative of Community Board 2 as well as the local Council Members as ex-officio members.

### ***Namings***

We support the addition of two plaques to the fountain area to acknowledge the Tisch Foundation's donations, although we have registered the strongest possible objections with the Parks Department as to the naming of the fountain and to the lack of advance notice and community input. The Parks Department will advise the Council Members and Community Board 2 of any future locations in the park where donations with naming opportunities might be sought, other than benches or similar small furniture.

## **4. Renovation Process**

### ***Closing and work hours***

Renovation of the park shall occur in phases so that no more than half the park is closed at any one time. The Department shall not begin construction or close off any area for construction purposes until and unless it has sufficient funds on hand to complete the construction of that section. Noisy construction activities shall be limited to normal weekday, non-holiday construction hours to the extent possible.

### ***Maintenance***

During the construction period, the Parks Department agrees to implement a plan to protect the Washington Arch.

During and after the construction period, the Parks Department will establish and implement a plan, subject to budget allocations, for adequate maintenance, including rodent control and lawn care, and make its best efforts to ensure that the majority of the lawns are open for public use at any given time.

## 5. Moving Forward

### *Task Force*

The Community Board will renew or reconstitute a Washington Square park Task Force with Council Member representation and that of parks organizations, to meet with the Parks Department to discuss design details, including park furniture, plantings and pathways, subject to Landmarks Preservation Commission and Art Commission rulings. The parks Department will give full, due consideration to any input offered by the task force as a whole. This task force shall work with the Parks Department to implement the various points agreed to and referenced in this letter for consultation with Community Board 2.

The parks Department recognizes the concern of the community for maintaining the sense of informality of the park as central to its charm and character. The Department agrees to continue to work with and receive input from the community, including through the aforesaid task force, with respect to design details for the purpose of maintaining this informality.

All other design elements, features and dimensions of the Washington Square Park renovation shall be implemented as represented by the parks Department in accordance with this letter and subject to normal technical adjustments deemed necessary by the Parks Department as the renovation project proceeds.

We look forward to moving forward and supporting your work to get the job done as expeditiously as possible.

Very truly yours,

Alan Jay Gerson (signature)

Christine Quinn (signature)

cc. William Castro  
Manhattan Borough Commissioner