



Greenwich
Village
Society for
Historic
Preservation

232 East 11th Street
New York, New York 10003

(212) 475-9585
fax: (212) 475-9582
www.gvshp.org

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December 11, 2010

Speaker Christine Quinn
224 West 30th Street, #1206
New York, NY 10001

Congressman Jerrold Nadler
201 Varick Street, #669
New York, NY 10014

Borough President Scott Stringer
One Centre Street, 19th floor
New York, NY 10007

State Senator Thomas Duane
322 8th Avenue, #1700
New York, NY 10001

Assemblymember Deborah Glick
853 Broadway, #1518
New York, NY 10003

**Re: Preservation by NYU of theater use and air rights at
Provincetown Playhouse**

Dear Speaker Quinn, Congressman Nadler, Borough President Stringer, Senator Duane, and Assemblymember Glick,

I write to you as supporters of NYU's Wilf Hall Law School Offices/Provincetown Playhouse development. While we may disagree strongly about the relative merits and appropriateness of the project, we can all agree that the project as currently configured contains a theater and does not reach the maximum allowable size under the zoning for the site – two points which have been pointed to as positive aspects of the project.

However, it must also be noted that there is absolutely nothing to prevent NYU from discontinuing the theater use, or in using their remaining air rights to build higher on this site, at any point in the future. In fact, from the beginning, the Greenwich Village Society for Historic Preservation has repeatedly called upon NYU to explicitly commit to keep the theater use in this building in perpetuity, and not to build any larger on this site. They have consistently refused to do so.

As you know from NYU's history with prior development projects, the university has often promised or implied certain commitments which it has later reneged upon. Whether it has been community access to Coles gym, or re-use

of the original Poe House façade in their Law School building, or proper upkeep of the playground on Mercer Street, or Bobst Library being their last new building on Washington Square South, or even preserving all of the four walls of the Provincetown Playhouse theater and re-using the historic seat row ends for the new seats in the theater, the university has frequently made statements and promises to win approvals or support for their projects which have not turned out not to be true in the end.

It would be all too easy for NYU to do the same in this case. In fact, after NYU purchased the Provincetown Playhouse in the early 1980's and promised to preserve the theater, the university threatened to turn the space into offices, and only reversed itself after a public outcry. The university frequently counts upon the passage of time and the lack of binding agreements to change the terms upon which their projects received support or approval in the first place.

Thus while it is probably too late for you to extract from NYU a binding agreement to maintain the theater use at this site and not to use their air rights from this project in return for your support, I strongly urge you to at least seek from the university a written, explicit commitment to this effect. That way at least if nothing else, should the issue arise in the future – and given the university's track record there is much reason to believe this is likely – there will at least be a written record of the university's pledge and the understanding under which this project went ahead.

Sincerely,

A handwritten signature in cursive script, appearing to read "Andrew Berman", followed by a long horizontal flourish.

Andrew Berman
Executive Director