

Keep NYC Free

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Monday, June 27, 2011

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APPLY *PILOT* TAG, AVOID REQUIRED SCRUTINY NOW & FOREVER?

Today's [New York Times](#) looks at applying the “pilot” labeling to avoid required public scrutiny and prior approval before a project may proceed. This includes the “[plaza](#) program” of the NYC Department of Transportation, a subject of a City Council Transportation committee [hearing](#) at the beginning last month. At the hearing, Keep NYC Free [testified](#), “While it remains important to review how DOT’s [plaza](#) program impacted traffic, pedestrian safety, and commerce in New York City, even more important the approval process fails and that failure requires as much attention.”

Real legal issues remain concerning the failure to follow proper procedures – absent an emergency finding; such was done during the controversial siting of so-called boarder baby homes nearly one-quarter century ago. Keep NYC Free queries whether the DOT declared an emergency before installing any of the so-called pilot plazas. Whether any of the plazas merit approval, [process](#) also matters. The City Charter community review process includes a determination of the need for a full environmental review which includes not just traffic and safety but economic impacts and should have occurred [first](#).

Keep NYC Free notes that even in the case of the boarder homes, the city followed its Uniform Land Use Review Procedure after the fact. With the plaza program, plazas often implemented as so-called pilots, never faced this hallmark review procedure. As we [testified](#) in May, we again post the question: “What does DOT fear?” We further testified:

“DOT needs to explain how closing a street or part thereof triggers no City Charter mandated community review, including community board and City Council approvals.’

“Like with a misdirection play, The DOT lets the community and businesses believe they have real input. That's what they did with the top down PlaNYC 2030 that produced the congestion tax; they invited us in and let us speak and even serve as rapporteur but then failed to include substantive community input that offered better ideas in a host of policy areas.”

“Following the City Charter's community review process avoids sham reviews.”

Read the New York Times story at http://www.nytimes.com/2011/06/27/nyregion/bloomberg-pilot-programs-avoid-red-tape-and-public-review.html?_r=1&ref=nyregion&pagewanted=all