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Michael A. Cardozo, *Corporation Counsel*

Press Release

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*For Immediate Release*

## JUDGE RULES WASHINGTON SQUARE PARK RENOVATIONS CAN GO FORWARD

### **RENOVATIONS ARE PLANNED TO COMMENCE BY THE END OF THE YEAR**

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New York, December 3, 2007 – A Manhattan judge today determined that the New York City Department of Parks and Recreation can proceed with its long-standing plan to renovate Washington Square Park. The Court found that the Parks Department took a “hard look” at all relevant potential environmental consequences of the renovation, and provided a “reasoned elaboration” of its conclusion that the renovations would not result in any significant adverse impacts to the environment. Two previous lawsuits challenging the renovation plan had previously been decided in favor of the City.

Washington Square Park, located in the Greenwich Village Historic District, has long served as a social, artistic, and political gathering space. In 2003, the Parks Department announced its intent to renovate the heavily used park, both to restore crumbling park features and to enhance community members’ ability to make use of park space. The renovations include:

- 1) moving the park’s fountain approximately 23 feet,
- 2) decreasing the size of the fountain plaza to create more greenspace in the park, and
- 3) increasing the capacity of the fountain’s water jets.

The reconstruction plan was developed through extensive collaboration with local residents. It received support from Manhattan’s Community Board 2 and numerous local civic organizations, and was approved by the City’s Landmarks Preservation Commission and Art Commission.

Today’s ruling from New York County Supreme Court Justice Joan Madden concerned two consolidated lawsuits. In *Greenberg v. Bloomberg et al.*, two plaintiffs claimed the Environmental Assessment Statement for the renovation project, completed by the Parks Department in 2006, insufficiently analyzed the construction impacts, neighborhood character impacts, and natural resources impacts likely to result from the renovations. In *Emergency Coalition Organization to Save Washington Square Park v. Bloomberg et al.*, a separate group of petitioners similarly claimed that the Environmental Assessment Statement failed to properly consider the project’s potential adverse impacts on natural resources, open space resources, socioeconomic conditions, park-goers’ First Amendment rights, and access for individuals with disabilities.

Previously, the Appellate Division, First Department rejected two other challenges to the renovation plan, holding that the City had fully and appropriately disclosed its Washington Square Park renovation plan to the Community Board, Art Commission, and Landmarks Preservation Commission and had provided opportunities for public comment.

“This long-delayed project has been twice approved by the community boards and local electeds and we are grateful for today’s decision and look forward to begin the restoration of this great park. I’d like to thank the Law Department who has represented the City so well and for winning these four cases,” said New York City Department of Parks and Recreation Commissioner Adrian Benepe.

“This decision confirms that the Parks Department carefully considered all the potential environmental impacts of the renovation and correctly determined there would be no adverse effects,” said Corporation Counsel Michael A. Cardozo. “We are pleased that each of the four suits have been dismissed and look forward to commencing construction in the near future.”

All four lawsuits challenging the renovations were defended by Environmental Law Division attorneys Chris Reo, Amanda Goad and Heidi Rubinstein, with support from paralegal Naseka Bradberry. Former Assistant Corporation Counsel Michael Burger also worked on the case.

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