



## DOUGLAS MANOR ASSOCIATION

234-21B 41st Avenue, Douglas Manor, NY 11363 • Tel. 718-225-3111

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Mayor's Office of Film, Theatre, and Broadcasting  
Communication Department  
1697 Broadway  
New York NY 10019

The DMA is grateful for this opportunity to file written comments regarding the Mayor's Office of Film, Theatre, and Broadcasting (MOFTB's) latest "Proposed Rules" in advance of the public hearing on Dec. 13, 2007 at EDC's offices in Lower Manhattan.

As background, please allow us to note that Douglas Manor's unique situation makes it an extremely attractive venue for filmmakers of all types. It occupies the entirety of a mile-long peninsula wherein the waterfront is owned and maintained by the Douglas Manor Association on behalf of its resident membership of over 600 homeowners. Although the streets are owned by NYC and are mapped largely in the traditional grid pattern, they do meander to accommodate the natural typography and long-standing tree and shore lines.

The shoreline with a pier, beach and boat anchorage on the west side and a soccer field, playground, boat ramp, and protected marshes on the east side, plus a swim, tennis and yacht club right in the middle presents something akin to a "one-stop shopping mall" option to any film maker. The result is a scenario that strongly resembles a country-like suburban setting not readily available anywhere else in NYC.

Consequently, during the past 4 years, Douglas Manor has been inundated with "shoots" for TV series, feature films, commercials and art and Public Service Announcements (PSA), most with City Permits, but some without. Because some of these shoots have seriously disrupted resident's privacy and property rights and the quiet family-friendly quality of life that people move here to attain, our community has responded to these disruptions in a variety of ways.

Individual homeowners, like Pia Thompson for example, wrote to the DMA newsletter suggesting complicity on our part for taking "quick-cash" in return. Although that is certainly not the case now, her poignant letter (attachment #1) explains graphically how incredibly upsetting these shoots can eventually become. Our Community Board (No.11), responding in part to pressure from the DMA, wrote persistent letters to the MOFTB Commissioner in August '05, Nov. '05, and again in June '07, (attachments #2,

3, 4) complaining about truck and crew parking abuses, about property damage, and generally about the absence of adequate advance notification that would allow homeowners and the Community adequate time to develop plans for minimizing disruptions. (48 hours is definitely not enough time and any film or production company must firm-up their plans well in advance of that). The DMA also wrote letters directly to Commissioner Oliver in August of '06 and again in May of '07 (attachments #5 and 6) reiterating the continuing abuses by inconsiderate truckers and crews, violations of your own 48 hours advance notification guidelines, and the escalating occurrences of property damage.

Thus far, the only response to any of these letters that we are aware of to date was a letter dated 11/2/05 to Community Board No. 11. (Attachment #7) Citing as constructive initiatives for minimizing community disruptions, it flagged the "Flash" notifications sent out 48 hours in advance, "production teams" who are supposed to notify residents about upcoming shoots and monitor issued permits, and field representatives including NYPD movie/TV units whose responsibility it is to enforce the terms of the issued permits. Although we have received the "Flash notices", which are not issued sufficiently in advance, we have witnessed no evidence of the production teams or field representatives from the city. Most recently this year we did recognize and extol the benefits of "Phoebe in Wonderland's" "community liaison efforts which virtually eliminated major disruptions during their extended 3-week shoot in our neighborhood this spring.

That letter from Commissioner Oliver also noted the MOFTB's "Keys to the City" guidelines which are thorough and comprehensive, but which in our experience were often not adhered to, and for which there was no practical means to insure enforcement.

The closing portion of that letter noted the potential of this five billion dollar industry to enrich NYC's revenue flow and by inference to help stabilize the City's residential tax base. That assumption would be easier for us to accept were it not for the fact that that our property taxes are among the highest in the city, and keep increasing. We've also observed with some curiosity that virtually all of the trucking, food service, and film crews and equipment appear to be imported from Pennsylvania.

On the basis of the above we are pleased to tender the following specific comments re the proposed amendment relating entirely to Chapter 9, Section 9-02(c) on page 8: "Responsibilities of Holders of Required and Optional Permits":


- 1) The Advance Notification Period should be significantly extended – 2 days (48hrs.) is definitely not adequate. This is especially critical for feature film shoots which run for weeks at a time, and which require extensive vehicular and crew support. Specific plans for parking trucks, crew vans and cars, and for special rigging, lighting and filming equipment trucks need to be plotted, and should be coordinated with the appropriate community representatives.

- 2) Every production company should be mandated to retain an empowered community liaison representative, to interface with the appropriate community representatives. This will allow the community to articulate key concerns in advance, and to coordinate mutually acceptable resolutions. This responsibility should be not left in the hands of the involved homeowners who may not have the larger interest of the community in mind. This is particularly important in smaller and more confined neighborhoods like ours, which is landmarked, and has narrow cross streets and certain deed covenants that must be accommodated.
- 3) In order to motivate compliance by Permittees with MOFTB guidelines there should be a "Help Number" to call and report serious or blatant violations. Otherwise, homeowners and/or communities have no recourse other than to sue the City which encouraged and sanctioned such activity originally. This proposed alternative should be far more constructive and most likely, far less costly for all involved.
- 4) There should be a way to file a "post-production report" which should be retained for reference by MOFTB, for review in advance of issuing subsequent permits to the same entity...

Because of the growing concern in our community about this sensitive issue, the DMA has instituted a firm policy mandating that a Board member or representative be available to monitor activities at all production sites both to help prevent any production company abuses or violations of MOFTB guidelines, and to help deal with any resident concerns on behalf of the production companies with legitimate permits. If our commonly owned DMA property is to be used, we also require the production company to supply a Certificate of Liability Insurance naming the DMA as co-insurer.

The Douglas Manor Association sincerely appreciates this opportunity to offer comments and suggestions for staging and managing such productions in ways that fairly accommodate the interests of all parties and that will not victimize or hold hostage the residents and property owners in the communities involved.

Respectfully



Albert R. Kelly, President, DMA

Cc: Commissioner Oliver  
Community Board 11  
Steven Newman  
Susan Seinfeld