

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITING AND
MARITIME USES

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July 24, 2012
Start: 10:46 a.m.
Recess: 10:58 a.m.

HELD AT: Council Chambers
City Hall

B E F O R E:
BRAD S. LANDER
Chairperson

COUNCIL MEMBERS:
Maria del Carmen Arroyo
Rosie Mendez
Annabel Palma
James Sanders, Jr.
Jumaane D. Williams
Daniel J. Halloran III

CHAIRPERSON LANDER: Good morning.

I'm pleased to call this meeting of the City Council Land Use Subcommittee on Landmarks, Public Siting and Maritime Uses to order. I'm City Council Member Brad Lander. We are joined this morning by Committee members Dan Halloran of Queens, Jumaane Williams of Brooklyn, Annabel Palma of the Bronx—Council Member Palma wins the timeliness and patience prize for the Subcommittee this morning—and Maria del Carmen Arroyo from the Bronx and James Sanders from Queens, who is right there, and there are also other members of the Land Use Committee with us this morning, including the chair, Leroy Comrie. We'll have the Land Use meeting in just a minute.

So this meeting is being called back from recess from yesterday's meeting and there were a couple of items we talked about yesterday that Council Members who were not there will vote on, but we are mostly this morning reopening four Land Use items, Land Use No. 622, 623, 624 and 625, all in Speaker Quinn's district, 32, 34, and 36 Dominick Street house as well and the Dennison and Lydia Wood House. As people will

1
2 remember who were at our Subcommittee meeting, the
3 three Dominick Street buildings occasioned a
4 thorough, significant and I thought one of our
5 quite thoughtful debates about land marking. The
6 owners of 34 and 36 came and raised objections.
7 We looked at pictures and because 32 still has the
8 dormers intact, which in many ways for people as
9 sort of the key visual symbol of a federal style
10 house. I think people asked a lot of questions.
11 We learned a lot about Flemish bond style
12 brickwork and all the various features of federal
13 houses. I do think it was a good education for
14 Committee members on what the elements are of
15 federal houses and why we're trying to preserve
16 them. We agonized about this and thought a lot
17 about in Committee and after our hearing, I know
18 that Speaker Quinn in whose district these
19 buildings reside and Community Board 2 also
20 agonized about it a lot, consulted with the
21 owners, looked at the buildings, consulted with
22 the preservation community and consulted with the
23 LPC. And after that consideration, both Speaker
24 Quinn, the Council Member for the district and
25 Community Board 2 by a significant margin

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2 reaffirmed the preference that 32, 34 and 36 as
3 well as the Dennison and Lydia Wood House be
4 designated as landmarks and that the existing and
5 remaining features of these federal style houses
6 be preserved and with that in mind, I am
7 recommending to members of the Subcommittee that
8 we vote aye on all four of these items. Unless
9 anyone has a statement or a question or a comment,
10 we will go ahead and ask the—Council Member
11 Halloran?

12 COUNCIL MEMBER HALLORAN: I'm going
13 to break my norms and actually say something,
14 right? I've been quite since my surgery. Haven't
15 I? No? Mr. Chair, I appreciate that this body
16 looked very deeply at these issues, and of course,
17 when we were first presented with them, we didn't
18 actually have word from the Speaker's Office as to
19 how the Speaker felt about something in her
20 district and I'm glad that we have that
21 information now. It is clear to me that 32 meets
22 the criteria outlined by the LPC. What is also
23 clear to me is that neither 34, 36 or 38 come
24 close to meeting the criteria. There have been
25 substantial alterations to those buildings over

1
2 time. The cost to these individuals to revert if
3 necessary—and that was why I asked that question,
4 “What would happen if someone wanted to replace
5 the currently existing structures of the building
6 as it is right now when its designated?” And the
7 answer was they could not. They must go back and
8 replace them as if they were never there and
9 revert them to the federal style accouterments
10 that would be necessary and that ran from
11 everything from windows and doors to bricking,
12 façade, and even lintels. I don’t think that is
13 fair. I don’t think we have a right to tell a
14 homeowner who has been in a house for two, three
15 generations as it is in the case of 34, that they
16 have to take on this burden because the city of
17 New York is willing to be so flexible in its
18 definition of what a federal style house is, a
19 definition that actually as I pointed out again
20 based on architectural digests is not the same
21 criteria being used by the city in that
22 designation process. I urge my colleagues to
23 realize the private property has an essential and
24 core value to it and that we cannot strip our
25 property owners of their rights simply because we

1
2 want to. Now in the case 32, it is very clear
3 that there have not been substantial alterations
4 to that building and that it remains from top to
5 bottom as it was fairly much when constructed.
6 The other buildings have not and it is not the
7 place of this body to substitute our desire to
8 landmark over that of the owners' given a lack of
9 criteria to the LPC. I urge my colleagues to
10 realize that there are very real people sitting in
11 the audience right now, including the owner of two
12 of those buildings who will be severely
13 financially impacted by this in a time where we
14 can't afford to put them in any more harm's way
15 economically than they are already in because of
16 the state of this country with a 10% unemployment
17 rate in New York City alone and a 4% property
18 penalty that they will pay if they choose to sell
19 it because of Obama Care. I know you don't
20 realize that—

21 CHAIRPERSON LANDER: [Interposing]
22 Council Member, up 'til now, alright? Let's cut
23 it out - - healthcare.

24 [crosstalk]

25 [break in audio]

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2 COUNCIL MEMBER HALLORAN: --to vote
3 no on 34 and 36 and 38. 38 is not here, right?
4 36. And vote yes to 32, if we feel the federal
5 building is appropriate as a landmark.

6 CHAIRPERSON LANDER: Thank you,
7 Council Member Halloran. Just so I'll clarify for
8 people, what we have before us are Land Use No.
9 622, 623 and 624 are 32, 34 and 36 Dominick
10 Street. 38 Dominick Street is not before us
11 today. It was originally proposed but then
12 decalendared [phonetic], so it is not on the table
13 today--a fact which I will note Community Board 2
14 is unhappy about and wishes that we were in fact
15 designating 38 today, but 32 is the one that has
16 the dormers. 34 and 36 do not. Land Use 625 is
17 another unconnected but nearby federal style
18 building, the Dennison and Lydia Wood House at 310
19 Spring Street, which I think the prevailing
20 sentiment at the Subcommittee was met everybody's
21 tests for what a federal style building is, so the
22 two that are more contentious are 623 and 624, 34
23 and 36 Dominick Street. I do feel compelled to
24 note that actually the bottom--they're not quite
25 top to bottom the same, even 32 because the bottom

1 was a good six or eight feet lower at one point in
 2 time, but that was before the Holland Tunnel.

3 Anyway, I do think that having—the Subcommittee as
 4 well as Speaker Quinn and the Community Board I
 5 know, it mattered a lot to have the owners speak
 6 to us to present and that we don't act lightly
 7 when we impose a regulation and that the belief
 8 that it's worthy of preserving federal style
 9 architecture even when it has been in some cases
 10 modified and especially when there is several
 11 adjacent buildings merits the actions that we're
 12 taking today. So let's end the debate there. If
 13 folks want to make brief statements with the
 14 votes, obviously they can. I urge a vote of aye
 15 on all and ask our counsel, Christian Hilton, to
 16 call the roll.

17
 18 COUNSEL: Chair Lander?

19 CHAIRPERSON LANDER: Aye on all.

20 COUNSEL: Council Member Sanders?

21 COUNCIL MEMBER SANDERS: Yielding
 22 to the district Council Member, I am persuaded
 23 further by the Chair, I vote aye on all.

24 COUNSEL: Council Member Palma?

25 COUNCIL MEMBER PALMA: Permission

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2 to vote on the items that were voted on yesterday,
3 and with that, I vote aye.

4 COUNSEL: Council Member Arroyo?

5 COUNCIL MEMBER ARROYO: Also
6 requesting permission to vote on L.U. 636 and L.U.
7 649 adopted yesterday and the rest of today's
8 calendar. Aye on all.

9 COUNSEL: Council Member Williams?

10 COUNCIL MEMBER WILLIAMS:
11 Requesting permission to vote on items voted on
12 yesterday and permission to make a statement
13 before I vote. So my plan was to come in and vote
14 yes for 622 and no for 623 and 624. Having heard
15 from the Speaker's Office, who I know probably had
16 some more information that I didn't, still not
17 fully persuaded, still have some concerns, so I'm
18 going to abstain from 623 and 624, vote aye on 622
19 and the items that were voted on yesterday.

20 COUNSEL: Council Member Halloran?

21 COUNCIL MEMBER HALLORAN:
22 Permission to explain my vote?

23 CHAIRPERSON LANDER: Granted. I
24 thought you did.

25 COUNCIL MEMBER HALLORAN: Just I

1
2 appreciate the fact that the Speaker has a
3 district and I will vote aye on 622; however, I
4 cannot in good conscience vote aye on the rest,
5 and so I will vote no.

6 CHAIRPERSON LANDER: On 625 as
7 well?

8 COUNCIL MEMBER HALLORAN: No, no.
9 On 625 as an aye as well.

10 CHAIRPERSON LANDER: Okay. 623 and
11 624.

12 COUNCIL MEMBER HALLORAN: No on 623
13 and 624.

14 COUNSEL: Okay. Final vote of the
15 Subcommittee on Landmarks on L.U. 636, 649, seven
16 in the affirmative, none in the negative and no
17 abstentions. On L.U. 622, six in the affirmative,
18 none in the negative and no abstentions. On L.U.
19 623, four in the affirmative, one in the negative
20 and on abstention. On L.U. 624, four in the
21 affirmative, one in the negative, one abstention.
22 On L.U. 625, six in the affirmative, none in the
23 negative and no abstentions.

24 CHAIRPERSON LANDER: And just for
25 the record, 636 is the Park Slope Historic

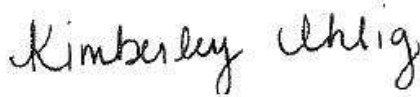
1 District extension, which had enough votes
2 yesterday, but now is unanimous seven to nothing,
3 and I want to thank my colleagues. It's a
4 wonderful extension. My community is thrilled
5 about it. And 649 is in Council Member
6 Garodnick's district, so we're glad that he is
7 here. It is the Barbizon House for Women for
8 which there was also a unanimous vote yesterday,
9 but we're grateful to have the remainder of our
10 colleagues. Thank you very much. This
11 Subcommittee meeting is adjourned.

12
13 [gavel]

C E R T I F I C A T E

I, Kimberley Uhlig certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

Signature

Handwritten signature of Kimberley Uhlig in cursive script, written over a horizontal line.Date 8/5/12