

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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October 19, 2016
Start: 1:36 p.m.
Recess: 2:32 p.m.

HELD AT: 250 Broadway - Committee Rm,
14th Fl.

B E F O R E:

PETER A. KOO
Chairperson

COUNCIL MEMBERS:

Annabel Palma
Deborah L. Rose
Rosie Mendez
Stephen T. Levin
Inez D. Barron
Ben Kallos
Antonio Reynoso

A P P E A R A N C E S (CONTINUED)

Lauren George
Director
Intergovernmental and Community Affairs
Landmark Preservation Commission

Andrea Goldwyn
Representative
New York Landmarks Conservancy

Michael Owen
Landmarks Preservation Commission

Richard Lobel
Representative
Sheldon Lobel P.C.

Father Wronskyi
Holy Trinity Cathedral

Simeon Bankoff
Representative
Historic Districts Council

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MARITIME USES

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2 [sound check]

3 [pause]

4 [background comments]

5 CHAIRPERSON KOO: Ready? [gavel]

6 Good morning. I am Council Member Peter
7 Koo, chair of the Subcommittee on Landmarks, Public
8 Siting and Maritime Uses. We are joined by Council
9 Members Palma, Mendez, Rose, Barron; Kallos, and we
10 are also joined by Council Member Reynoso.

11 We'll be holding a public hearing and
12 voting on one item today. The item number is LU No.
13 493, the Williamsburg Trust Company in Council Member
14 Reynoso's district. LPC (Landmarks Preservation
15 Commission) will present on the proposed designation
16 of the Williamsburg Trust Company Building located at
17 177-185 South 5th Street in Brooklyn, as an historic
18 landmark. [background comments]

19 I will now open the public hearing for
20 Land Use Item No. 493.

21 We have Lauren George from Landmark
22 Commission [background comment] and Michael Owen,
23 also from Landmark Commission. [background comments]

24 LAUREN GEORGE: Good morning... [crosstalk]

25

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2 CHAIRPERSON KOO: Please start after you
3 identify yourself.

4 LAUREN GEORGE: Good morning Council
5 Members, Chair Koo. My name is Lauren George,
6 Director of Intergovernmental and Community Affairs
7 at Landmark Preservation Commission. I'm here today
8 to speak to you about our designation of the
9 Williamsburg Trust Company Building, part of the
10 Agency's Backlog Initiative -- which you're aware of.
11 The building was heard on October 8, 2015 and at that
12 hearing a representative of the owner, Holy Trinity
13 Cathedral, spoke in opposition to designation. Eight
14 people including Council Member Reynoso spoke in
15 favor of designation; the site had previously been
16 heard in 1966.

17 As shown on this map, the proposed
18 landmark site includes the building's entire lot.
19 The sidewalk, fence and front of the east and south
20 frontages of this lot, the street-facing side, and
21 all land in-between the lot and this fence, including
22 the land underneath any features of the building that
23 extend onto or into adjacent sidewalks.

24 Completed in 1906, the Williamsburg Trust
25 Company Building is a monumental Neoclassical style

2 bank recalling Williamsburg's industrial prosperity
3 of the 19th and early 20th centuries and the historic
4 role of the building's surrounding area as a
5 commercial and financial hub serving Williamsburg,
6 Greenpoint and Bushwick. Designed by Helmle, Huberty
7 and Hudswell, a major Brooklyn architecture firm who
8 designed some of the borough's most significant early
9 20th century banks and park structures, including the
10 Prospect Park Boathouse, this building initially
11 served as the headquarters of the Williamsburg Trust
12 Company Building, which enjoyed considerable
13 financial success following its 1899 opening. This
14 is a superlative example of the luxurious banking
15 temples constructed in Manhattan and Brooklyn
16 starting in the late 19th century, featuring two
17 classical porticos with acroteria on its two street
18 facades, as well as a saucer dome recalling that of
19 the Pantheon. Originally intended to stand in
20 isolation, the building is remarkable for its flour
21 fully developed classical facades as well as its
22 unusual facing material of white glazed terra cotta.
23 The building's opulent design and prominent location
24 at the entrance of the then-new Williamsburg Bridge
25 drew admiration from the press, which described it as

2 a superb new edifice that was both extravagant and
3 palatial.

4 Shortly after the building's opening, the
5 Williamsburg Trust Company was rocked by the Panic of
6 1907, and it served its last customer in 1910. Five
7 years later, the building was acquired by the City of
8 New York and it served part of a broad effort to
9 reform the city's court system and improve Brooklyn's
10 courthouses and from 1916 to 1958, it served as the
11 Magistrates' Court for the Fifth District of
12 Brooklyn. The building's cross-shaped plan and
13 central dome made it attractive for conversion to an
14 Orthodox church, and in 1961, it was acquire by the
15 Holy Ukrainian Autocephalic Orthodox Church in Exile
16 which renovated it to serve as Holy Trinity
17 Cathedral. Since then, the church has diligently a
18 sensitively maintained the building, enabling this
19 lavish structure to endure as one of Williamsburg's
20 most prominent and imposing buildings. Thusly, we
21 ask you to affirm designation today. Thank you.

22 CHAIRPERSON KOO: Any questions from
23 committee members to ask Landmark Commission?
24 [background comments] Yeah. Seeing none, we will
25 move to another speaker. We have.. [interpose,

2 background comments] Andrea Goldwyn from Landmarks
3 Conservancy.

4 [background comments]

5 CHAIRPERSON KOO: And please identify
6 yourself when you start again. [sic]

7 ANDREA GOLDWYN: Good day Chair Koo and
8 Council Members. I'm Andrea Goldwyn, speaking for
9 the New York Landmarks Conservancy. The Conservancy
10 is pleased to support designation of the former
11 Williamsburg Trust Company Building, the Holy Trinity
12 Church of Ukrainian Autocephalic Orthodox Church in
13 Exile as an individual landmark. We thank the
14 elected officials who have supported this
15 designation, the Landmarks Commission for bringing
16 this item forward after a long term on its calendar,
17 and the congregation that rescued and revitalized
18 this stunning building.

19 I have some more text that goes through
20 the architectural and historical significance, but
21 I'll skip through that and just get to the heart of
22 the issue.

23 We understand that the Church opposes
24 landmark designation now, as it did when the building
25 was calendared in 1966, the same day as its landmark

2 neighbor, the Williamsburg Savings Bank. As it was
3 among the earliest group of items brought to the
4 Commission's calendar, it's clear that this building
5 has significance to Brooklyn and the City.

6 The Conservancy works with owners of
7 historic buildings across the five boroughs and with
8 historic religious properties across New York State.
9 We recognize the difficulties that congregations can
10 face in addressing routine maintenance of their
11 extraordinary buildings, especially in light of
12 critical mission needs. However, we have also seen
13 it's very possible for these congregations to thrive
14 in their landmarked buildings.

15 Over 30 years, our Sacred Sites Program
16 has made approximately 1,400 grants totaling \$9.6
17 million to 750 congregations. The size of the grants
18 can vary from small to up to \$100,000. This does not
19 always recognize all the congregation's needs, but it
20 can be the wellspring for phased work, larger
21 projects, and can inspire additional funding. Our
22 grants have leveraged \$615 million in restoration
23 expenditures.

24 And our funding is not just a check in
25 the mail. Grants come with assistance from our

2 professional staff, which can include help with
3 technical questions, referrals to skilled contractors
4 who have experience working with religious properties
5 and long-term, hands-on project management. In
6 addition, we have worked with congregations to
7 convert LPC designation to listing on the State and
8 National Registers of Historic Places, which can
9 access State grants of up to \$500,000. We hope that
10 if this designation is affirmed we can bring these
11 services to the congregation that has so well managed
12 their historic building.

13 We appreciate the commitment that the
14 congregation has shown to the building, and hope that
15 this landmark designation will rightly celebrate and
16 laud a fine building and a worthy institution.

17 Thank you.

18 CHAIRPERSON KOO: Thank you. [background
19 comments] Any questions? Can you stay for [sic]..
20 and I may ask you a question, yeah.

21 ANDREA GOLDWYN: Sure.

22 CHAIRPERSON KOO: So are you committing,
23 you're helping the Church to seek additional money
24 for maintaining the church and restoration?

25

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2 ANDREA GOLDWYN: We're committed to
3 working with the congregation to talking to them
4 about them needs, to providing technical assistance,
5 and if they decide to apply for a grant, working with
6 them through that process; also working with them, if
7 we can, through the State application process, as we
8 have, as I said, with hundreds [background comment]
9 of congregations throughout the state.

10 CHAIRPERSON KOO: Thank you. Any
11 questions? No? Thank you, yeah.

12 ANDREA GOLDWYN: Thank you.

13 [background comments]

14 CHAIRPERSON KOO: We are also joined by
15 Council Member Levin.

16 Now we go to the public... [background
17 comments] We have Richard Lobel from Sheldon Lobel
18 P.C. and Father [background comments] Wronsisky
19 [sic]... Wronsinsky [sic] -- sorry -- from the 2 Bank
20 Court Green... Greenlawn... [background comment], from
21 Holy Trinity Cathedral, yeah. [background comments]
22 Please identify yourself and speak, yeah.

23 RICHARD LOBEL: Good morning Chair Koo,
24 esteemed Council Members. Again, I am Richard Lobel
25 from Sheldon Lobel P.C. I'm here today with Father

2 Wronskyi, representing the Holy Trinity Cathedral,
3 also referred to as the Ukrainian Church in Exile.

4 As the previous speakers have located the
5 Church and identified the Church for the Council, I
6 will proceed to the remainder of the presentation.

7 [pause]

8 I'd like to share with you a quote from
9 1960 -- it's dated 1961, but actually was in 1966.
10 So as the Council Members are aware, pursuant to the
11 Backlog Initiative we're addressing applications and
12 properties that have been reviewed by the Landmark
13 Preservation Commission for -- in this case, over 50
14 years. The comment at the time from Father Wronskyi
15 was: "The structure was permitted to deteriorate to
16 the complete state of disrepair; the inside had not
17 been painted for many years, the paint on the walls
18 was peeling, many decorative ornaments were destroyed
19 by vandals, the roof was leaking in several places,
20 with water seeping inside the building, plumbing was
21 destroyed and not working, all windows were broken,
22 and the building had been repeatedly vandalized."

23 So the aspect of the preservation of this
24 building which the Landmark Preservation Commission
25 in its testimony failed to address is what happened

2 to this building between 1958 and 1961 when the
3 Church obtained ownership, and it was not a pleasant
4 type of transition from bank building to surrogates
5 court to the Church. This building was left in
6 disrepair by the City of New York for two years and
7 was in a terrible state of disrepair, and during that
8 time, the Church reviewed the property and eventually
9 obtained ownership of the property, and over the
10 course of the last 50 years, conservatively put
11 millions and millions of dollars of their own money
12 into maintaining this church. This church was not a
13 priority for the City of New York or for the Landmark
14 Preservation Commission for 50 years. Indeed, in
15 2010, when then Council Member Diana Reyna emailed
16 and corresponded with the Landmark Preservation
17 Commission, they detailed to her in correspondence --
18 which we've shared in our materials -- that even at
19 that time in 2010 this was not a clear priority for
20 LPC, and that was after this had been in front of the
21 Landmark Preservation Commission for over 40 years.
22 Why does that matter here? Well Landmark
23 Preservation is required to look at a number of
24 aspects with regards to all properties which are
25 designated for landmarking, and so it is a serious

2 matter to take a property and to designate this for
3 landmarks, there's a tremendous burden that's placed
4 on an owner and Father Wronskyi is gonna testify with
5 regards to that burden, specifically with regards to
6 the operations of the church. But what we hold
7 before the Council today and hope is persuasive are
8 two main points.

9 The first is that from an architectural
10 perspective, when looking at the balancing of
11 features with regards to this church, there was so
12 much work done to this church in the interim, there
13 were so many changes made to the façade, to the
14 column placement, painting of the building, etc. that
15 the architectural features which merit landmarking
16 here did not exist after the time of the renovation.
17 And so when the building is looked at in the totality
18 of the circumstances and looked at as far as what
19 features remain, this building does not merit
20 landmarking. While Frank Helmle, who was the
21 original architect, is indeed a notable architect in
22 the city, one of the aspects that Landmarks looks at
23 is what other buildings are there which demonstrate
24 this architectural style and indeed, Frank Helmle has
25 at least 11 other buildings that have been considered

2 by LPC for designation, six of which have been so
3 designated; one of which is in an historic district.
4 Those buildings all to the one maintain more valuable
5 features, more historic features; they are closer to
6 the original design than this building, which was
7 altered in accordance with the church's activity.

8 And in addition, the Landmark
9 Preservation Commission also looks to other
10 properties which maintain the characteristics of the
11 church and that they're seeking to preserve -- the
12 Beaux-Arts style, the neo-Classical style -- and so
13 in our papers we cite, first to the Commission and
14 now to the Council, many other properties which are
15 better examples of this style as well as better
16 maintained and closer to the original. So those
17 justifications for landmarking this church do not
18 pertain here.

19 This church is relatively unique in the
20 Landmark Backlog Initiative, so as was said, the
21 Council is very familiar with the Backlog
22 Initiative. There were 95 properties put before
23 LPC that had been on the calendar for many, many
24 years and so of those 95 there were 15 that were
25 identified as religious institutions; of those

2 15, eight were prioritized for designation -- the
3 Ukrainian Church in Exile and a number of others.
4 So of those eight -- it's interesting to look,
5 because it's somewhat a unique situation -- of
6 those eight, three of those landmarking was not
7 opposed by the owner or no testimony was given,
8 which leaves five properties, including ours; of
9 those other five properties, we have the
10 Ukrainian Church in Exile and we have four
11 properties which are under ownership by the Roman
12 Catholic Church, the Archdiocese of the State of
13 New York.

14 What happened to those four properties?
15 Three of those were removed from the Backlog
16 Initiative. And so when I bring up the second
17 point with regard to landmarking -- and I'll
18 conclude soon and try and be respectful of our
19 time -- when we look at the Backlog Initiative
20 and we look at what the Commission and the
21 Council is required to look at in this case, for
22 a church building; if I'm a for-profit -- you
23 know the Penn Central case looked at landmarking
24 as a whole -- and I can't put my for-profit needs
25 ahead in line of the justification for

2 landmarking. If there's a justification for
3 landmarking which involved community benefit and
4 how this building will benefit the surrounding
5 area, the courts have ruled that the Council and
6 the Commission are permitted to look at those;
7 not so with a church. For churches -- as was
8 stated in Society for Ethical Culture and the
9 City of New York v. Spatt, which is a 1980 case,
10 went up to the Court of Appeals of the State of
11 New York -- the designation restriction is
12 permitted "only so long as it does not physically
13 or financially prevent or seriously interfere
14 with the carrying out of the charitable purpose
15 of the institution," that's a very important
16 point to be made here, one which was ignored by
17 the Commission; one which I hope will not be
18 ignored by the Council. When you look at those
19 four Archdiocese of New York properties that were
20 considered for designation, three of which were
21 removed, the Archdiocese of the City of New York
22 maintains an annual budget of over \$314 million.
23 Think about that for a second -- a net profit,
24 net earnings to the church of close to \$50
25 million a year. Father Wronskyi and the

2 Ukrainian Church in Exile have approximately less
3 than a million -- something in the neighborhood
4 of \$900,000; that's for any maintenance which
5 needs to occur for the church as well as for
6 their operating budget as well. I would ask the
7 Council to seriously review this, because while
8 we understand arguments set forth for the
9 protection of the church, the truth of the matter
10 is that the church's needs were ignored in this,
11 and regardless of my opinion as a land use
12 attorney and the physical characteristics of the
13 building, the willful ignorance and the fact that
14 the needs of the church and their ability to
15 fulfill their mission has been ignored directly
16 contrasts with the mandates of the Court of
17 Appeals of the State of New York as it applies to
18 buildings being considered for designation.

19 And Chair, I'm happy to answer any
20 questions; I'm also happy to have Father Wronskyi
21 talk about the actual needs of the church and how
22 this will prevent them from being fulfilled.

23 [background comments]
24
25

2 FATHER WRONSKYI: [00:18:15] Okay, I did
3 not realize that I had to speak, so I have
4 [inaudible]. [background comments]
5 We came across this building in 1961
6 because we were looking for a church building,
7 and we knew it was in terrible shape and I
8 [inaudible] say something here. For 55 years, as
9 is known in the record [sic], the City of New
10 York owned the building for 45 years or so until
11 the bank, so it was... for over 55 years there was
12 no maintenance done of any kind outside.
13 [inaudible] everything was leaking because it was
14 leaking so the beams that hold the outside
15 [inaudible] slab [inaudible] rusted up, you see
16 they were dangerous, ornaments were falling down.
17 You see also another thing is, we have inside, we
18 have these flowers [sic] and they have frames
19 around it; some of these [inaudible] frames,
20 they're falling down [inaudible] because of
21 vibration. We have vibration from the subway on
22 the top and the bridge, so over the years they're
23 getting loose. Also, vibration causes cracks to
24 the building; it requires more maintenance than
25 other buildings, so you have to... so [inaudible].

3 We have also at front of the building, we
4 discovered over the years there was a crack this
5 wide from vibration maybe five feet long
6 **[inaudible]** fix that, and so on. So this
7 building requires more maintenance than other
8 buildings, you see, so this is unbelievable so
9 that if you look, **[inaudible]** and was abandoned
10 by the City, the door was open; anybody could go
11 and it was vandalized. So and another thing, the
12 guy who bought it from the City, the City
13 couldn't sell the building because nobody wanted
14 to buy it, so they gave him a mortgage of over
15 \$12,000 [sic], see, so when we bought the
16 building from him -- and he couldn't do nothing
17 about it; he was **[inaudible]** the building; if not
18 for us, because this building **[inaudible]** it was
19 unsafe and the City was demolishing this
20 building; if not for us, this building would have
21 been demolished, I mean this is a fact, I mean we
22 are not exaggerating; this is even a statement of
23 the Landmarks Commission, you know, in their
24 studies. So gradually we brought the building
25 into a very -- and another thing, graffiti was
from the top of the dome to the ground; it looked

2 horrible. So gradually we put the building into
3 a very good state of -- construction-wise. And
4 also we built a [inaudible] underneath, so we
5 strengthened the foundation of the building
6 because the foundation, it was a building
7 [inaudible] in concrete foundation it was
8 [inaudible], you see, so [inaudible] and so on
9 [inaudible] and we put new steel beams underneath
10 old beams to strengthen the base and the
11 foundation of the building, so today the building
12 is in much stronger shape I would say, without
13 exaggeration, than originally was built,
14 construction-wise. So this effort was largely
15 because of sacrifice of our people over the
16 years, because -- and the contributions -- the
17 only thing... so today, you see, it is in very good
18 shape; it is not [inaudible] recognition of
19 landmarks... landmarking the building. The first
20 thing the contractor comes, he asked us whether
21 the building is a landmark; if the building is a
22 landmark they don't want to bother. I mean, this
23 is it [sic]. So there's... and we haven't fixed it
24 [sic], nor have the contractors, because they
25 come and they paint over peeling paint, they

3 don't bother scrape and so on. And we have
4 people in the parish who know the business very
5 well, we have street construction engineers, we
6 have mechanical engineers, we have electrical
7 engineers, people who work with... you know, for...
8 with companies that specialize in restoring old
9 buildings and so on, and when you do something we
10 use the best materials, we don't use tar paper
11 and so on, because this is what the contractors
12 usually use, you know, and then we have to fix
13 after them, you see, so because of... and why do
14 you do that, because the people have devotion,
15 you see they're devoted to the church and they
16 sacrifice and this is why we could do such a good
17 job, otherwise, we would have never been able to
18 do this, and people, they all oppose to the
19 landmark designation because they feel that they
20 are not... because we are a religious corporation,
21 nonprofit, and they feel that this is their
22 building, this is part of them. You see,
23 designation they feel... they think that they are
24 not a part of the building anymore, **[inaudible]**
25 something else this **[inaudible]** and this is... and

3 the morale is declining, so this affects
4 contributions.

5 Another thing is that in case they'll say
6 we... we have created value in the building; there
7 was no value here, absolutely, but we bought the
8 building for \$25,000 **[inaudible]** land has all the
9 value, so there was value in the land at that
10 time. So we have created value in the building;
11 we assure the Commission that we absolutely have
12 no intention to sell the building, absolutely
13 not; we're going to be for indefinite period of
14 time, for a very long period of time; the oldest
15 person in our parish is 64 years of age, 50 years
16 **[inaudible]**, 50, 30, **[inaudible]** and so on. So
17 we will have no problem of existing **[inaudible]**
18 so we have to think in long term.

19 And another thing that designation -- a
20 landmark you see, it reduces the morale, it
21 affects us, you know; it raises the cost of
22 maintaining the building and we are just, you
23 know, we are just making ends meet, you know. I
24 have served without compensation all the time and
25 I have been contributing to the maintenance and
so on to the needs of the building, and I am 84

3 years of age, you know, and I'll be retiring
4 soon, you know, so we have to think for the
5 future and [inaudible] we have to pay salary and
6 so on, so this also causes a problem, because we
7 have no rectory [inaudible] building, but we have
8 no [inaudible] the rectory [inaudible] considered
9 buying it, so in case [inaudible] it's just going
10 to impede that because the designation is going
11 to make things for us much more difficult to
12 exist and we have saved the building, 'cause it...
13 from... 'cause of this... from destruction,
14 demolition and this is a fact and we have no
15 designated [inaudible] for that, you see, and we
16 actually improved the building so much and we
17 have [inaudible] pictures from the inside, it's
18 beautiful, everybody comes in [inaudible] how did
19 you restore the building [inaudible]. So this is
20 why it is much more designation is not... will make
21 it much more difficult for us to exist, and
22 [inaudible] people, they're immigrants, when we
23 bought the building it was immigrants who came
24 [inaudible]... immigrants who came to the country
25 in the 50s, around 1950 or so; now there is
another wave [inaudible] came recently

2 [inaudible] the Soviet Union and the old
3 [inaudible] people, you know the low wage earners
4 is one. So this is -- it makes it difficult for
5 everybody, you see, and this is... we have stated
6 that it is only a technicality whether this
7 [inaudible] isn't a landmark but it is a
8 technicality which is, if you declare it an
9 official landmark it makes life difficult for us.
10 This is what it is you know, so this is my appeal
11 for the Committee, you know; don't designate, you
12 know, the building you know... [crosstalk]

13 CHAIRPERSON KOO: Father, can you wrap
14 up? Yeah.

15 FATHER WRONSKYI: Okay, thanks a lot
16 [inaudible]... [crosstalk]

17 CHAIRPERSON KOO: Thank you.

18 FATHER WRONSKYI: [background comments] I
19 spoke sort of long, extra long, so thank you for
20 that [sic].

21 CHAIRPERSON KOO: So I have some
22 questions for either you or Mr. Lobel. How big
23 is the congregation; how many members do you
24 have?

2 FATHER WRONSKYI: I would say well over..
3 over 100; it's not exactly members, because people
4 come to church, you see and even the core [sic]
5 people devote **[inaudible]** for the church, attend
6 church, **[inaudible]**; then they have **[inaudible]** and
7 **[inaudible]** Brooklyn, you see, usually in South
8 Brooklyn and so on and now there are some in our area
9 and so it's not exactly... so they come from all over,
10 so it is not exactly they register as parishioners,
11 but they come here so maybe much more than that, you
12 see, but it's normal. Another thing is, it's
13 **[inaudible]**, in Ukraine or any European countries,
14 people don't think of membership, so when they come
15 in you have to educate them so you have to become a
16 member, pay dues or something to desig... because over
17 there, there is no members, there is no dues and so
18 on **[inaudible]**, so this is another problem, so you
19 have to look at the whole thing you know together.

20 CHAIRPERSON KOO: So what is your biggest
21 expenditure for maintenance -- the heat, the..
22 [interpose, background comment] yeah.

23 FATHER WRONSKYI: **[inaudible]**..
24 [crosstalk]

2 CHAIRPERSON KOO: How much it costs per
3 month?

4 FATHER WRONSKYI: Excluding... Excluding
5 the salary of the priest... [crosstalk]

6 CHAIRPERSON KOO: **[inaudible]**...

7 FATHER WRONSKYI: **[inaudible]** have enough
8 income you know just to make ends meet, but then
9 **[inaudible]** have to pay, **[inaudible]** so we have been
10 trying to raise more money and so on, but it is
11 **[inaudible]** restorations on the landmark you see
12 because it... people all the time they see that...
13 because we are placing a loss of value that we have
14 created from nothing; there was nothing that really
15 would have **[inaudible]** demise and **[inaudible]** really
16 if you saw it, that you know, the City owned the
17 building for 45 years and they did absolutely no
18 maintenance, none whatsoever... [crosstalk]

19 CHAIRPERSON KOO: Okay.

20 FATHER WRONSKYI: they let the building
21 to complete... to destruction... [crosstalk]

22 CHAIRPERSON KOO: Sir, I mean, we
23 understand the situation... [crosstalk]

24 FATHER WRONSKYI: Yeah. Yeah. Yeah.

25

2 CHAIRPERSON KOO: yeah, we understand the
3 situation, yeah. So... [background comments]. Any
4 other members have questions? Yeah, Council Member
5 Reynoso.

6 COUNCIL MEMBER REYNOSO: Hello, Father.
7 So this church is in the district that I represent.
8 I'm Council Member Reynoso; I was actually... go to
9 school across the street from that **[inaudible]**, 1996,
10 back in the day for me. So I wanna speak to a couple
11 of things. I worked for Council Member Diana Reyna
12 when we first initiated this process; I do wanna say
13 that someone else, a private citizen, put forth for
14 your church to be landmarked after viewing, it and
15 for a long time it's been on this priority list or
16 this backlog situation, so I just want you to know;
17 the first part is, that we didn't... this didn't happen
18 overnight, that we wanted to start the process of
19 landmarking it, right; this didn't happen right now.
20 Two, a lot of the work that you're talking about that
21 you're doing is an internal or interior work that you
22 did in the church so that it could function and you
23 can do your work; the landmarking portion of this
24 that is really gonna take into effect is actually the
25 exterior of the church, and the exterior is still

3 historically and architecturally significant and
4 practically identical to what it originally was built
5 out to be. So I think the first argument by Sheldon
6 and Lobel was that this is no longer historically or
7 architecturally significant enough to be considered
8 for landmarking. If you look at the pictures or any
9 of the references from the 1900s or 1906, 1910, 1920,
10 this is practically identical to what it originally
11 looked like. So just... and let me finish and then
12 I'll let you respond, sir. So I just wanna say that
13 absolutely, I think the first case that you're making
14 has no grounds; the exterior of this building is
15 architecturally and historically significant and
16 deserves landmarking. The second part is; in that
17 time when I was working for Council Member Diana
18 Reyna, I specifically was proactive in trying to
19 communicate with your church as a staff member,
20 knocking on this door, submitting letters in writing
21 and also hand delivering letters to this church to
22 get access to have a conversation with the members
23 regarding this building and its significance, and to
24 just get your opinion, so this is the first time I am
25 physically seeing you or a representative of your
church speaking on behalf of this church, understand

3 that. And then there's another process by which you
4 are requested by the Department of Landmarks, or
5 Landmarks Preservation (LPC), to submit hardships,
6 financial hardship, so you would have to present that
7 and you did not present that either; you participated
8 zero, in no way, in any effort here to educate
9 Landmark Preservation and a Council office in a
10 community that is widely supportive of landmarking
11 this, in making an effort for your building until the
12 last minute here; now you're making a last ditch
13 effort to stop a landmarking that I also don't think
14 would be a financial hardship because of the work
15 you're doing and you're speaking on is mostly being
16 done in the interior and we're going to make sure
17 that we connect you with the right people that can
18 provide resources for you should you ever need to
19 make any changes on the exterior. So I just wanna be
20 very clear that on the grounds of financial hardship
21 you had a legal opportunity through LPC to submit an
22 argument and you did not do that; you're making the
23 argument now. And then the first thing is; it is
24 architecturally significant -- and let me just
25 finish; I know you really wanna talk; we're gonna
give you all the time in the world, you're gonna get

2 all the time you need. The next thing is that this
3 building is in Williamsburg and in Williamsburg, many
4 buildings that look this one have actually been torn
5 down and developed into market rate housing, 100%
6 market rate housing; the value of your property, from
7 what you purchased in the 1960s to what it is now is
8 exponentially increased, the value of this property
9 and I know you have no commit... you say you have no
10 commitment to do that, but we've seen churches go
11 down and buildings go up without any input
12 opportunity from the community as to what it looks
13 like. But we do have an opportunity through LPC to
14 actually maintain this historically significant
15 building in a community that is losing all of theirs
16 for glass high-rises in an effort for residential
17 increase and with zero affordable housing. So again,
18 the two grounds that I think you guys came in here
19 with the argument I think is not substantial enough
20 for us to reconsider and I am going to ask everyone
21 [interpose, background comments] on this committee to
22 support this project for landmarking.

23 RICHARD LOBEL: I'd like Father Wronskyi
24 to respond to this, but I just wanna limit my
25 comments to one of the matters that Council Member

2 Reynoso raises. First of all, I shared a quote with
3 the Subcommittee, when I began my presentation, from
4 1966; just to be clear, then Trustee Father Wronskyi
5 was the author of that quote, so he's literally been
6 at this for 50 years, so this is not a battle or a
7 discussion which is new to him at all and so he's
8 really been making these efforts for some time, but
9 more importantly, I would just say briefly, and then
10 I'd let Father Wronskyi respond, that with regards to
11 the hardship application there is a method at
12 Landmarks for a landmark designated property upon
13 making an application for alterations or a
14 significant change or even demolition of that
15 property, to make an application relying on the
16 hardship on the property, presenting detailed
17 financial information, financial statement, cost of
18 maintenance etc., in which case Landmarks may at that
19 time grant the ability for a landmark or designate
20 property to claim an exemption and to significantly
21 alter or demolish a property. We're not there right
22 now, we're not at... and to be clear on that, also,
23 when you look at the hardship application, and the
24 record backs this up, in the last 15-20 years -- I'm
25 happy to have Landmarks comment on this separately --

2 in the last 15-20 years, maybe one to two of these
3 applications was ever granted by Landmarks

4 **[inaudible]**... [crosstalk]

5 COUNCIL MEMBER REYNOSO: So then I'm
6 talking about prior to that.

7 RICHARD LOBEL: Prior...

8 COUNCIL MEMBER REYNOSO: Prior to
9 designation you guys haven't... as a lawyer, you have
10 actually... you should be assisting your client and
11 presenting needed work and financials before the
12 process -- I'm not talking about alterations...

13 [crosstalk]

14 RICHARD LOBEL: Sure.

15 COUNCIL MEMBER REYNOSO: I'm talking
16 about before that, so that you can make a case to
17 your financial hardships.

18 RICHARD LOBEL: The mandate of the court
19 in Spatt was that the designation to not have a
20 negative impact on the charitable or religious
21 purposes of the church. The evidence that we
22 provided to Landmarks and was forwarded to the
23 Committee was such that we demonstrated that the
24 significant amount of funds that have been expended
25 and would be expended in maintaining the church were

2 going to affect the ability of Father Wronskyi to run
3 the congregation; he has so testified here; I
4 understand we have a difference of opinion; I don't
5 wanna say though that we're late to the game, this
6 has been an effort which has taken some time; if
7 anyone's late to the game it's the City for allowing
8 this property for 50 years to be maintained on the
9 calendar during which time the church incurred
10 millions and millions of dollars to take a decrepit
11 building which the City itself had left on to
12 disrepair and to make it what it is today.

13 COUNCIL MEMBER REYNOSO: I agree with
14 that last part, a 100%. Remember, most of the
15 funding and the maintenance that you guys are talking
16 about have been incurred on the interior of the
17 building to make it functional and safe. On the
18 exterior, of which is a building that... [interpose]

19 FATHER WRONSKYI: No, no...

20 COUNCIL MEMBER REYNOSO: I wanna say the
21 exter... the exterior of the building -- so you're done
22 a lot of work, and I don't wanna discredit any of the
23 work that you guys have done for the last 50 years in
24 maintaining this building, and it is a credit to you
25 that we're even at this point to be able to have this

2 conversation; I do not wanna take that away from you,
3 but what I'm saying is, the exterior of the building,
4 as is now and with maintenance and assistance from
5 entities will not be a financial hardship or won't be
6 a significant financial hardship, which is what the
7 argument needs to be made.

8 FATHER WRONSKYI: As I mentioned before,
9 the City... [interpose]

10 COUNCIL MEMBER REYNOSO: You don't need
11 to stand up -- I don't want you...

12 FATHER WRONSKYI: Okay...

13 COUNCIL MEMBER REYNOSO: It's okay... there
14 you go.

15 FATHER WRONSKYI: As I mentioned before,
16 when the City owned the building; the bank before,
17 they did absolutely nothing on the outside. I was
18 talking about the outside, the walls and everything
19 was leaking, there was no repointing [sic] them
20 anything you know, and the ornaments were falling
21 down above the columns, you know, because of
22 vibration and we did repoint the... and if you look at
23 the steps built just below the dome, it was... they
24 were all leaking because the concrete was washed out;
25 for over 50 years we had to put as much concrete as

2 we put... and we put over the joints, you know,
3 elevation so that the water flows outside because you
4 can never install [sic] something that was neglected
5 for 50 years and make it again new, you know. So we
6 did a lot of work first thing because it was... our job
7 was to make sure that the building is well maintained
8 on the outside so it doesn't leak you know, and we
9 did a lot of that and so [00:39:01 inaudible]... and
10 this is why... and this was number one and other as
11 mentioned to you, you have these decorative slabs
12 around; they're being held by beams, you know they're
13 going into like... they were all rusted out, they were
14 rusted and [inaudible] the job was Donald Friedman
15 [sic], who you should well know, because he's a well
16 known constructor of buildings you know in the city;
17 the Commission knows him well. And so he had to
18 remove those you know and it was a very meticulous
19 and difficult job because once you miss something you
20 hear the slab is going to crack and fall down, you
21 know. And all around this was just a very difficult,
22 meticulous job to do, you know, so [inaudible]
23 something from the outside [inaudible]... [crosstalk]

24 COUNCIL MEMBER REYNOSO: No, I didn't
25 that... I understand what you're saying...

2 FATHER WRONSKYI: outside the restored
3 **[inaudible]**... [crosstalk]

4 COUNCIL MEMBER REYNOSO: I... I hear you.
5 Father, I just wanted to say; we've... since Diana's
6 put this in there have been several efforts to bring
7 you in to have a conversation about a designation
8 that's been on Landmarks for 50 years that we also
9 agree the City has done a poor job of being able to
10 move that forward; we've made several attempts at
11 reaching out to your church to have a conversation
12 about this building and you guys met us with zero..
13 with complete silence... [crosstalk]

14 FATHER WRONSKYI: And I don't know what
15 the reason... I have never received a call... [crosstalk]

16 COUNCIL MEMBER REYNOSO: I personally...

17 FATHER WRONSKYI: or there's never been a
18 letter from you in the church you know [sic]..
19 [crosstalk]

20 COUNCIL MEMBER REYNOSO: That is... That is
21 just not true. Okay. Okay.

22 FATHER WRONSKYI: so I don't know; maybe
23 it must have got lost or something, **[inaudible]**..
24 [crosstalk]

25 COUNCIL MEMBER REYNOSO: Alright.

2 FATHER WRONSKYI: Look, I [inaudible]...

3 COUNCIL MEMBER REYNOSO: Okay.

4 FATHER WRONSKYI: you know, this is...

5 [inaudible] saying is, Community Board No. 1 was on
6 our side, it was against designation; then they
7 changed their mind from -- I assume from the pressure
8 from above -- and so they submitted the matter to the
9 Subcommittee, which was held on December 16 and we
10 were there, I was there, and we had a very
11 constructive conversation -- all aspects, this and
12 everything else -- for over an hour were there and we
13 were [inaudible] and discussing, you know, so
14 [inaudible] you know they communicated or something
15 of this kind, you know, and then the Community Board
16 then changed its mind and the vote of this
17 Subcommittee was like 6-3, you know, and our
18 neighbors, you know, they supported us.

19 RICHARD LOBEL: Chair Koo, his last
20 comment would be that the Community Board 1 Land Use
21 Committee did vote against designation; that's the
22 point that Father Wronskyi's making, so there was
23 conversations with community and the Land Use
24 Committee, which heard the most detailed conversation

25

2 with regards to the building, the condition and the
3 application did vote against designation.

4 COUNCIL MEMBER REYNOSO: And the
5 Community Board voted for designation.

6 RICHARD LOBEL: The full Board did...

7 [crosstalk]

8 COUNCIL MEMBER REYNOSO: The full board.

9 RICHARD LOBEL: the Land Use Committee
10 voted against.

11 COUNCIL MEMBER REYNOSO: Yeah, but the
12 full Board voted for it; I just wanna make sure...

13 [crosstalk]

14 RICHARD LOBEL: Correct.

15 COUNCIL MEMBER REYNOSO: we get all the
16 information...

17 RICHARD LOBEL: Totally understand.

18 COUNCIL MEMBER REYNOSO: not half... half
19 of the information... [crosstalk]

20 RICHARD LOBEL: No... No...

21 COUNCIL MEMBER REYNOSO: is **[inaudible]**...

22 [crosstalk]

23 RICHARD LOBEL: Okay. Because the...

24 [interpose, background comment]

2 COUNCIL MEMBER LEVIN: Alright, thank
3 you. So I represent just across the street. So I'm
4 a little bit unclear here; is there... is there some
5 major... is there some major work that you're expecting
6 to do on the exterior of this building that would
7 make a landmark designation onerous? I think you
8 detailed a lot of work that you're expecting to do on
9 the interior of the building, but as Council Member
10 Reynoso pointed out, that has no bearing... a landmark
11 designation has no bearing on the interior work of
12 your building and so... and just to be clear, in my
13 experience, a landmark designation, particularly on a
14 building like yours, does not... it does not detract
15 from the overall value of the building and in many
16 instances actually increases the monetary value of
17 the building, but then in addition to that, you know
18 in reality your congregation is the steward of a
19 historic resource and the way in which we and the
20 city have in our laws over the last 50 years
21 determined to preserve those historic resources is
22 through the landmarking designation and to be honest
23 with you, I mean I have... I represent a district
24 about... I would say about 20% of my entire district,
25 20% of the buildings maybe, are landmarked; I mean a

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2 significant amount of my district is landmarked. I
3 have seven or eight landmarked districts in my
4 district, in which every single building in a
5 landmarked district is landmarked. So it's not that
6 bad.

7 [background comments]

8 FATHER WRONSKYI: ...is on the outside of
9 the building...

10 COUNCIL MEMBER LEVIN: Okay.

11 FATHER WRONSKYI: [00:43:51] and we are
12 sure the [inaudible] is never going to do it; we have
13 absolutely in our minds, we have no intention of
14 doing it, we have [inaudible] more changes. And
15 again, it's variant, it's a different thing. You're
16 talking... [inaudible]... [crosstalk]

17 COUNCIL MEMBER LEVIN: Uh wait... Hold on...
18 Hold on... Father, hold on a second. Just going back
19 to the first one, so you don't have any... you're not
20 anticipating any work done on the exterior of the
21 building?

22 FATHER WRONSKYI: Well yes, maintenance
23 work, but nothing interchanges in structural changes,
24 you know... [crosstalk]

25 COUNCIL MEMBER LEVIN: Okay.

2 FATHER WRONSKYI: structural changes,
3 **[inaudible]**, absolutely not.

4 COUNCIL MEMBER LEVIN: Okay. So that...
5 but that's the... [crosstalk]

6 FATHER WRONSKYI: **[inaudible]** have to do
7 when **[inaudible]**... [crosstalk]

8 COUNCIL MEMBER LEVIN: But that's just...
9 that's...

10 FATHER WRONSKYI: otherwise it's going to
11 leak, you know you have **[inaudible]**... [crosstalk]

12 COUNCIL MEMBER LEVIN: But Father, that's
13 the whole... that's kind of the whole kit and caboodle
14 here; that's the issue.

15 FATHER WRONSKYI: Yeah. Yeah. You know...

16 COUNCIL MEMBER LEVIN: If it's
17 landmarked, that only affects the exterior work of
18 your building.

19 FATHER WRONSKYI: Yeah. Yeah, we
20 **[inaudible]** but the problem is that you're talking
21 about landmark and so if there is a business and the
22 business... if the building is a landmark, don't
23 forget, business... there's revenue coming, there's
24 income coming in and it's the owner, so it does not
25 actually **[inaudible]** because the value of the

2 building is based on a revenue and income it produces

3 **[inaudible]**... [crosstalk]

4 COUNCIL MEMBER LEVIN: No... No, no, sir...

5 sir I... sir, sir, I'm talking about residential

6 buildings mostly. Most of the buildings in my

7 district that are landmarked are residential

8 buildings.

9 FATHER WRONSKYI: Yeah, the residential

10 building, but the landlord, [background comments] he

11 gets rent **[inaudible]**... [crosstalk]

12 COUNCIL MEMBER LEVIN: No, just sometimes

13 individual owners of a... like a homeowner, I have a

14 lot of one- and two-family homes in which it's owner-

15 occupied buildings; they're more in the situation --

16 they own the building, they're not making any revenue

17 off the building, they pay mortgage payments just

18 like everybody else, and when they have to do work on

19 the exterior of the building, they just have to go

20 and get the work certified by the Landmarks

21 Commission...

22 FATHER WRONSKYI: Yeah. Yeah.

23 COUNCIL MEMBER LEVIN: It's kind of no

24 big deal, really, honestly, it's... it's... [crosstalk]

25 [background comments]

2 FATHER WRONSKYI: Yeah, but it's a deal
3 because Council Member **[inaudible]**... [crosstalk]

4 CHAIRPERSON KOO: Council Member Levin...

5 COUNCIL MEMBER LEVIN: Anyway, just
6 wanna... just wanna point it out.

7 FATHER WRONSKYI: I'm not going to argue
8 about that, 'cause **[inaudible]**... [crosstalk]

9 CHAIRPERSON KOO: This is a quick
10 question, uh I mean...

11 FATHER WRONSKYI: Yeah.

12 CHAIRPERSON KOO: so we give a
13 **[inaudible]**. Thank you. So Father and Mr. Lobel,
14 thank you. So we have one more participant from the
15 public, Mr. Simeon Bankoff from HDC.

16 [background comments]

17 SIMEON BANKOFF: Good afternoon Council
18 Members. Simeon Bankoff, Historic Districts Council.
19 I will keep this very brief; I know that there have
20 been a lot of issues raised. We are in strong
21 support of this landmark designation. We'd like to
22 thank Council Member Reynoso and Council Member Levin
23 for their strong support of this. This is,
24 regardless of its actual legal designation,
25 definitely a landmark, when you cross the bridge it

2 is the first thing you see; it is truly something
3 that marks the land and I know that a lot of
4 discussion has been made about the possibilities of
5 granting to the organization, who has done a
6 wonderful job stewarding this property and they
7 should regard this as a way of commemorating and
8 solidifying their connection to the history to this
9 important building; this will forever be known as the
10 Ukrainian Church in Exile. Thank you.

11 CHAIRPERSON KOO: Thank you. [background
12 comments] Do any members have questions?

13 [background comments] Council Member Reynoso; you
14 wanna make a statement?

15 COUNCIL MEMBER REYNOSO: No, no, that..
16 I'm good. I'm good.

17 [background comments]

18 CHAIRPERSON KOO: Are there any members
19 from the public who wish to testify? Seeing none, I
20 will close the public hearing on this item.

21 We will now move on to vote on this item.
22 Counsel, please call the roll on the vote to approve
23 LU 493. Please call the roll.

24 COMMITTEE COUNSEL: Vote to approve Land
25 Use Item 493. Chair Koo.

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2 CHAIRPERSON KOO: Aye.

3 COMMITTEE COUNSEL: Council Member Palma.

4 COUNCIL MEMBER PALMA: Aye.

5 COMMITTEE COUNSEL: Council Member Levin.

6 COUNCIL MEMBER LEVIN: Aye.

7 COMMITTEE COUNSEL: Council Member Rose.

8 COUNCIL MEMBER ROSE: Aye.

9 COMMITTEE COUNSEL: Council Member

10 Barron.

11 [background comments]

12 COMMITTEE COUNSEL: Stepped out. Okay.

13 Council Member Kallos.

14 COUNCIL MEMBER KALLOS: Permission to
15 explain my vote, now that all my colleagues have
16 voted?

17 CHAIRPERSON KOO: Yes.

18 [background comments]

19 COUNCIL MEMBER KALLOS: My congregation
20 on the East Side where I was actually in synagogue
21 **[inaudible]** yesterday is a landmarked building; I am
22 a strong proponent of landmarks. Many of the
23 buildings in my district aren't landmarked; I'd love
24 to have as many as Steve or Council Member Garodnick.
25 One of the best things you can do to protect your

3 building and your congregation is landmark the
4 building so that it will stand there in its use
5 forever and that is a legacy we can pass on, and as
6 HDC and Simeon Bankoff said, it will forever be known
7 as the Ukrainian Church in Exile and that has
8 personal meaning to me, for my family had to leave
9 Ukraine because of the anti-Semitism that they faced
10 there and we need to be connected with our history.
11 The landmarks are there to connect us to our past;
12 not just to make sure that a building can be
13 preserved for its highest cash value in the future
14 and then displaced in the community. Our communities
15 are tied to location and making sure that the
16 location of this community is protected against
17 future gentrification has incredible value, including
18 just the fact that this is a beautiful building with
19 a beautiful story and heritage. So I vote aye.

20 COMMITTEE COUNSEL: The vote to approve
21 Land Use Item... [interpose, background comments] Oh
22 Council Member Barron returned. Council Member
23 Barron.

24 COUNCIL MEMBER BARRON: Permission to
25 explain my vote.

CHAIRPERSON KOO: Please.

2 COUNCIL MEMBER BARRON: Yeah. I'm very
3 sensitive to the presentation that was done by the
4 present owners and it sort of borders for me on the
5 question of separation of church and state by some
6 degree. It is a beautiful building and I certainly
7 hope that, as the church has said, it has no
8 intentions of selling it, although I don't know that
9 they would be precluded from doing that simply
10 because it's landmarked; there are all kinds of
11 exemptions and exceptions that are made, so in order
12 to talk about maintaining the beautiful edifice as it
13 exists but yet in deference to the church, I'll be
14 abstaining.

15 CHAIRPERSON KOO: Thank you.

16 COMMITTEE COUNSEL: The vote to approve
17 Land Use Item 493 is approved by a vote of 5 in the
18 affirmative, 0 in the negative and 1 abstention and
19 referred to the full Land Use Committee.

20 CHAIRPERSON KOO: Thank you Counsel.
21 Thank you members of the public, my colleagues,
22 counsel, and Land Use staff; this meeting is
23 adjourned.

24 [gavel]

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date November 8, 2016