

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON LANDMARKS, PUBLIC SITING & MARITIME USES

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January 26, 2010

Start: 11:40 am

Recess: 2:25 pm

HELD AT: Council Chambers  
City Hall

B E F O R E:  
BRAD LANDER  
Chairperson

COUNCIL MEMBERS:  
Peter Koo  
Maria del Carmen Arroyo  
Jumaane D. Williams  
James Sanders, Jr.

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

Jenny Fernandez  
Director of Intergovernmental and Community Relations  
Landmarks Preservation Commission

Jeffrey LeFrancois  
Liaison  
Assembly Member Richard Gottfried

Seth Robert Berliner  
New York State Senator Tom Duane

Edward Kirkland  
Co-chair of the Landmarks Committee  
Manhattan Community Board 4

Andrea Goldwyn  
Landmarks Conservancy

Simeon Bankoff  
Executive Director  
Historic Districts Council

Robert Trentlyon  
Save Chelsea

Julie Finch  
Friends of the Hopper Gibbons Underground Railroad  
Site

Fern Luskin

Edmund Fanning

Robert Marvin  
Lefferts Manor Association

Thomas and Fern Bernich

William Higgins  
Higgins Quasebarth  
Extell

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

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2 [Off mic]

3 CHAIRPERSON LANDER: I'm pleased to  
4 call this meeting to order. I'm Brad Lander, I'm  
5 honored to be the Chair of the Landmarks, Public  
6 Siting and Maritime Uses Subcommittee. Thanks to  
7 everyone for being this here this morning.

8 I want to first introduce the  
9 members of the Subcommittee and then we'll get  
10 started. So with us this morning, we have  
11 Councilman Peter Koo, Councilwoman Maria del  
12 Carmen Arroyo, and Councilman Jumaane Williams,  
13 welcome.

14 Before we get started, I guess I  
15 just want to say one word. For those who don't  
16 know, this is my first--for Councilman Williams  
17 and Koo and I, this is our first meeting or  
18 hearing of any type and certainly my first  
19 chairing this subcommittee and I'm really honored  
20 and excited about it. I'm grateful to my  
21 colleagues and to the Speaker and to the staff,  
22 and especially to the citizens of the city. I  
23 think the opportunity to work together on  
24 preserving the places that make this city great  
25 and attending when we site public facilities to

2 making sure we do it in a really fair and  
3 transparent and thoughtful manner is really a  
4 great honor and I like maritime uses a lot as  
5 well. So I'm looking forward to working with  
6 everyone on what I think are really important set  
7 of issues.

8 For those of you that are just here  
9 for the very important matters we have ahead of us  
10 today, I apologize for the inconvenience in the  
11 delay, there was an important press conference  
12 across the way that the Mayor is doing on Haiti  
13 relief.

14 But we're going to get started and  
15 try to move quickly. If you want to speak and you  
16 have not already, please make sure you fill out  
17 one of the speaker slips at the back, it's so we  
18 can move along as quickly as possible. We're  
19 going to move through the calendar in the order  
20 that it was printed, we'll give everyone who would  
21 like to speak--Council Member Sanders has joined  
22 us, thank you very much. In each case the  
23 applicant will speak first and give a presentation  
24 and then anyone who likes to speak either in favor  
25 or against the application will have the time to

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2 do so. We may ask a few questions, and we'll keep  
3 it moving along.

4 So thanks again. Welcome Council  
5 Member Sanders, we're just getting started.

6 [Long pause]

7 Issues or from any of the members  
8 before we begin? All right, here we go.

9 So we're going to start with the  
10 Ralph and Ann E. Van Wyck Mead House, that number  
11 20105196HKM in Council Member Mendez district and  
12 we'll hear from the Landmarks Preservation  
13 Commission who's the applicant on the project.  
14 Thank you.

15 JENNY FERNANDEZ: Good morning,  
16 Council Members and Committee Members.  
17 Congratulations to Council Member Landers on your  
18 election to the committee--

19 CHAIRPERSON LANDER: Thank you.

20 JENNY FERNANDEZ: --and to the  
21 newly appointed and elected members of the  
22 committee as well. The Landmarks Preservation  
23 Commission looks forward to working with you and  
24 to be helpful in any way that we can on any  
25 landmark issues in your district and through the

2 city.

3 CHAIRPERSON LANDER: Wonderful,  
4 thank you.

5 JENNY FERNANDEZ: So we'll get  
6 started with Ralph and Ann E. Van Wyck House in  
7 Manhattan. My name is Jenny Fernandez, Director  
8 of Intergovernmental and Community Relations for  
9 the Landmarks Preservation Commission. I'm here  
10 today to testify on the Commission's designation  
11 of the Ralph and Ann E. Van Wyck Mead House in  
12 Manhattan.

13 On January 13th, 2009, the  
14 Landmarks Preservation Commission held a public  
15 hearing on the proposed designation as a landmark  
16 of the Ralph and Ann E. Van Wyck Mead House, later  
17 Isaac T. Hopper Home of the Women's Prison  
18 Association, and the proposed designation of the  
19 related landmark site. The hearing had been duly  
20 advertised in accordance with the provisions of  
21 law. Nine people spoke in favor of designation,  
22 including representatives of City Council Member  
23 Rosie Mendez, the Municipal Art Society of New  
24 York, Greenwich Village Society for Historic  
25 Preservation, the Historic Districts Council, New

2 York Landmarks Conservancy, East Village Community  
3 Coalition, and Metropolitan Chapter of the  
4 Victorian Society in America.

5 The building was previously heard  
6 at public hearing by the Landmarks Preservation  
7 Commission on December 13th, 1966, and May 26th,  
8 1970. On October 13th, 2009, the Commission voted  
9 to designate the building a New York City  
10 individual landmark.

11 The grand three-story, plus attic  
12 and basement, Greek Revival-style row house at  
13 number 110 Second Avenue in today's East Village  
14 neighborhood of Manhattan is the only survivor of  
15 a row of four houses that functioned as an enclave  
16 for the extended family of the very wealthy  
17 wholesale grocery and commission merchant Ralph  
18 Mead. Constructed circa 1837 through '38 by the  
19 Mead family, Mead and a second wife, nee Ann Eliza  
20 Van Wyck, resided here from 1845 until 1857. It  
21 remained in Mead family ownership until 1870.

22 It was purchased in 1874 by the  
23 Women's Prison Association which had been  
24 established in 1845 as a female department of the  
25 Prison Association of New York by Isaac Tatem

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2 Hopper and his daughter, Abigail Hopper Gibbons,  
3 noted Quaker abolitionists and leading advocates  
4 of prison reform, and chartered in 1854 under the  
5 new name. The Isaac T. Hopper home opened here in  
6 1874 is considered the world's oldest halfway  
7 house for girls and women released from prison.  
8 The home's original mission was to rehabilitate  
9 these women by providing short-term shelter,  
10 religious counseling, domestic training in sewing  
11 and laundry work, and job placement. A rare  
12 extant house of the period when this section of  
13 Second Avenue was one of the most elite addresses  
14 in Manhattan in the early 19th century, it is also  
15 a fine example of a grand Greek revival-style row  
16 house. The house is characterized by its machine-  
17 pressed red brickwork laid in stretcher bond, high  
18 stoop and areaway with wrought iron fence,  
19 entrance with Italianate style paneled double  
20 doors and transom, long parlor-level windows and  
21 cast iron balcony, and denticulated cornice. It  
22 is made particularly distinctive by its brownstone  
23 portico and Ionic fluted columns supporting an  
24 entablature. The Isaac T. Hopper Home which has  
25 continuously served the mission of the Women's

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2 Prison Association here since 1874 is a rare  
3 surviving 19th century institutional presence in  
4 this ever-changing neighborhood.

5 The Commission urges you to affirm  
6 the designation.

7 CHAIRPERSON LANDER: Thanks very  
8 much. Do any of the members have any questions  
9 for Ms. Fernandez?

10 I'm curious if you know, so it's  
11 functioning as--well I guess I have two questions,  
12 one, so it was originally proposed for landmarking  
13 40 years ago?

14 JENNY FERNANDEZ: Yes.

15 CHAIRPERSON LANDER: Any sense of  
16 what happened in between 40 years ago and now?

17 JENNY FERNANDEZ: Sometimes those  
18 things happen, so...

19 CHAIRPERSON LANDER: All right.

20 JENNY FERNANDEZ: We like to say a  
21 lot of times it takes a lot of consensus building  
22 to reach this point--

23 CHAIRPERSON LANDER: All right.

24 JENNY FERNANDEZ: --in the process,  
25 so--

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2 CHAIRPERSON LANDER: This is great,  
3 well the new Council Members are thrilled that  
4 have helped with 40 years of consensus building.

5 JENNY FERNANDEZ: Definitely.

6 CHAIRPERSON LANDER: And it's still  
7 functioning as the WPA, Women's--

8 JENNY FERNANDEZ: Yes.

9 CHAIRPERSON LANDER: --Prison  
10 Association. I mean is there a--and then I know  
11 they're supportive, which is great, I mean is  
12 there any way in which the historic nature of the  
13 home is something that folks--I mean it's still a  
14 halfway house, so it's not something that's open  
15 to the public or...

16 JENNY FERNANDEZ: It still  
17 functions since it has been for over--all these  
18 years, I don't even remember how many years now,  
19 but the--it's not open to the public in the sense  
20 of a public building--

21 CHAIRPERSON LANDER: Right.

22 JENNY FERNANDEZ: --but it is  
23 accessible if people want to look at it and  
24 certainly we're always concerned with the  
25 designation of the exterior and it is a wonderful

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2 example of this type of home in New York City.

3 CHAIRPERSON LANDER: Great, thank  
4 you very much.

5 JENNY FERNANDEZ: You're very [off  
6 mic].

7 CHAIRPERSON LANDER: We don't [off  
8 mic]. Yes, yes, yes.

9 [Off mic]

10 CHAIRPERSON LANDER: Okay, were you  
11 going to stay or do you want to be back in touch  
12 with [off mic]? Because it's a few down the  
13 calendar, so if you want to get your cell phone  
14 and text, we can text you when it [off mic].  
15 Okay, great.

16 We don't have anyone who's signed  
17 in to speak on this matter, which we take as a  
18 good evidence of consensus building, but just to  
19 make sure that there's no one who wishes to speak  
20 on this matter.

21 [Off mic]

22 CHAIRPERSON LANDER: If not, we'll  
23 close the public hearing. All right, thank you  
24 very much.

25 All right, we'll move on to our

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3 second item, which is the Lamartine Place Historic  
4 District, number 20105198.

5 JENNY FERNANDEZ: Thank you, Chair  
6 Landers. Again, for the record, my name is Jenny  
7 Fernandez, Director of Intergovernmental and  
8 Community Relations for the Landmarks Preservation  
9 Commission. I'm here today to testify on the  
10 Commission's designation of the Lamartine Place  
11 Historic District in Manhattan.

12 On January 13th, 2009, the  
13 Landmarks Preservation Commission held a public  
14 hearing on the proposed designation of the  
15 Lamartine Place Historic District. The hearing  
16 was duly advertised according to the provisions of  
17 law. There were 23 speakers in favor of  
18 designation, including representatives of Council  
19 Speaker Christine Quinn, Borough President Scott  
20 Stringer, Assemblyman Richard Gottfried, and  
21 numerous individuals and representatives of civic  
22 organizations, there were no speakers in  
23 opposition. The Commission also received a  
24 statement of support from State Senator Thomas  
25 Duane and numerous petitions and letters in  
support of designation.

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2 On October 13th, 2009, the  
3 Commission voted to designate Lamartine Place a  
4 New York City historic district.

5 The Lamartine Place Historic  
6 District on the north side of the West 29th Street  
7 between 8th and 9th Avenues is an intact group of  
8 12 buildings that have a strong link to an  
9 important and dramatic period of the city's  
10 history and also have a close association with  
11 several important individuals who had a  
12 significant impact on 19th century New York.  
13 Constructed in the mid 19th century, these  
14 buildings were part of a block-long row created by  
15 developers William Torrey and Cyrus Mason. As  
16 part of the development they also built a small  
17 park on the south side of the street, making the  
18 row quite desirable and attracting a number of  
19 influential New Yorkers.

20 Among the most prominent were Abby  
21 and James Sloan Gibbons, important abolitionists  
22 in the period before the Civil War, their house  
23 was used as a meeting place for influential people  
24 in the movement and as a documented stop on the  
25 Underground Railroad, where they helped escaping

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3 slaves get to Canada. The house was attacked and  
4 burned during the Draft Riots of 1863. Their  
5 house at number 339 West 29th Street is one of the  
6 very few extant sites to be associated with the  
7 pivotal events of those days.

8 While this building was the prime  
9 target of the rioters on this block, other houses  
10 in the row played an important role in these  
11 events. Abby Gibbons's sister and her family  
12 lived at number 335 Lamartine Place and members of  
13 the Hopper family took refuge there during the  
14 attack. Two of Abby and John Gibbons' daughters  
15 escaped the fire and mob by climbing over  
16 neighboring roofs to a waiting carriage on Ninth  
17 Avenue, descending through the house at number  
18 355.

19 Although the houses in the row have  
20 experienced alterations over time, this small  
21 group of houses continues to exist as the city  
22 changes around them.

23 Chelsea remained primarily rural  
24 until the middle of the 19th century and even  
25 after development the character varied widely from  
block to block. The Gibbons family was perhaps

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3 attracted to this area because of the variety of  
4 people who lived in the neighborhood. While some  
5 streets, such as Lamartine Place, were developed  
6 with substantial row houses geared toward upwardly  
7 striving middle-class families, a block to the  
8 west, near the Hudson River, there were factories  
9 and tenements for their workers. To the east of  
10 Lamartine Place was a small community of free  
11 African-Americans who had settled there during the  
12 first half of the 19th century. After the Civil  
13 War, the area west and north of 23rd Street and  
14 Fifth Avenue evolved into an entertainment  
15 district, with restaurants, theaters and early  
16 nickelodeons. It seems to have attracted  
17 bohemians, artists and free-thinkers, and a small  
18 French expatriate community developed in the area  
19 during the early 20th century.

20 During much of the 20th century,  
21 Chelsea became less desirable. With the  
22 construction of Pennsylvania Station just to the  
23 north, residential units were taken over by less  
24 affluent residents. The dilapidated houses south  
25 of Lamartine Place were demolished in the early  
1960s and replaced by the towers of Penn South,

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3 overshadowing the small houses on West 29th  
4 Street. In spite of these changes, this district  
5 has remained an enclave in the changing city and  
6 has survived as a rare extant physical reminder of  
7 a dramatic and unfortunate chapter in the city's  
8 history.

9 The Commission urges you to affirm  
10 this designation.

11 CHAIRPERSON LANDER: Thank you very  
12 much. Are there questions from the members?

13 COUNCIL MEMBER SANDERS: Yes.

14 CHAIRPERSON LANDER: Council Member  
15 Sanders.

16 COUNCIL MEMBER SANDERS: As a  
17 historian, it was fascinating. You got me with  
18 the abolitionists point, and a noted stop on the  
19 Underground Railroad, it would be very difficult  
20 not to name this a historic site.

21 CHAIRPERSON LANDER: And I just  
22 wonder, this is probably more my ignorance than a  
23 valuable question for you, but on both of these  
24 last two, there's an interesting combination of  
25 sort of building and use. I know that obviously  
designations just provides the protections of

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3 landmark designation that the district and the  
4 building provide, but is there any way in which  
5 this history, which we're also preserving here, is  
6 made available, the public can learn about what  
7 happened here?

8 JENNY FERNANDEZ: Certainly some of  
9 our designations are strictly architectural  
10 designations, but some of them are very heavily  
11 based on a cultural significant and historic  
12 events that have taken place on the site and as  
13 part of our designation report, which is almost  
14 verbatim what I've read to you today, that history  
15 is recorded as part of the designation of this  
16 building. In the future, sometimes the caretakers  
17 of some of these buildings will choose to put a  
18 plaque in place to commemorate some historic  
19 events and certainly the commission does run a  
20 program through its landmarks foundation for a  
21 plaque program basically and for that sort of  
22 thing. So certainly going forward, if it's  
23 something that those caretakers are interested in,  
24 we're always very excited to do that.

25 CHAIRPERSON LANDER: Thank you.  
Council Member Arroyo.

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2 COUNCIL MEMBER ARROYO: Thank you,  
3 Mr. Chairman. I just want to congratulate the  
4 commission and, although Council Member Barron is  
5 no longer a member of this Committee, I think he  
6 would be very, very happy to hear how the  
7 presentation of this particular item was done and  
8 I'm going to save your testimony and hand a copy  
9 to him because he was always a very strong voice  
10 on this committee to ensure that we document the  
11 contributions of the communities of color in this  
12 city and I am happy to see that the Landmark is  
13 doing so in such an eloquent way. Thank you.

14 JENNY FERNANDEZ: Council Member  
15 Arroyo, I just wanted to add to that, that  
16 certainly Council Member Barron is no longer here,  
17 but the Commission wishes to recognize and thank  
18 Council Member Barron for helping us to also look  
19 at that part of history and those contributions  
20 and certainly now it's become a routine matter,  
21 that the Commission looks at these parts of  
22 history when considering buildings or historic  
23 districts. And we were a little disappointed that  
24 he wasn't here today to be able to listen to some  
25 of this great testimony that we have for him.

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2 CHAIRPERSON LANDER: Look at all  
3 the consensus we're building--

4 [Crosstalk]

5 JENNY FERNANDEZ: Yes.

6 CHAIRPERSON LANDER: So Council  
7 Member Williams.

8 COUNCIL MEMBER WILLIAMS: I'm just  
9 echoing what Council Member Arroyo said, and I  
10 don't have much to add, I just think it's  
11 fantastic as well.

12 I did have one question based on  
13 what the Chair said. So it's an elective plaque?  
14 There's nothing that has to be put there on the  
15 site, it's only if the caretakers decide that they  
16 want it?

17 JENNY FERNANDEZ: That's correct,  
18 we don't automatically place plaques on a historic  
19 home or historic districts, it's if the owner or  
20 the caretakers of the building would like to do  
21 that, we certainly have the program and we're  
22 always willing to help them, some with some  
23 funding and if they want to pay for it themselves  
24 as well.

25 COUNCIL MEMBER WILLIAMS: Do you

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2 reach out to suggest and request or do you wait  
3 for them to--

4 JENNY FERNANDEZ: [Interposing]

5 Usually they contact us if they're interested in  
6 doing that. In a case like this, sometimes  
7 elected officials will want to ask the Commission  
8 if there's something that they can do there and  
9 it's always a question of course of funding and if  
10 the owner wants to put this on their building,  
11 because we can't force them to do that. But to  
12 commemorate a historic event, which is not always  
13 apparent just by looking at a building, a lot of  
14 people are interested in doing that.

15 COUNCIL MEMBER WILLIAMS: Just

16 quickly, so I just want to know how they know  
17 about it, after it's being designated, you inform  
18 them that this is a possibility?

19 JENNY FERNANDEZ: Yes, if I'm not

20 mistaken, and we can certainly continue this  
21 conversation afterward and if we would like to  
22 reach out to the owner, we do have constant  
23 communication, the designation process is heavy in  
24 owner outreach and in conversation. So they were  
25 very excited and supportive and they actually came

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2 to us with a lot of this information and brought  
3 it to our attention for the designation of this  
4 district. But we certainly we'll always happy and  
5 willing to share that information with them and I  
6 can make sure that our people reach out to them  
7 since it is something that you're interested in.

8 CHAIRPERSON LANDER: This site is  
9 in Speaker Quinn's district, so we'll also--

10 JENNY FERNANDEZ: Yes.

11 CHAIRPERSON LANDER: --communicate  
12 to her the interest that was discussed here. A  
13 quick follow-up from Council Member Sanders.

14 COUNCIL MEMBER SANDERS: I just  
15 wanted to add, Mr. Chair, that it might be good  
16 that if we approve this, and I suspect we will,  
17 that we also include a recommendation from the  
18 Subcommittee to do this, that they should have a  
19 plaque on it, just a recommendation from us.

20 CHAIRPERSON LANDER: Unless we have  
21 any other questions for Ms. Fernandez, we have  
22 eight people that have signed up to testify on  
23 this topic. I'll note that they've all signed up  
24 to testify in favor, so both encourage them to  
25 reflect on that in their remarks. We'll leave

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3 three minutes on the clock, but if in mind of the  
4 fact that everyone is supportive, we can move it  
5 along, that will be great. I'll call you up in  
6 two panels of four, Jeffrey LeFrancois,  
7 representing Assembly member Dick Gottfried; Seth  
8 Robert Berliner, representing New York State  
9 Senator Tom Duane; Edward Kirkland from Community  
10 Board 4; and Andrea Goldwyn from the Landmarks  
11 Conservancy.

12 [Long pause]

13 CHAIRPERSON LANDER: Go ahead when  
14 you're ready.

15 JEFFREY LEFRANCOIS: Good morning,  
16 my name is Jeffrey LeFrancois and I am here on  
17 behalf of Assembly member Richard N. Gottfried, I  
18 am his Community District 4 liaison. The Assembly  
19 member can't be here today because they are in  
20 session up in Albany. I'll keep these quick and  
21 rather brief.

22 My name is Richard N. Gottfried and  
23 I represent the 75th Assembly District in  
24 Manhattan, which includes Chelsea, Hell's Kitchen,  
25 Midtown, part of the Upper West Side, and Murray  
Hill. The district includes the proposed

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3 Lamartine Historic District.

4 I support the designation of the 11  
5 buildings compromising the proposed Lamartine  
6 Place Historic District. The buildings  
7 compromised in the proposed district originally  
8 constructed in the Greek Revival style were all  
9 constructed between 1846 and '47 and,  
10 unfortunately, have undergone some alterations.  
11 Nevertheless, the uniformly low-scale residences  
12 remain architecturally distinctive for their brick  
13 and brownstone facades, original wood doors, and  
14 large back yards which characterize this block.  
15 Additionally, they are located in the area of  
16 great transition and are at risk of being  
17 demolished or substantially altered by  
18 development.

19 The proposed area is also worthy of  
20 designation for its historical value. The row  
21 houses in the proposed district are remarkable for  
22 their association with several well-known  
23 abolitionist families and because they survived  
24 the 1863 Civil War Draft Riots, a pivotal in New  
25 York City history when rioters destroyed a large  
number of private and government owned properties.

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3 The Hopper Gibbons house was specifically targeted  
4 during the Draft Riots because of the owner's  
5 opposition to slavery and their close friendship  
6 with other abolitionists.

7 Additionally, the Hopper Gibbons  
8 house, 339 West 29th Street, was the site of a  
9 station of the Underground Railroad for runaway  
10 slaves fleeing to Canada. The Hopper Gibbons  
11 house is named after Abby Hopper Gibbons who,  
12 while living in the house, participated in the  
13 abolitionist movement and used her basement as a  
14 station for the Underground Railroad. She was  
15 also a prisoner reformer and the daughter of  
16 abolitionist Isaac Hopper.

17 In light of the historic and  
18 architectural significance of the buildings on  
19 this block, particularly that of Hopper Gibbons  
20 house, the overwhelming concern from the  
21 community, its elected officials and historic  
22 preservation organizations, I ask that the Council  
23 support the designation of Lamartine Place  
24 Historic District and the Hopper Gibbons House.

25 CHAIRPERSON LANDER: Thank you, and  
thanks for keeping the remarks to in the time.

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2 SETH BERLINER: My name is Seth  
3 Berliner, I'm here on behalf of State Senator  
4 Duane.

5 My name is Thomas K. Duane and I  
6 represent New York State's 29th Senate District in  
7 which the proposed Lamartine Place Historic  
8 District is located. Thank you for the  
9 opportunity to submit testimony to the New York  
10 City Council Subcommittee on Landmarks, Public  
11 Siting and Maritime Uses.

12 The row houses included within the  
13 proposed Lamartine Place Historic District in  
14 Chelsea are historically significant and  
15 architecturally meritorious. Dating back to the  
16 late 1840s and early 1850s when they were  
17 developed by the Reverend Dr. Cyrus Mason and  
18 William Torrey, the houses sit on what was known  
19 until the end of the 19th century as Lamartine  
20 Place. They were built in the Greek Revival style  
21 with Renaissance Revival elements and in the  
22 Renaissance Revival style with neo-Grec elements.  
23 Although some of these houses have undergone  
24 significant alteration from their original  
25 condition over the last 160 years, as a group,

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3 they are notable for their period details, brick  
4 and brownstone facades, and their front gardens as  
5 well. Even with later additions, the buildings  
6 compose one of the few remaining examples of mid-  
7 19th century architecture in the city.

8 Beyond its architectural merits,  
9 Lamartine Place is particularly significant for  
10 its role in the history of our city and nation.  
11 The Hopper Gibbons family, including famed  
12 abolitionist Abigail Hopper Gibbons and her  
13 husband James Sloan Gibbons, was a prominent  
14 abolitionist and social reformist family that  
15 lived at Lamartine Place, briefly residing at 337  
16 before making a permanent move to 339 West 29th  
17 Street. The building was well-known among  
18 opponents of slavery and the family hosted a  
19 number of leading abolitionists there, including  
20 Isaac Tatem Hopper, Horace Greeley, John Brown,  
21 and Joseph Choate. In 2008, Ms. Fern Luskin,  
22 historian and Lamartine Place resident, uncovered  
23 personal correspondence of Joseph Choate  
24 confirming that the building was a station in the  
25 Underground Railroad. The fact that evidence  
confirms Lamartine Place's place in history added

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3 tremendously to the case for the establishment of  
4 the historic district. Preserved and documented  
5 Underground Railroad stations are a rarity in New  
6 York and federal legislation recognizes the need  
7 to preserve them.

8 Lamartine Place has further  
9 significance in New York City history as a focal  
10 point in the Civil War Draft Riots of 1863.  
11 During the riots, a number of the block's  
12 buildings were attacked due to the owners'  
13 supposed or real abolitionist ties. Members of  
14 the Hopper Gibbons family were forced to flee for  
15 their lives, running along the contiguous rooftops  
16 of the block's buildings to reach and escape  
17 through 355 West 29th Street. It is exceptional  
18 that the building survived the Civil War Draft  
19 Riots largely intact since many targets of the  
20 angry mobs were burned to the ground.

21 We should seize this opportunity to  
22 ensure their continued preservation. For these  
23 reasons, I urge the City Council to look favorably  
24 upon the designation of the proposed Lamartine  
25 Place Historic District. Thank you for your  
consideration of my thoughts on this matter.

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2 [Timer bell]

3 CHAIRPERSON LANDER: Wow.

4 MALE VOICE: Doesn't get extra  
5 credit for--

6 [background noise]

7 CHAIRPERSON LANDER: All right,  
8 thank you.

9 EDWARD KIRKLAND: My name is Edward  
10 Kirkland, I represent Manhattan Community Board 4  
11 and I have a statement that the Board gave and I  
12 will not read it all, I would just like to--and  
13 I'll try not to repeat--that it is important to  
14 preserve these buildings because of their  
15 association with a great many, with not merely  
16 with the abolitionists station, Underground  
17 Railroad station where Joseph Choate, and I hope  
18 I'm not stealing your quotation, wrote that I  
19 remember sitting in the parlor facing William  
20 Lloyd Garrison and with us was a jet black Negro  
21 on his way to freedom, and that was the first--  
22 there are other evidence, but that was the first  
23 documentary evidence. And notice, as I point out,  
24 he was in the parlor, he was not in the cellar, he  
25 was in the parlor with the guests, and this I

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3 think is a very important point.

4 Preserving the grouping is  
5 important because of the various members of the  
6 Gibbons family. Greeley as editor, he lived out  
7 in Chappaqua and the rioters descended a place  
8 saying Gibbons and Greeley, this was not just a  
9 richer--they were not because many houses were  
10 sacked because they're rich, the second they were  
11 there because of it was these houses and they  
12 escaped over the roofline, which is still there,  
13 and that is why it is so important to preserve  
14 these buildings.

15 And so that I think the argument  
16 for preserving these, I think there's no possible  
17 argument against it.

18 [Off mic]

19 MALE VOICE: Thank you.

20 ANDREA GOLDWYN: Hello, I'm Andrea  
21 Goldwyn, speaking on behalf of the New York  
22 Landmarks Conservancy. First, welcome to  
23 returning members of this Subcommittee, to new  
24 members of the Subcommittee, and to new members of  
25 the Council.

The Landmarks Conservancy is

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3 pleased to support designation of the Lamartine  
4 Place Historic District. At first view, this  
5 appears to be a pleasant group of buildings with  
6 an attractive mix of styles and details typical of  
7 the 19th century. Upon further review, of course,  
8 the events of the past that took place on this  
9 block create a most vivid sense of place.

10 Due to the inherently secretive  
11 nature, the history of the Underground Railroad  
12 has been difficult to document, but in this case,  
13 the documentation is clear: Not only did these  
14 buildings serve as a pivotal location in  
15 abolitionist history, but as a site of Civil War  
16 Draft Riots. These buildings, while slightly in  
17 their decoration but with the same structures in  
18 the same location, remind us of the brave history  
19 of the occupants and visitors. And like so many  
20 other buildings in the city, this block has faced  
21 severe development pressures, leading to halted  
22 alterations at number 339. With this designation,  
23 Lamartine Place will receive the protection of the  
24 Landmarks law, the review and guidance of any  
25 future proposed changes to the historic fabric.

We applaud the actions of concerned

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3 neighbors who energized the cause of designating  
4 this block of the Landmarks Commission for moving  
5 with speed to bring forth this designation, and  
6 the Council for taking it up today in your first  
7 hearing of the term.

8 Thank you for the opportunity to  
9 express the Conservancy's views.

10 CHAIRPERSON LANDER: Thank you.  
11 Does anyone have any questions for any of the  
12 panelists? Thank you very much for your  
13 testimony. All right, on the next panel we'll  
14 have Simeon Bankoff from the Historic Districts  
15 Council, Robert Trentlyon, I apologize if I'm--  
16 Trentlyon from Save Chelsea, Julie Finch, and Fern  
17 Luskin.

18 [Long pause]

19 [Off mic]

20 MALE VOICE 1: I do.

21 SIMEON BANKOFF: Okay.

22 [Off mic]

23 SIMEON BANKOFF: Good morning,  
24 Council Members, I'm Simeon Bankoff, Executive  
25 Director of the Historic District's Council. I'd  
like to say welcome to all of you, and thank you

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3 all for hearing these really proprietous items at  
4 this first hearing, it's a pleasure and I look  
5 forward to working with you.

6 Just another note because it's on  
7 the Isaac Hopper House which is related by  
8 marriage to--actually by blood to this one, which  
9 I thought about getting up and saying something,  
10 I've passed that house 5,000 times, actually I  
11 counted, it's on my way to work.

12 FEMALE VOICE: Good, good, good.

13 SIMEON BANKOFF: So it's a  
14 remarkable house and we're very pleased that it's  
15 being designated.

16 The Historic Districts Council is  
17 the advocate for New York City's designated  
18 historic districts and neighborhoods meriting  
19 preservation. The row houses along Lamartine  
20 Place are a handsome group, the type that comes to  
21 mind when one thinks of 19th century New York  
22 City. Beyond their charming facades though, there  
23 is an important, rather unexpected history. As we  
24 have heard, they were the homes of well-known  
25 abolitionists, stops along the Underground  
Railroad, and were attacked by mobs during the New

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3 York City Civil War Draft Riots. As a center for  
4 abolitionist activities, New York City played an  
5 important role in our country's campaign to end  
6 slavery--truly one of the most important human  
7 rights acts campaigns ever.

8 Unfortunately, that role is not  
9 very well-known, but hopefully this designation  
10 will serve to expand people's knowledge of New  
11 York City's anti-slavery activities beyond those  
12 of Henry Ward Beecher and Pinky.

13 In light of the fact that these  
14 buildings are within the Moynihan Penn Station  
15 redevelopment project area of potential effect,  
16 the importance of safeguarding these houses that  
17 safeguarded so many others is heightened. The  
18 continuing situation with the half-completed  
19 alterations to 329 West 29th Street are a visible  
20 example of what can and will happen to this row  
21 without landmark protection. HDC strongly  
22 supports the designation of Lamartine Place as a  
23 New York City Historic District and hopes its  
24 designation will not only protect these buildings,  
25 but also garner interest in their extraordinary  
story.

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2 CHAIRPERSON LANDER: Thank you.

3 ROBERT TRENTLYON: Good morning, my  
4 name is Robert Trentlyon, I'm a member of the  
5 board of Save Chelsea, an organization of  
6 approximately 600 members who are committed to  
7 preserving the best of Chelsea and resisting the  
8 excess development that would inevitably destroy  
9 the qualities that have made our neighborhood one  
10 of the most livable in the city. I'm speaking  
11 today in favor of the Council approving the  
12 Landmark Preservation Commission's designation of  
13 the Lamartine Place Historic District.

14 The brownstone houses that make up  
15 this district constitute one of the northernmost  
16 arrays of antebellum townhouses in Chelsea. Built  
17 in 1847 and still retaining a uniform line of  
18 cornices and lovely gated front gardens, this row  
19 is of a piece with the best of the Chelsea  
20 historic district to itself. And, in fact,  
21 William Torrey, one of the builders responsible  
22 for Lamartine Place, had also been instrumental in  
23 Clement Clark Moore's building of London Terrace  
24 just two years before (this is not the present  
25 London Terrace, but the one that had been built

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3 back at the turn of the 100 years prior to that).

4 The fact that one of the central  
5 buildings, 339 West 29th, is Manhattan's only  
6 documented safe houses on the Underground Railroad  
7 make this important as living history, as well as  
8 for its contribution to the architectural record  
9 of the city.

10 Save Chelsea strongly encourages  
11 the Council to approve the Landmarks Preservation  
12 Commission designation of the landmark place  
13 historic district. Thank you.

14 CHAIRPERSON LANDER: Thank you.

15 JULIE FINCH: Hi, I'm Julie Finch  
16 of the Friends of the Hopper Gibbons Underground  
17 Railroad Site and of Lamartine Place Historic  
18 District.

19 I just wanted to clarify that Abby  
20 Hopper Gibbons is the daughter of Isaac Hopper,  
21 which might have something to do with why both  
22 things are being heard today. Isaac Hopper did  
23 not live at the Isaac Hopper home, he lived  
24 further south.

25 The most exciting and the most  
horrible thing about my involvement with the

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3 research, helping with Fern Luskin, is that I  
4 started to find out about the lynchings that took  
5 place in New York City. Eleven lynchings took  
6 place and hundreds of people were injured and  
7 hundreds more fled New York City.

8 I also want to say that African-  
9 American abolitionist Robert Purvis stayed  
10 overnight at 339 as a guest of the Gibbons family.  
11 And James Sloan Gibbons was very active with the  
12 American Anti-Slavery Society, and in fact, an  
13 escaped slave or freedom seeker Sarah Moore got  
14 married in the Gibbons previous home.

15 We will be having a plaque  
16 installed. We are the ones who are started this  
17 whole thing and we will follow through on that.  
18 We'll have fundraising parties and you are all  
19 invited.

20 This is an education opportunity  
21 for all of us, the whole city. The Bronx Lab  
22 School students, the Underground Railroad, Freedom  
23 Riders--Underground Railroad Riders, I don't  
24 remember the name right now, came to our press  
25 conference last spring and Carl Westmoreland of--I  
can't remember the name right now, I'm too

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3 nervous--and Cincinnati, Ohio, I think it's the--

4 FERN LUSKIN: Freedom Center.

5 JULIE FINCH: The Underground

6 Railroad Freedom Center has been a very active  
7 supporter of this project, of this designation and  
8 wants to continue working on the educational  
9 aspects of this.

10 The owner is against this and he is  
11 trying to build an illegally constructed fifth  
12 story and we are continuing to be vigilant in our  
13 looking over the shoulders of the architect, the  
14 owner, the Building's Department, and Landmarks,  
15 of course, will be helping us now.

16 I have handed in copies of  
17 supporting testimony of Lawrence Frommer, one of  
18 our steering committee members, Carl Westmoreland  
19 of the aforementioned Freedom Center, and Graham  
20 Russell, I can't pronounce it, Gao, G-A-O, Hodges,  
21 who's the author of the biography of David Ruggles  
22 who worked with Isaac Hopper and other people in  
23 the famous Dargs case, where a slave was hauled  
24 into court. Actually, Hopper was hauled into  
25 court. Thank you.

CHAIRPERSON LANDER: Thanks for

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3 very much. We have one question for you here,  
4 so...

5 COUNCIL MEMBER WILLIAMS: I just  
6 want to say thanks again for bringing up so much  
7 history, particularly the lynchings, a lot of  
8 times people think of New York State and New York  
9 City as a free state and city, but there was a lot  
10 of lynchings and things of that nature here, so  
11 I'm happy that it's getting more light that it  
12 richly deserves.

13 I don't know if 11 was for that  
14 year or whenever, but I'm sure there were--

15 JULIE FINCH: It was for the Draft  
16 Riots.

17 COUNCIL MEMBER WILLIAMS: Oh, okay.

18 JULIE FINCH: Of the three days.

19 COUNCIL MEMBER WILLIAMS: Right,  
20 yeah, I'm sure there were many more than 11. I  
21 did have a question, I was a little confused and I  
22 apologize, but you said the owner is against a  
23 plaque, so how are you able to put one--

24 [Crosstalk]

25 JULIE FINCH: Well he's against the  
designations. We will put a plaque on the street

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3 if he won't allow us or we can maybe put it on the  
4 house next door where the Gibbons also lived at  
5 337, but we'll--

6 FERN LUSKIN: [Interposing] They're  
7 also against it.

8 JULIE FINCH: Well we'll work it  
9 out.

10 COUNCIL MEMBER WILLIAMS: Okay.

11 FERN LUSKIN: Hi, I'm Fern Luskin,  
12 thank you, Council Subcommittee members, for the  
13 opportunity to speak in favor of landmarking  
14 Lamartine Place on behalf of Friends of Gibbons  
15 Underground Railroad site and Lamartine Place  
16 Historic District.

17 The reasons it is vitally important  
18 that we preserve this block are both architectural  
19 and historical. These antebellum homes played a  
20 major role during the Draft Riots of 1863, as  
21 you've heard, and their former occupants made  
22 considerable contributions to New York City life,  
23 especially James Sloan Gibbons and Abigail Hopper  
24 Gibbons, who lived at number 339 and earlier at  
25 number 337, where Isaac Hopper Gibbons died, cared  
for by his daughters.

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3 Number 339 is one of the few  
4 documented Underground Railroad stations for  
5 runaway slaves in Manhattan. And Choate, whom you  
6 heard about earlier, wrote this in fact the house  
7 of Mrs. Gibbons was a great resort of  
8 abolitionists and extreme anti-slavery people from  
9 all parts of the land as it was one of the  
10 stations of the Underground Railroad by which  
11 fugitive slaves found their way from the south to  
12 Canada and I've dined with that family in company  
13 with Garrison, as Ed Kirkland mentioned. So it's  
14 an extraordinary document. The home was also  
15 specifically targeted for destruction by the mob  
16 during the 1863 Draft Riots because of this heroic  
17 family's opposition to slavery.

18 Lamartine Place is one of the few  
19 blocks that endured the New York City Draft Riots  
20 virtually unscathed, apart from the ransacking of  
21 number 339 in the 19th century, and the modern  
22 disfiguring addition of a fifth story to this  
23 house, which has marred the uniform roofline of  
24 these row houses.

25 It is therefore urgent that we  
protect this significant slice of history for

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2 posterity and prevent any further aesthetic  
3 disruptions from occurring on this block by  
4 conferring landmark status upon these homes now.

5 Even today, despite the Landmarks  
6 Preservation Commission's decision to designate  
7 these homes a landmark, the current owner of  
8 number 339 perseveres in his plans to heighten the  
9 building and to ignore its landmark status, making  
10 the designation of the Lamartine Place Historic  
11 District as important as ever. Actually, I  
12 really, and many others too, hope it could become  
13 a museum, a wonderful educational opportunity for  
14 New York.

15 I will also be submitting the  
16 testimony of a direct descendant of Abigail Hopper  
17 Gibbons and James Sloan Gibbons and of fellow  
18 historians, some of whom are my colleagues and  
19 neighbors. Thank you.

20 CHAIRPERSON LANDER: Thank you.  
21 Any questions from any of the committee members?  
22 Thank you very much. We don't have anyone else  
23 signed up to testify on Lamartine Place. I will  
24 note that anyone that's interested in the  
25 abolitionists history of New York City is invited,

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3 the Brooklyn Historical Society is about to put up  
4 a wonderful exhibit, so come take a look, I don't  
5 know if it refers to this property in particular,  
6 but a nice opportunity.

7 Okay, so we will close the hearing  
8 on Lamartine Place, thanks to everyone for their  
9 interest, and move on to our third item.

10 MALE VOICE: [Off mic] gavel--

11 CHAIRPERSON LANDER: I was told I  
12 didn't have to gavel in between each one, as much  
13 as it seemed fun. The Edith Andrews Logan  
14 residence, 20105200HKM in Council Member  
15 Garodnick's district. Ms. Fernandez, take it  
16 away.

17 JENNY FERNANDEZ: Thank you. Thank  
18 you, Chair Landers. For the record, my name is  
19 Jenny Fernandez, Director of Intergovernmental and  
20 Community Relations for the Landmarks Preservation  
21 Commission. I'm here today to testify on the  
22 Commission's designation of the Edith Andrews  
23 Logan residence in Manhattan.

24 On March 24th, 2009, the Landmarks  
25 Preservation Commission held a public hearing on  
the proposed designation of the Edith Andrews

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3 Logan residence and the proposed designation of  
4 the related landmark site. The hearing had been  
5 duly advertised in accordance with the provisions  
6 of law. Several people spoke in favor of  
7 designation, including representatives of the West  
8 54-55 Street Block Association, Council Member Dan  
9 Garodnick, Manhattan Borough President Scott  
10 Stringer, the Historic Districts Council, the  
11 Municipal Art Society, the Society for the  
12 Architecture of the City, and the Metropolitan  
13 Chapter of the Victorian Society in America.  
14 Additionally, Manhattan Community Board 5  
15 submitted a statement of support.

16 On October 6th, 2009, the  
17 commission voted to designate the building a New  
18 York City individual landmark.

19 The Edith Andrews Logan Residence  
20 was originally designed and constructed in 1870 by  
21 the prolific architect builder John G. Prague as  
22 part of a row of four-story and basement single-  
23 family brownstone row houses. Towards the end of  
24 the 19th century, the area around 5th Avenue below  
25 Central Park developed as Manhattan's most  
prestigious residential enclave, due in part to

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3 the Vanderbilt family's growing presence on the  
4 avenue.

5 In 1903, the row house at 17 West  
6 56th Street was purchased by Edith Andrews Logan,  
7 a native of Youngstown, Ohio, and the wealthy  
8 widow of horse breeder and military commander,  
9 John Alexander Logan, Jr. Mrs. Logan commissioned  
10 architect Augustus N. Allen to transform her row  
11 house into an elegant neo-Federal style townhouse,  
12 in keeping with the high profile of the  
13 neighborhood. In renovating 17 West 56th Street,  
14 Allen, who by this time had designed several major  
15 alterations to townhouses on the Upper East Side,  
16 moved the entrance to the center of the ground  
17 story and converted the full fourth story into a  
18 half-story peaked roof with dormers. The updated  
19 façade and the resulting changes to the interior  
20 layout represented the new American basement type  
21 of row house design that was becoming popular  
22 among New York City's architects, developers, and  
23 well-to-do clientele in the 1890s and early 1900s.  
24 The symmetrical composition of the townhouse at 17  
25 West 56th Street is enlivened by the use of  
Flemish bond brickwork and a variety of

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3 classically inspired motifs, including fluted  
4 columns at the ground story, iron balconnettes  
5 incised limestone lintel courses, splayed keystone  
6 lintels, and a denticulated cornice beneath a row  
7 of pedimented dormers.

8 From 1914 to 1931, the townhouse  
9 was used by the St. Anthony Association as a club  
10 and school. Like many townhouses in the West 50s,  
11 the first two stories of the buildings were  
12 converted to commercial use in the 1930s, first  
13 housing the fashionable Royal Box Restaurant and  
14 later an exclusive beauty salon.

15 The building currently houses the  
16 New York Showroom for Takara Belmont, a Japanese  
17 manufacturer of furnishings and equipment for  
18 beauty salons, spas, and barber shops.

19 The Commission urges you to affirm  
20 the designation.

21 CHAIRPERSON LANDER: Thank you very  
22 much. Any questions from any of the committee  
23 members? All right, and we don't have anyone  
24 signed up to testify on this one as well, so  
25 anyone here to wishes to testify on the Edith  
Andrews Logan Residence? Okay, seeing none, we'll

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3 declare the hearing closed. Thank you very much.

4 We're going to move on to our  
5 fourth item, the Ocean on the Park Historic  
6 District, number 20105201HKK. This is with--yes,  
7 we are--can we skip onto the next, then come back?

8 [Off mic]

9 CHAIRPERSON LANDER: Okay, great,  
10 Council Member Eugene expressed interest to be  
11 here for that one, so let's move on to the fifth  
12 item and come back to that one, if that's okay,  
13 we'll move on to 26 West 56th Street, 20105262HKM.  
14 Thank you [off mic].

15 JENNY FERNANDEZ: Thank you, Chair  
16 Landers, Commission members--Committee members,  
17 I'm sorry.

18 My name is Jenny Fernandez,  
19 Director of Intergovernmental and Community  
20 Relations for the Landmarks Preservation  
21 Commission. I'm here today to testify on the  
22 Commission's designation of the E. Hayward and  
23 Amelia Parsons Ferry House in Manhattan.

24 On March 24th, 2009, the Landmarks  
25 Preservation Commission held a public hearing on  
the proposed designation as a landmark of the E.

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2 Hayward and Amelia Parsons Ferry House and the  
3 proposed designation of the related landmark site.

4 The hearing had been duly advertised in accordance  
5 with the provisions of law. A total of nine

6 witnesses, including representatives of City

7 Council Daniel Garodnick, City Council Member

8 Daniel Garodnick, Manhattan Borough President

9 Scott Stringer, the Municipal Art Society, the

10 Historic Districts Council, the Society for the

11 Architecture of the City, three members of the

12 West 54-55 Street Block Association, and the

13 president of the 45 West 54 Corporation testified

14 in support of the proposed designation. In

15 addition, the Commission has received letters in

16 support of this designation from State Senator Liz

17 Krueger, the Metropolitan Chapter of Victorian

18 Society in America, and several members of the

19 West 54th and 55th Street Block Association.

20 There were no speakers or letters in opposition to

21 the designation. Prior to the hearing on June

22 12th, 2008, Manhattan Community Board 5 voted to

23 request the designation of this building. On

24 November 10th, 2009, the Commission voted to

25 designate the building a New York City individual

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3 landmark.

4 Remodeled in 1907/08 by the noted  
5 architect Harry Allan Jacobs for investment banker  
6 Isaac Seligman and long occupied by banker E.  
7 Hayward Ferry and his wife Amelia Parsons Ferry,  
8 this highly intact former townhouse is an  
9 exceptionally fine example of the restrained Neo-  
10 French Classic variant of the Beaux Arts style and  
11 forms part of Bankers Row, a group of five  
12 residences built for bankers on West 56th Street,  
13 between Fifth and Sixth Avenues. Originally  
14 constructed in 1871 by the well-known New York  
15 architects D. & J. Jardine, this house was  
16 occupied from 1880 to 1907 by the family of George  
17 Spencer Hart, a leading wholesaler of dairy  
18 products and president of three streetcar lines,  
19 who also served as the director of several banks.  
20 In 1907-08, Jacobs extended the house at the front  
21 and rear and relocated the entrance to the ground  
22 story in response to the then-current fashion for  
23 American basement plans.

24 E. Hayward Ferry was a prominent  
25 businessman, who served as first vice president of  
the Hanover Bank from 1910 to 1929. He and his

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3 wife occupied this house from 1908 to 1935. In  
4 1935, it became the headquarters of the  
5 distinguished publishing firm of Albert & Charles  
6 Boni. It was here that Albert Boni founded the  
7 Readex Corporation and began his first experiments  
8 with microform technology.

9 After the Boni firm left the  
10 building in 1945, it served various uses. From  
11 May 1959 to '64, it was a salon, workshop, and  
12 home of noted fashion designer Arnold Scaasi. In  
13 '65, it became the headquarters of the Martin  
14 Foundation, a charitable trust established by  
15 textile magnate Lester Martin, and dedicated to  
16 Eleanor Roosevelt. In addition to the offices of  
17 the Martin Foundation, the building housed the  
18 Eleanor Roosevelt Memorial Foundation and Eleanor  
19 Roosevelt Memorial Cancer Fund, as well as other  
20 non-profit cultural organizations.

21 In 1972 the building was conveyed  
22 to the Commission on Independent Colleges and  
23 Universities. It subsequently served as the  
24 offices of an importing firm and in '88 became the  
25 New York City headquarters and studios of the  
Spanish Broadcasting System. In an area today

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2 characterized by tall office buildings, this five-  
3 story townhouse forms part of a unique small-scale  
4 streetscape that was once typical of the  
5 neighborhood and is now rare in Midtown.

6 The Commission urges you to affirm  
7 the designation.

8 CHAIRPERSON LANDER: Thank you very  
9 much. Any questions from the committee members?  
10 Interest in the Spanish Broadcasting aspects of  
11 this building? Okay. Thank you very much. We  
12 don't have anyone signed up to testify on this  
13 application. Anyone here who wishes to speak on  
14 it? Okay, hearing none, we'll declare that  
15 hearing closed.

16 I'm going to continue to jump out  
17 of order a little bit so that if Council Member  
18 Eugene arrives, we're not in the middle of one  
19 that has quite as many people signed up. So we're  
20 going to jump ahead to the Aschenbroedel Verein  
21 Building, I hope I came close.

22 MALE VOICE: La Mama.

23 CHAIRPERSON LANDER: La Mama, yes,  
24 let me go with that, I went to the La Mama  
25 Theatre. 20105264HKM.

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3 JENNY FERNANDEZ: Thank you, Chair  
4 Landers. For the record, my name is Jenny  
5 Fernandez, Director of Intergovernmental and  
6 Community Relations for the Landmarks Preservation  
7 Commission. I'm here today to testify on the  
8 Commission's designation of the Aschenbroedel  
9 Verein Building--I don't know how to say it that  
10 very well either--later, the Gesangverein  
11 Schillerbund, now La Mama Experimental Theatre  
12 Club in Manhattan.

13 On March 24th, 2009, the Landmarks  
14 Preservation Commission held a public hearing on  
15 the proposed designation as a landmark of the  
16 Aschenbroedel Verein, later Gesangverein  
17 Schillerbund, now La Mama Experimental Theatre  
18 Building. The hearing had been duly advertised in  
19 accordance with the provisions of law. Four  
20 people spoke in favor of designation, including  
21 representatives of the Municipal Art Society of  
22 New York, Greenwich Village Society for Historic  
23 Preservation, and Historic Districts Council. In  
24 addition, the Commission received a communication  
25 in support of designation from the Metropolitan  
Chapter of the Victorian Society in America. On

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2 November 17th, 2009, the Commission voted to  
3 designate the building a New York City individual  
4 landmark.

5 The four-story, red brick-clad  
6 Aschenbroedel Verein Building, in today's East  
7 Village neighborhood of Manhattan, was constructed  
8 in 1873 to the design of German-born architect  
9 August H. Blankenstein for this German-American  
10 professional orchestral musician's social and  
11 benevolent association. Founded informally in  
12 1860, it had grown large enough by 1866 for the  
13 society to purchase this site and eventually  
14 construct the purpose-built structure. The  
15 Aschenbroedel Verein became one of the leading  
16 German organizations in Kleindeutschland on the  
17 Lower East Side. It counted as members many of  
18 the most important musicians in the city, at a  
19 time when German-Americans dominated the  
20 orchestral scene. These included conductors Carl  
21 Bergmann, Theodore Thomas, and Walter Damrosch,  
22 and the musicians of the New York Philharmonic and  
23 Theodore Thomas Orchestras.

24 After the Aschenbroedel Verein  
25 moved to Yorkville in 1892, this building was

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3 subsequently owned for four years by the--and I'm  
4 going to try this again--Gesangverein  
5 Schillerbund, one of the city's leading and oldest  
6 German singing societies. The design of the main  
7 facade, altered at this time with the addition of  
8 cast-iron ornament by German-born architects  
9 Frederick William Kurtzer & Richard O.L. Rohl,  
10 combines elements of the German Renaissance  
11 Revival and neo-Grec styles with folk motifs and  
12 features a variety of pedimented lintels, quoins,  
13 fraktur-like incising, three composers' busts over  
14 the second-story windows, and a prominent cornice  
15 with a large broken pediment.

16 After 1895, the building housed a  
17 variety of disparate uses, including a series of  
18 public meetings and dance halls, the Newsboys'  
19 Athletic Club, a laundry, and meatpacking plant.  
20 Since 1969, it has been the home of the renowned  
21 La Mama Experimental Theatre Club, established in  
22 1961 by Ellen Stewart, and today considered the  
23 oldest and most influential off-Off-Broadway  
24 theater in New York City. The building remains  
25 one of the significant reminders of 19th-century  
German-American cultural contributions to New York

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2 City, as well as the continuing vitality of off-  
3 Off-Broadway theater in the East Village.

4 The Commission urges you to affirm  
5 the designation.

6 CHAIRPERSON LANDER: Thanks very  
7 much for wrestling with the German, I won't ask  
8 you to perform the German singing of the German  
9 Singing Societies or any experimental theatre.

10 Any questions from the--

11 [Off mic]

12 CHAIRPERSON LANDER: Oh, there is a  
13 request then I guess for--you can have your choice  
14 whether it's going to be German singing or sort of  
15 experimental theater.

16 JENNY FERNANDEZ: Get back to you  
17 on that.

18 CHAIRPERSON LANDER: Great. This  
19 is part of the Fourth Arts block, yes, this sort  
20 of--

21 JENNY FERNANDEZ: [Off mic]

22 [Pause]

23 CHAIRPERSON LANDER: Okay. So  
24 that's another nice intersection of kind of  
25 building and use preservation, that's a great

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3 space of cultural preservation taking place there  
4 as well as the historic preservation, so thank  
5 you. We also don't have anyone signed up to  
6 testify on this, so unless anyone wishes to, we'll  
7 declare the public hearing closed. Thank you very  
8 much.

9 [Off mic]

10 [Pause]

11 CHAIRPERSON LANDER: No, okay. All  
12 right, so we will go next to the Paramount Hotel,  
13 which is 20105268.

14 [Long pause]

15 JENNY FERNANDEZ: My name is Jenny  
16 Fernandez, Director of Intergovernmental and  
17 Community Relations for the Landmarks Preservation  
18 Commission. I'm here today to testify on the  
19 Commission's designation of the Paramount Hotel in  
20 Manhattan.

21 On June 23rd, 2009, the Landmarks  
22 Preservation Commission held a public hearing on  
23 the proposed designation as a landmark of the  
24 Paramount Hotel. The hearing had been duly  
25 advertised in accordance with the provisions of  
law. There were two speakers in favor of

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3 designation, including a representative of the  
4 owner. There were no speakers in opposition. On  
5 November 17th, 2009, the Commission voted to  
6 designate the building a New York City individual  
7 landmark.

8 The Paramount Hotel was constructed  
9 in 1927-28 as part of an extensive building and  
10 expansion drive in the Times Square theater  
11 district during that period. One of very few  
12 hotels designed by noted theater architect Thomas  
13 Lamb, this building's design reflects the  
14 theatrical nature of the neighborhood. New York  
15 in 1920s was a popular tourist destination and  
16 this hotel was one of several built in the area  
17 that was intended to appeal to visitors coming to  
18 New York for its extensive night life. This hotel  
19 provided over 600 rooms, restaurants, lounges, and  
20 a well-known nightclub in the basement. Thomas  
21 Lamb designed a large number of theaters in the  
22 area, particularly movie houses, giving them a  
23 variety of decorative treatments that suggested  
24 the fantastical interiors and variety of  
25 entertainments provided inside. Lamb was a  
classically-trained architect, able to use a wide-

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3 ranging architectural vocabulary geared toward the  
4 specific conditions of the building. At the  
5 Paramount Hotel he employed flamboyant French  
6 Renaissance details, often over-scaled to create a  
7 dramatic presence on the smaller, bustling side  
8 street. He concentrated his ornament on the  
9 lowest levels, visible to passers-by on the  
10 street, and on the roofline, visible from a  
11 distance or from the windows of nearby buildings.  
12 The building displays a double-height arcade along  
13 the street, with each arch filled by glass  
14 windows, allowing a view into the hotel's  
15 activities. The two floors above this are highly  
16 embellished by terra-cotta moldings, keystones,  
17 volutes and swags, adding a sophisticated note to  
18 the streetscape. Toward the top, the building  
19 steps back gradually to an imposing central  
20 pavilion. The tall mansarded and hipped, copper-  
21 covered roof, with its ornate dormers, over-scaled  
22 urns and projecting pediments is highly visible  
23 from a distance, and stands out from its more  
24 reserved neighbors.

24 Throughout the changes to the Times  
25 Square neighborhood over the last century, the

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3 Paramount Hotel has continued to add its  
4 sophisticated presence on this busy commercial  
5 street.

6 After years of neglect, the  
7 renovation of the hotel in the early 1990s  
8 contributed to the renewed popularity of this area  
9 as a popular tourist destination.

10 The Commission urges you to affirm  
11 this designation.

12 CHAIRPERSON LANDER: Thank you very  
13 much. Any questions from any members of the  
14 committee? All right, anyone here wishing to  
15 testify on the Paramount Hotel? Seems a shame.  
16 And just to clarify that the owner in this case  
17 did testify at the LPC hearing--

18 JENNY FERNANDEZ: Yes.

19 CHAIRPERSON LANDER: --in favor of  
20 designation--

21 [Off mic]

22 CHAIRPERSON LANDER: --so I'll be  
23 sure to tell Council Member Ignizio that.

24 All right, seeing no other  
25 interest, we'll declare that hearing closed. I  
think we can jump back--no, we've got people

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3 who've waited, so let's get back to the--Council  
4 Member Eugene has sent his statement along and a  
5 staff person to listen, so we're going to jump  
6 back to Ocean on the Park because I noticed a few  
7 people here and that was next on the docket.

8 So we'll go to the Ocean on the  
9 Park Historic District, which is number 20105201.

10 [Pause]

11 JENNY FERNANDEZ: For the record,  
12 my name is Jenny Fernandez, Director of  
13 Intergovernmental Community Relations for the  
14 Landmarks Preservation Commission. I'm here today  
15 to testify on the Commission's designation of the  
16 Ocean on the Park Historic District in Brooklyn.

17 On March 24th, 2009, the Landmarks  
18 Preservation Commission held a public hearing on  
19 the proposed designation of the Ocean on the Park  
20 Historic District. The hearing was duly  
21 advertised in accordance with the provisions of  
22 law. Twenty people spoke in favor of designation,  
23 including representatives of Brooklyn Borough  
24 President Marty Markowitz, City Council Member  
25 Darlene Mealy, State Senator Eric Adams, Historic  
Districts Council, the Municipal Art Society, the

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2 Society for the Architecture of the City, the New  
3 York Landmarks Conservancy, the Prospect Lefferts  
4 Gardens Neighborhood Association, Crown Heights  
5 North Association, Prospect Park Alliance, and  
6 Lefferts Manor Association. The representative of  
7 Council Member Mathieu Eugene spoke in support of  
8 the historic district, but requested that the  
9 Commission consider excluding number 189 Ocean  
10 Avenue. The current and former owners of number  
11 189 Ocean Avenue and one other person spoke in  
12 opposition to the proposed inclusion of 189 Ocean  
13 Avenue in the historic district. The owner of 211  
14 Ocean Avenue spoke in opposition to the  
15 designation of the historic district. One person  
16 spoke on the financial and tax advantages of  
17 designation, but did not directly address the  
18 proposed designation. In addition, the Commission  
19 received correspondence from State Assembly member  
20 Karim Camara, City Council Members Letitia James  
21 and Tony Avella, Congresswoman Yvette Clarke,  
22 former City Council Member Una Clarke, Community  
23 Board 9, Metropolitan Chapter of Victorian Society  
24 in America, and several residents and citizens,  
25 all in support of designation.

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3 On October 27, 2009, during the  
4 public meeting to consider designation of the  
5 proposed historic district, the public hearing was  
6 reopened to allow the owner of 189 Ocean Avenue to  
7 reiterate her reasons for objecting to the  
8 inclusion of her house in the historic district.  
9 On that day, the Commission voted to designate  
10 Ocean on the Park a New York City Historic  
11 District.

12 The Ocean on the Park Historic  
13 District comprises a group of 12 row houses built  
14 between 1909 and 1918 on Ocean Avenue, between  
15 Lincoln Road and Parkside Avenue in Flatbush  
16 overlooking Prospect Park.

17 In 1905, Charles G. Reynolds, a  
18 prominent Brooklyn developer purchased a large  
19 parcel on Ocean Avenue across from Prospect Park  
20 that had once belonged to Jeremiah Vanderbilt, a  
21 descendant of Jan Aertsen Vanderbilt progenitor of  
22 the Vanderbilt family in America, and which had  
23 most likely had been part of the 1661 land patent  
24 granted to the family by Peter Stuyvesant. After  
25 supplementing this parcel with the purchase of a  
gore in 1909, Reynolds hired Axel Hedman, a

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3 prolific designer of row houses in Brooklyn, to  
4 design a row of 14 houses. Construction was  
5 halted in 1910 after completion of only 10 houses.

6 Numbers 193 to 211 Ocean Avenue are  
7 fine examples of the Renaissance Revival style  
8 with limestone facades featuring angular or  
9 rounded bays, terraces with balustrades or  
10 parapets above raised basements, subdued classical  
11 ornament, and deep galvanized iron cornices.

12 Taking advantage of the 150-foot deep lots, Hedman  
13 set the row back thirty feet providing unusually  
14 deep front yards that he interconnected by a  
15 common walkway and bordered by a low wall  
16 adjoining the sidewalk.

17 In 1915, Philip A. Faribault, a  
18 civil engineer, purchased one of the remaining  
19 lots from Reynolds and designed his own residence  
20 in the Federal Revival style. The brick house at  
21 191 Ocean Avenue has stone sills and lintels, a  
22 simple cornice, and segmental-arched entrance  
23 surround with Ionic columns in antis  
24 characteristic of the style. In recognition of  
25 the growing popularity of the automobile among the  
middle-class, a garage, since converted into a

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2 medical office, was incorporated into the first  
3 story of the house.

4 Number 189 Ocean Avenue was  
5 designed for Charles G. Reynolds in 1917 by Eric  
6 O. Holmgren, another prominent Brooklyn architect,  
7 and completed the following year. The Arts and  
8 Crafts style house, while altered, retains its  
9 simple form, subtle brick detailing and a  
10 bracketed metal cornice surmounted by a hipped  
11 roof with pantiles.

12 The Ocean on the Park Historic  
13 District, with its uniform 30-foot setback and  
14 low-scale, reflecting an earlier period in  
15 urbanization of Flatbush, forms a distinctive  
16 enclave on a block otherwise densely occupied by  
17 apartment houses.

18 The Commission urges you to affirm  
19 this designation.

20 CHAIRPERSON LANDER: Thank you very  
21 much. Are there questions from the committee  
22 members? We do have some folks signed up to  
23 testify on this one. Council Member Williams.

24 COUNCIL MEMBER WILLIAMS: I just  
25 wanted to be clear, so are we trying to take one

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3 part of it out?

4 JENNY FERNANDEZ: The owner of that  
5 one house, 189, did not want to be designated--  
6 included in the designation, but the Commission  
7 ultimately did include it in the proposed district  
8 and voted to designate it, so it is included. So  
9 at this time, what is before the committee is the  
10 entire district, including 189 Ocean Avenue.

11 COUNCIL MEMBER WILLIAMS: Were  
12 there other--oh, sorry, I'm new. Were there other  
13 people in support of taking it out besides the  
14 owners? Any of the elected official--

15 JENNY FERNANDEZ: No.

16 COUNCIL MEMBER WILLIAMS: Okay.

17 CHAIRPERSON LANDER: Any other  
18 questions from committee members? Council Member  
19 Arroyo.

20 COUNCIL MEMBER ARROYO: I  
21 understood Council Member Eugene testified in  
22 favor of pulling it out.

23 JENNY FERNANDEZ: Initially, he had  
24 asked the Commission to consider it at the  
25 testimony, but has subsequently supported the  
designation of the entire district.

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2 COUNCIL MEMBER ARROYO: Okay.

3 JENNY FERNANDEZ: But I believe  
4 that he submitted a statement and so I don't want  
5 to speak for Council Member Eugene on that matter,  
6 but...

7 CHAIRPERSON LANDER: I have his--

8 COUNCIL MEMBER ARROYO: You do,  
9 okay.

10 CHAIRPERSON LANDER: --statement,  
11 which doesn't speak directly to 189, but I will go  
12 ahead and read it before we move to--

13 COUNCIL MEMBER ARROYO: Thank you.

14 CHAIRPERSON LANDER: --testimony so  
15 we can hear it. This is the statement from  
16 Council Member Mathieu Eugene. I wish to thank  
17 the New York City Landmarks Preservation  
18 Commission and it's chair, Robert B. Tierney, for  
19 taking this important step toward protecting the  
20 character and historic value of our Ocean on the  
21 Park community. I also thank the many community  
22 residents and community organizations that have  
23 given of themselves so selflessly and been  
24 instrumental regarding this vote to protect the  
25 integrity of the neighborhood. My office has been

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2 in the forefront, continuously working with the  
3 community on this issue and I pledge to continue  
4 working hard with our valued community  
5 organizations and leaders to protect, enhance, and  
6 beautify our neighborhood. Thank you, Council  
7 Member Mathieu Eugene, 40th District, Brooklyn.

8 Other questions for the commission  
9 or should we move on to the testimony?

10 [Off mic]

11 CHAIRPERSON LANDER: That's good,  
12 that's good, I'm not--

13 MALE VOICE: I didn't believe--

14 [Pause]

15 CHAIRPERSON LANDER: We don't have  
16 a letter on that, huh.

17 All right, thank you very much, Ms.  
18 Fernandez. We are going to have two panels, as is  
19 our custom, the first one in favor and the second  
20 one in opposition. So for the first panel I'd  
21 like to call up Edmund Fanning [phonetic], Robert  
22 Marvin, Simeon Bankoff, and Andrea Goldwyn.

23 [Long pause]

24 CHAIRPERSON LANDER: In any order  
25 is fine, go ahead.

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2 EDMUND FANNING: My name is Ed

3 Fanning, I have lived on Ocean Avenue in one of  
4 the houses in the proposed district for 34 years.  
5 I just wanted to hit three points. First of all,  
6 I want to thank Councilman Eugene for his efforts  
7 on this matter. Second, the owners of the houses,  
8 the 12 remaining houses, we started with 13, we  
9 lost one, the nine of those owners still maintain  
10 that they want the entire district. Two?

11 CHAIRPERSON LANDER: One moment

12 [off mic].

13 [Pause]

14 EDMUND FANNING: It was on, I just  
15 don't speak loud, I guess. Nine of the owners are  
16 in favor of the entire district, one owner from  
17 the beginning has been opposed to the entire  
18 process and we have two owners that really  
19 actually support leaving out the brick houses or  
20 one of the brick houses.

21 I'd like to make the observation  
22 that as we started with 13, the one that we lost  
23 is now going to be the tallest building on that  
24 side of Prospect Park and for the most part on  
25 Prospect Park, an eight-story building, all right?

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3 We went into this as much to preserve Prospect  
4 Park's integrity as to preserve our own houses.  
5 The nice new skating rink should not be looking at  
6 skyscrapers towering over the park.

7 And finally, the one thing that was  
8 left out, we do have a little history. I learned  
9 this after researching a bit, 193 Ocean Avenue was  
10 the home of a famous Brooklynite--Charlie Ebbets.  
11 All right? And as I told the Commission, we've  
12 already lost Ebbets Field, we don't need to lose  
13 this house. Thank you.

14 CHAIRPERSON LANDER: Thank you.

15 ANDREA GOLDWYN: Good day, I'm  
16 Andrea Goldwyn, speaking on behalf of the New York  
17 Landmarks Conservancy. The Conservancy strongly  
18 supports designation of the entire Ocean on the  
19 Park Historic District. This small group of  
20 buildings forms a cohesive block that recalls  
21 Brooklyn's early 20th century development. While  
22 Ocean Avenue is better known for its long groups  
23 of five and six-story apartment buildings, these  
24 12 row houses facing Prospect Park are low-scale,  
25 picturesque enclave that deserves protection under  
the landmarks law.

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3 The buildings are three-story row  
4 houses featuring rich architectural details  
5 connected via a uniform 30-foot setback and a  
6 series of deep front yards. A 13th building was  
7 recently demolished and others have faced intense  
8 development pressure. It is hoped that  
9 designation will allow the Ocean on the Park row  
10 to remain intact.

11 Thank you for the opportunity to  
12 present the Conservancy's views.

13 COUNCIL MEMBER WILLIAMS: On  
14 average, if you have numbers, how many owners  
15 object and what are the reasons that they usually  
16 give?

17 ANDREA GOLDWYN: I'm sorry, I  
18 couldn't speak to that, maybe someone from the  
19 Landmarks Commission? Is Jenny here?

20 [Off mic]

21 ANDREA GOLDWYN: Yeah.

22 CHAIRPERSON LANDER: Let's finish  
23 this panel and then we can--

24 ANDREA GOLDWYN: Okay.

25 CHAIRPERSON LANDER: --come back if  
we have additional questions.

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3 SIMEON BANKOFF: Good afternoon,  
4 Council Members, Simeon Bankoff, Historic  
5 Districts Council. I would just like to say, I  
6 hope that all of you--you're new to the committee  
7 and perhaps haven't had a chance to visit this  
8 historic district yet, but it really is a  
9 remarkable stretch facing Prospect Park, it shouts  
10 out in its sense of place and a kind of delicate  
11 gentility.

12 It's a remarkable area with a truly  
13 unique stretch with also a fascinating building  
14 history that was all developed by the same  
15 developer.

16 The houses on the end were  
17 developed by the same developer later, ten years  
18 later, and they are integral part to understanding  
19 how this stretch of Ocean Avenue and really the  
20 Prospect Lefferts Gardens, because originally this  
21 was going to be part of the Prospect Lefferts  
22 Garden's Historic District that was designated  
23 back in the late 70s, so we are strongly in favor  
24 of the entire district being designated. We do  
25 understand the concerns, we've listened to the  
concerns of the homeowner and we empathize with

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2 their concerns about it and also the concerns of  
3 the neighbors who are going to be neighbors to  
4 this very, very large building, but we think this  
5 is the best thing in general for the whole area.

6 I also just want to say that I've  
7 rarely, rarely seen the outpouring of civic  
8 interest in this particular--in a designation that  
9 we had. We had civic groups from all the areas  
10 around it coming in to testify that this was an  
11 important thing to do. And we all met with  
12 Council Member Eugene, had a very constructive  
13 conversation with him. So I'd like to thank the  
14 Council Member and like to thank you.

15 CHAIRPERSON LANDER: Thank you.

16 ROBERT MARVIN: I'm Robert Marvin,  
17 I'm here representing--oh, I'm Robert Marvin and  
18 I'm here representing the Lefferts Manor  
19 Association, which covers most of the larger  
20 Prospect Lefferts Gardens Historic District. We  
21 helped the homeowners on Ocean Avenue with their  
22 application to the Landmark Commission and we  
23 strongly and enthusiastically support the  
24 designation of the Ocean on the Park Historic  
25 District in its entirety.

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3 As an aside, I'm one of the people  
4 who worked on the late 70s designation of the  
5 Prospect Lefferts Gardens Historic District. At  
6 that time we tried very hard to have this row  
7 included in the larger district, that was not to  
8 be, but it's about time now. Thank you.

9 CHAIRPERSON LANDER: Thank you all.  
10 Do any of you know what the zoning there is that's  
11 allowing the eight-story development?

12 EDMUND FANNING: It's R7--

13 [Pause]

14 EDMUND FANNING: Okay, it's a R7-1  
15 and with 150-deep lots. The eight-story building  
16 is only touching it. I've worked it out, you  
17 could actually get up to 16 stories on there if  
18 you had a sizeable frontage to--

19 CHAIRPERSON LANDER: And is there  
20 any effort underway to consider potential zoning.

21 EDMUND FANNING: Community Board 9  
22 has asked the City Planning, they have turned us  
23 down, we will go back and fight them again at this  
24 time because you need contextual zoning in this  
25 area. I mean the entire area is nothing higher  
than six-story.

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2 CHAIRPERSON LANDER: Council Member  
3 Williams.

4 COUNCIL MEMBER WILLIAMS: Before my  
5 other question, but so was the push for the  
6 landmarks to prevent building or is it for the  
7 historical--

8 [Crosstalk]

9 EDMUND FANNING: [Interposing]  
10 Okay, it's architecturally, these are great  
11 buildings, but we were under pressure. I mean I  
12 was at a meeting where we were offered \$2 1/2  
13 million per building to turn it over to a  
14 developer. All right? And we felt that,  
15 shockingly to me, everybody agreed, no, we're not  
16 giving it up.

17 COUNCIL MEMBER WILLIAMS: So it was  
18 more to prevent the over-building.

19 SIMEON BANKOFF: Well it's also one  
20 of the situations where these are the lowest  
21 buildings on a very, very long stretch of Ocean  
22 Avenue. As Ed said, the rest of the buildings are  
23 six stories, so City Planning feels at the moment  
24 that it would be spot zoning to sort of zone them  
25 down to that.

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2 EDMUND FANNING: Actually, it  
3 doesn't--even we don't fit R6--

4 MALE VOICE: Right.

5 EDMUND FANNING: --if you look at  
6 the whole block--

7 MALE VOICE: Right.

8 EDMUND FANNING: --we don't even  
9 fit R6, we're lower than that.

10 SIMEON BANKOFF: They're much lower  
11 than that, so in terms of a zoning tool, zoning  
12 it's going to be complicated to try to zone this  
13 section of the buildings properly, so they felt  
14 among the tools available, that landmarking was a  
15 possible solution and then they started looking  
16 into the history of it, and you had the  
17 architecture there to begin with, so you had the  
18 architecture, you learned the history, and then  
19 use it as the appropriate land use tool.

20 ROBERT MARVIN: It's important to  
21 remember the impetus for this designation came  
22 from the homeowners themselves in this row on  
23 Ocean Avenue.

24 CHAIRPERSON LANDER: Any other--

25 COUNCIL MEMBER WILLIAMS: Well I

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3 had other questions.

4 CHAIRPERSON LANDER: Let's thank  
5 this panel. Your other question was on--

6 COUNCIL MEMBER WILLIAMS: Well I  
7 wanted to know, maybe you can answer it, kind of  
8 on average how many owners oppose and what are the  
9 reasons that they generally give?

10 JENNY FERNANDEZ: I don't have  
11 specific numbers--

12 [Pause]

13 CHAIRPERSON LANDER: Come on up to  
14 the mic.

15 JENNY FERNANDEZ: I don't have  
16 specific numbers on that, but I can certainly try  
17 to see if we do have some sort of ratio or average  
18 out, but most of the time we work very, very  
19 closely with owners, so most of the time, we don't  
20 have owner opposition per se. And a lot of times,  
21 the owner opposition is due to misunderstandings  
22 or things that people don't understand what does  
23 landmarking mean for me, and so we work really  
24 closely with the owners. We have a team at the  
25 Landmarks Commission that does a lot of outreach  
to try to calm some of those fears, dispel some of

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3 the myths, what does it mean, we're a very  
4 practical agency, we're very hands-on, a lot of  
5 people have an idea that you can't do anything  
6 with your property afterwards and that's not true,  
7 we approve change every day at the Landmarks  
8 Preservation Commission. So a lot of times we  
9 have owners who at first may not be very persuaded  
10 to support it and many times do come around. But  
11 we do have instances where the owners oppose and  
12 if we do feel that the buildings has architectural  
13 merit and the Commission feels strongly about  
14 preserving a building of these type, then we will  
15 move forward with designation.

16 COUNCIL MEMBER WILLIAMS: Last  
17 question, I'm sorry. Are there cases where the  
18 Commission has agreed with the owner and decided  
19 not to seek landmark?

20 JENNY FERNANDEZ: I would say that  
21 there's been--a lot of times when new evidence is  
22 presented, so sometimes initial research may show  
23 one thing and after doing a lot of outreach with  
24 the owner and especially if the Council Members  
25 and there's no community consensus on something,  
that might be a possibility. But for the most

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3 part, if we're pursuing the designation of  
4 something, it's because the Commission has deemed  
5 it eligible for landmark designation, we do have  
6 very high standards so if we're pursuing it, it's  
7 certainly because of its worthiness.

8 CHAIRPERSON LANDER: Thanks very  
9 much to the panel. For our next panel we have--  
10 excuse me--Thomas and Fern Bernick or Bernich--I  
11 apologize if I'm pronouncing it inappropriately--  
12 from 189 Ocean Avenue. And I just want to thank  
13 you for coming out to testify, I know that a  
14 situation where a lot of other people are  
15 testifying in favor and coming to the City Council  
16 is not always the easiest thing to do and I  
17 promise you that we're going to listen to what you  
18 have to say, so thank you very much for coming.

19 FERN BERNICH: I'm Fern Bernich and  
20 I reside at 189 Ocean Avenue and I respectfully  
21 disagree with the inclusion of 189 Ocean Avenue in  
22 the Historic District. It was built 10 years  
23 after the 10 Axel Hedman limestone houses and it  
24 is not coherent in the row due to extensive  
25 modifications combined with diminished quality of  
design, workmanship, and construction compared to

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3 the original state, makes this house lack the  
4 architectural merit worthy of landmarking.

5 In 2007 there was an application to  
6 landmark the 13 houses and it was turned down. In  
7 a letter that Chairman Tierney wrote from LPC to  
8 Borough President Marty Markowitz he said that it  
9 did not meet the criteria for designation and did  
10 not rise to the level of significance required for  
11 a historic district, neither based on the size of  
12 the proposed district, nor its strength of sense  
13 of place.

14 In 2008, 185 was demolished and  
15 plans for an eight-story 22-unit cantilevered  
16 structure were approved by the Department of  
17 Buildings. I share a driveway with this  
18 structure.

19 Since 2007 the only change to the  
20 proposed historic district was the removal through  
21 the demolition of one of these residences. If  
22 anything, this reduction in size and proportion in  
23 reduction and strength of place should have  
24 mitigated against the inclusion of Ocean on the  
25 Park on the LPC calendar. There is, of course, a  
stringent and focused effort by proponents of the

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3 historical district to articulate their support  
4 for the designation, but the drumbeat of political  
5 rhetoric is not one of the statutory criteria.

6 This is an insufficient architectural or  
7 historical or a cultural basis to designate the  
8 proposed 13 buildings in 2007. The e-mail and  
9 letter writing campaign which took place in 2008  
10 and 2009 simply does not supply what it was  
11 substantially lacking in 2007.

12 The LPC designation incorrectly  
13 presumes a contextual--excuse me. The LPC  
14 designation presumes a contextual substantiation  
15 [phonetic] over landmarking based on its  
16 juxtaposition with the architecturally  
17 distinguished buildings, but it is not supported  
18 by the visual architectural evaluation and the  
19 historical documentation which indeed supports a  
20 contrary judgment against landmarking on a  
21 contextual basis. Its location near other  
22 structures which may have sufficient intrinsic  
23 merit to justify landmarking is merely a  
24 fortuitous event, not an objective basis for  
25 including it in a historic district.

My house is different. I went to

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3 Mathieu Eugene and I asked him to please consider  
4 us because we will be sharing a driveway with an  
5 eight-story 22-unit condominium, we will be  
6 sharing a driveway that was intended for two cars  
7 with eight cars. Because our property line falls  
8 on the majority of the driveway, we are now liable  
9 and we went to LPC and asked them to include  
10 everyone. When we weren't included in the first  
11 application, we said please don't include us in  
12 the second application, but we were included and  
13 as a result now we will be frozen. [Pause] ...Time  
14 to and we will not be able to change our structure  
15 in a way that would benefit us. The impending  
16 disruption of view and the anticipation of the  
17 side wall and the front yard with the cantilever,  
18 which I have examples of in the report will  
19 further scale and sharply reduce the quality of  
20 our house and our property.

21 CHAIRPERSON LANDER: Thank you.

22 FERN BERNICH: Thank you.

23 [Long pause]

24 TOM BERNICH: My name is Tom  
25 Bernich, I'm here to support my wife. I was  
surprised that we would be called in today, I

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3 thought it was over a month ago and I would say  
4 congratulations, it's a nice first session and  
5 I've heard a lot of wonderful things and I would  
6 hope that you take us into consideration for  
7 exclusion and that we present our issues. Thank  
8 you.

9 CHAIRPERSON LANDER: Thank you. I  
10 know some Council Members have questions. Council  
11 Member Arroyo.

12 COUNCIL MEMBER ARROYO: I have a  
13 question for the Landmarks Commission, so, Jenny,  
14 if you can come back to the table. And then for  
15 the folks here testifying. So, Jenny, I'll go to  
16 you first.

17 This is a designation of a historic  
18 district, not an individual landmark for a  
19 property. Explain to me what the difference is  
20 and what is it that an owner is responsible for as  
21 an individual property landmarked or as part of a  
22 historic district.

23 JENNY FERNANDEZ: The  
24 responsibility's the same, you know, whether  
25 you're an individual landmark or part of a  
historic district, the same regulations apply from

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3 the Landmarks Preservation Commission.

4 COUNCIL MEMBER ARROYO: Okay.

5 JENNY FERNANDEZ: So--

6 COUNCIL MEMBER ARROYO: So in a  
7 district you just do a bunch of stuff at the same  
8 time as opposed to one individual--

9 [Crosstalk]

10 JENNY FERNANDEZ: Well it's  
11 basically in a district, our main purpose for  
12 designating a district is a sense of place, so  
13 the, for example, we just heard Lamartine Place  
14 and there was all these compelling reasons to  
15 designate a group of structures. So on Ocean on  
16 the Park, it's the site plan and the connection to  
17 the Vanderbilts and the original construction of  
18 these homes, even though the two that we spoke  
19 about later were constructed at a later time, they  
20 were still by a prominent architect, Brooklyn  
21 architect, and we feel are architecturally  
22 meritorious and should be included in the district  
23 as a streetscape on Ocean Avenue.

24 COUNCIL MEMBER ARROYO: Okay, thank  
25 you, that helps.

And, Council Member Williams, there

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3 is certainly a case in my district where the  
4 Community Board, my office, the owner of the  
5 property kind of pushed back on the landmarking  
6 and the Commission pretty much backed off on  
7 moving forward with the designation, so there are  
8 opportunities for things to happen different than  
9 what some may think.

10 For the owners of the property that  
11 you're asking be excluded from the designation,  
12 what is it about the designation that you think  
13 will prohibit you from doing with your property in  
14 the future? What's the, besides the argument that  
15 it's not within the--you know, it was built later  
16 or you don't have the same appreciation for the  
17 architectural significance or historic  
18 significance, what else is there besides that?

19 FERN BERNICH: We share a driveway  
20 with no gate that divides our properties from the  
21 new development, it leaves us open for the  
22 liability of the impending structure, it blocks  
23 out our light, it will change the way we enter our  
24 home. We will not be able to change our home so  
25 we are protected in a way--or limit our liability  
from the new development that's next door. If you

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3 look into the report, you can see that there are  
4 detailed reasons as to why we're asking to be left  
5 out. There's actually a diagram of what is to be  
6 built and what--

7 CHAIRPERSON LANDER: [Interposing]

8 So I mean those sound like very compelling  
9 arguments against the eight-story building next to  
10 you, which I'm sympathetic with, but I'm not sure  
11 I understand how that relates to the historic  
12 designation that's proposed here today.

13 FERN BERNICH: It'll--

14 CHAIRPERSON LANDER: I see why you  
15 don't really know why you might prefer that there  
16 was a different zoning or that it'd already been  
17 designated so that one couldn't be going up, but  
18 how does the designation relate to the driveway  
19 sharing and the challenges you'll face.

20 FERN BERNICH: No end user will  
21 purchase our home. We've had our home on the  
22 market for two years and no one, when they see  
23 what is going to be built, wants to purchase our  
24 home. We initially thought let's just get out of  
25 this, let's just leave and move forward with our  
lives, and we have our home listed for much less

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3 than what the home next door sold for, even in  
4 today's market, and no one wants to be--no end  
5 user wants to be in our situation.

6 CHAIRPERSON LANDER: Council Member  
7 Williams.

8 COUNCIL MEMBER WILLIAMS: I'm still  
9 confused, no end user wants to purchase it because  
10 the eight-story building is going up?

11 FERN BERNICH: Because in essence,  
12 we've become the firewall, so we absorb the brunt  
13 of the new development and we have to remain the  
14 way we are.

15 COUNCIL MEMBER WILLIAMS: Oh, so,  
16 okay. I had questions for Jenny and for the  
17 owners. They were saying it's built ten years  
18 after the other houses and there was some facades  
19 and changes that were made, so why does that still  
20 make it eligible? And, two, is there precedents  
21 for having one or two houses left out of a  
22 district?

23 JENNY FERNANDEZ: The reason  
24 obviously the Commission has felt and its research  
25 staff that they are architecturally meritorious,  
as I mentioned before, and were designed by a

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3 prominent Brooklyn architect. So even on their  
4 own, they are definitely historic district level  
5 homes that we would include in a historic  
6 district.

7 Precedents for leaving a historic  
8 district out would be--I'm sorry, leaving one  
9 house out of a historic district, it's very  
10 difficult to come up with boundaries and they  
11 certainly, if something is to be left out, it  
12 would certainly have to be at the end or at the  
13 outer edges of a historic district. In this case,  
14 this house would be at the end, but it would have  
15 to be a case where the Commission's expert staff  
16 has to determined that either the house has been  
17 significantly altered, no longer retains any of  
18 its original details, is not what it presented  
19 itself to be in the beginning, and that's really  
20 the only time that the Commission would really  
21 look at excluding something from the house. Or  
22 that it doesn't basically belong in this district  
23 for whatever reasons.

24 In answer to concerns, the  
25 Commission is certainly sympathetic to the owners'  
plight and certainly having this eight-story

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2 building going up next to them is nothing  
3 pleasant, neither to them, nor to the district  
4 itself that we hope will be affirmed today. In  
5 terms of making changes to the house, we certainly  
6 would argue that there are ways that we can help  
7 the owners figure out a more contextual change  
8 that they can do to their home to make it better  
9 and we haven't heard any specific proposals for  
10 changes to the home, but we approve change every  
11 day, as I mentioned before, and certainly our  
12 staff would be more than willing to work with the  
13 owners to figure out if there are any sorts of  
14 mitigations that can be put in place to either  
15 help with the--you know, if it's an entryway, if  
16 it's reconfiguring their front area, anything that  
17 we can approve to help that situation, we  
18 certainly would consider, as long as it is found  
19 appropriate.

20 COUNCIL MEMBER WILLIAMS: One  
21 question for the owners, I think I heard you say  
22 that you asked for it to be included the first  
23 time?

24 FERN BERNICH: We--

25 COUNCIL MEMBER WILLIAMS: And then

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3 asked for it not to be included, why the change?

4 FERN BERNICH: --we asked for all  
5 of the houses to be saved, 185 which was  
6 demolished and 189 which we are were created  
7 together, I have the original drawing plans of  
8 them. If 185 were not demolished, then we  
9 wouldn't face the problem that we face now of  
10 devaluation of our home based on what's going to  
11 be erected next to it because we are in an  
12 easement with them, a binding easement from 1919  
13 that we cannot change. When you purchase the  
14 property, you enter into contract in the easement.

15 And just on what you said before,  
16 the house has been significantly modified since  
17 its creation. Landmarks is going from a 1939  
18 photo and in my report I show that most of the  
19 modifications happened in 1938, which are the  
20 listed with the Department of Buildings and I  
21 actually have a drawing of the original drawing of  
22 the plan that I obtained from the Department of  
23 Buildings--

24 [Crosstalk]

25 COUNCIL MEMBER WILLIAMS:

[Interposing] It happened in 1938?

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2 FERN BERNICH: 1938, correct.

3 COUNCIL MEMBER WILLIAMS: And they  
4 took the photo in 1939.

5 FERN BERNICH: Correct.

6 CHAIRPERSON LANDER: Council Member  
7 Arroyo.

8 COUNCIL MEMBER ARROYO: Yes.

9 CHAIRPERSON LANDER: And then  
10 Council Member Sanders.

11 COUNCIL MEMBER ARROYO: So the  
12 Commission appreciates that the owners--there's a  
13 plight here that is significant for them as an  
14 owner. I have to tell you that, as I sit here  
15 listening to this, I'm pausing about whether or  
16 not I would approve or vote in favor of this. The  
17 Commission working with the owner, as long as  
18 whatever they propose to bring their property to a  
19 level of comfort as an owner if appropriate,  
20 there's a great deal of gray in that. Do we have  
21 to vote on this today?

22 [Pause]

23 COUNCIL MEMBER ARROYO: I'm not  
24 convinced that they--I'm not convinced.

25 JENNY FERNANDEZ: I'm sorry, Chair

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Landers.

3 CHAIRPERSON LANDER: Go ahead.

4 JENNY FERNANDEZ: Just in response  
5 to Council Member Arroyo's concerns, when we say  
6 appropriate, of course, that is always the tenet  
7 that we use in terms of approvals for these homes.  
8 I mean, in this particular case, we do have our  
9 standards and we do have our rules, but that's why  
10 we have a commission that will sit and consider  
11 changes that go beyond the scope of our normal  
12 regulations. So most of our--excuse me--most of  
13 our permits, 90 something percent of our permits  
14 are issued at staff level, which means we have a  
15 body of rules and if they meet this, you can get a  
16 staff level permit; if not, then things need to go  
17 before the Commission and the Commission considers  
18 change every single day and many times all these  
19 other factors do weigh in on to the level of  
20 change or what they allow. So, for example, what  
21 might not be appropriate, what they may not  
22 normally approve somewhere because of a special  
23 situation because of a specific obstacle that they  
24 may be facing, they certainly take that into  
25 consideration and really try to work a way to

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3 mitigate the problem. Our concern in this  
4 particular case is that whether or not this home  
5 is designated--well we've designated it, but in  
6 excluding it from landmark protection, what is the  
7 ultimate goal of changes? I mean, like I said, we  
8 haven't heard any proposals to the home of how it  
9 would help the owners' situation. So not  
10 designating it wouldn't--or not affirming this  
11 designation, we're not sure what does that mean  
12 for the homeowners in terms of changes to the  
13 home. What would they plan to do in lieu of not  
14 designating or not affirming the designation.

15 COUNCIL MEMBER ARROYO: So what's  
16 your response to that, number one, and is it the  
17 only home in the district that is faced with the  
18 challenges that these owners are faced with?

19 JENNY FERNANDEZ: Yes, I would have  
20 to say yes, because this property has an easement  
21 with the adjoining property where there's new  
22 structures going up, so it is the only home that  
23 would be facing that particular problem in the  
24 district.

25 FERN BERNICH: My husband and I are  
small business owners, we are here ourselves

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2 instead of hiring an attorney because we don't  
3 have the money to hire an attorney to defend us in  
4 this situation. In order to apply to change any  
5 existing portion of our home for a better quality  
6 of life, we need to hire an architect and an  
7 expediter to approach LPC. All of that is very  
8 costly, we do not have the funds to do that.

9 JENNY FERNANDEZ: In response to  
10 that--

11 CHAIRPERSON LANDER: [Interposing]  
12 I'm sorry, let me--

13 JENNY FERNANDEZ: I'm sorry.

14 CHAIRPERSON LANDER: --let me--

15 JENNY FERNANDEZ: Go ahead.

16 CHAIRPERSON LANDER: --we got a  
17 couple other Council Members who want to get in  
18 here, so--

19 COUNCIL MEMBER ARROYO: I'm done,  
20 thank you.

21 CHAIRPERSON LANDER: Thank you.  
22 Council Member Sanders.

23 COUNCIL MEMBER SANDERS: And then  
24 Council Member Koo and [off mic].

25 COUNCIL MEMBER SANDERS: There's

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2 worthy arguments on both of these sides. On one  
3 hand, just looking at the picture of the homes and  
4 looking at the information given, they had made a  
5 worthy case that these are not homes of a similar  
6 type. On the other hand, the argument that just  
7 not having the designation will do something for  
8 you vis-a-vis the eight-story building that goes  
9 up has not been persuasive. You're going to have  
10 that problem, if it is a problem since we'll use  
11 this term, regardless to the designation or not  
12 having the designation. Both of these are worthy  
13 arguments and I too am trying to get a better  
14 grasp of this one. So I'll yield back to you, Mr.  
15 Chair, and let the conversation continue.

16 CHAIRPERSON LANDER: Great, thank  
17 you. Anyway, we'll look at how we move forward  
18 after we close the public hearing. So Council  
19 Member Koo.

20 COUNCIL MEMBER KOO: I sympathize  
21 [pause] and I don't think the city should put a  
22 [off mic] burden on the homeowners.

23 CHAIRPERSON LANDER: Thank you.

24 COUNCIL MEMBER KOO: Yeah.

25 CHAIRPERSON LANDER: Council Member

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Williams.

3 COUNCIL MEMBER WILLIAMS: So this  
4 one is tough, I mean, obviously I sympathize, but  
5 there is a role in government in these and I'm  
6 trying to figure out exactly what it is.  
7 Obviously, I think from what I've heard, I think  
8 it may be less historical and more trying to  
9 prevent overdevelopment, which I also think is a  
10 worthy cause. But I am concerned, it just seems  
11 like, and I think you may be trying to prevent it  
12 from being put out so that you may be able to sell  
13 to a developer and it may also overdevelop at that  
14 point. So it's a little tricky to try to figure  
15 this one out. At the same time, you know, I think  
16 homeowners do have certain rights and I'm trying  
17 to really grapple with it.

18 I did have a question, I think you  
19 said that usually if they opt out of a  
20 designation, it is at the end and it sounded like  
21 this home was at the end, and I wanted to ask you  
22 how would it affect the whole district in any way  
23 if this property was left out and can something be  
24 voted on and with this aside?

25 JENNY FERNANDEZ: Going back to if-

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3 -we don't have to get owner approval to move  
4 forward with the designation, by law, it's not  
5 something that we're required to do, but certainly  
6 the Commission likes to work with owners to make  
7 sure that they are embraced in the process and  
8 well-informed and that they are on board, so that  
9 is something that we certainly strive to do. But  
10 by law we are not required to have owner approval  
11 or a consensus in order to move forward with a  
12 designation.

13 In terms of so opting out is not  
14 necessarily something that they voluntarily do, so  
15 we're going to include you in this district and  
16 now you can opt out, you know, you can imagine how  
17 many problems that may cause further down the  
18 line. If there's someone in the middle of a row  
19 that wants to opt out, you couldn't physically  
20 exclude them from a contiguous row of homes or in  
21 a particular district.

22 Do you want--

23 CHAIRPERSON LANDER: Sure, I have  
24 another question.

25 COUNCIL MEMBER WILLIAMS: Well my  
question was still, it sounded like this one was

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3 at the end and how would it affect the rest of the  
4 district if this one wasn't included.

5 JENNY FERNANDEZ: Well I mean  
6 that's certainly--we can get into a theoretical  
7 situation of--and I'm glad you brought up--if in  
8 fact the purpose of not designating is for  
9 development consideration, then further  
10 development on that site--so obviously tearing  
11 down the home would be a significant loss to the  
12 district, you know, to the proposed district  
13 because we certainly think it is meritorious and  
14 should be included on its architectural merits and  
15 its historic value there. If that home were to be  
16 torn down, then obviously it's theoretical and we  
17 don't know what would happen there, but certainly  
18 if the purpose is development, then it would then  
19 significantly affect the rest of the historic  
20 district that we are seeking to have approved.

21 [Off mic]

22 COUNCIL MEMBER WILLIAMS: Sorry, I  
23 don't know if this is legal or not legal, so  
24 someone can tell me, but is there a way--would the  
25 owners be willing to say something that they  
wouldn't sell it to someone who would build above

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3 a certain amount? Is that something that is able  
4 to be done?

5 JENNY FERNANDEZ: I'm not a lawyer,  
6 but I don't know that that can be done in terms of  
7 a limit--you know, it's all dictated by zoning and  
8 FAR and all of that, so if it is within a specific  
9 zoning area and it allows zoning, I don't know  
10 that there's any sort of covenant or restriction  
11 or anything like that you can impose on a  
12 purchaser of a lot, so...

13 CHAIRPERSON LANDER: Council Member  
14 Sanders and--

15 [Crosstalk]

16 COUNCIL MEMBER SANDERS: Yes, while  
17 we certainly can't impose, an owner can accept and  
18 put in a covenant. That was my question also to  
19 say, if we did this, what would--and you turned  
20 around and decided to just join in another eight-  
21 story building or some variation or you--then it  
22 just keeps going down the row.

23 I also wanted to encourage our  
24 friends in the Landmark Commission that this is  
25 the first meeting and it's kind of nice to start  
in a collegial fashion to say what we can do

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2 together and how we can together and not speak--  
3 I'm sure that you weren't aiming it, you were just  
4 explaining that it was within the powers. As a  
5 councilperson, I kind of take umbrage to the idea  
6 of one part of city government being able to  
7 simply impose. My own--

8 JENNY FERNANDEZ: [Interposing] Oh,  
9 I'm sorry, Council Member Sanders, what  
10 specifically were you referring to?

11 COUNCIL MEMBER SANDERS: Sure, you  
12 said it's within the power of these Landmark  
13 Commission to just make this happen basically.

14 JENNY FERNANDEZ: Oh no, no, I hope  
15 that--maybe that was misunderstood.

16 COUNCIL MEMBER SANDERS: Okay.

17 JENNY FERNANDEZ: All I was  
18 referring to is the specific question about owner  
19 approval.

20 COUNCIL MEMBER SANDERS: Oh, okay.

21 JENNY FERNANDEZ: But certainly  
22 that is why we're here today--

23 CHAIRPERSON LANDER: Yeah, okay.

24 JENNY FERNANDEZ: --the Landmarks  
25 Commission can designate but certainly the Council

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2 Members extremely important in the process and  
3 even Council Member Arroyo made a comment before,  
4 if the Council Member is not necessarily in  
5 support of something, it's difficult for us to  
6 move forward with a designation many times, but--

7 COUNCIL MEMBER SANDERS: I just  
8 needed clarification--

9 JENNY FERNANDEZ: --so that's why  
10 we're here.

11 COUNCIL MEMBER SANDERS: --and  
12 thank you for that.

13 CHAIRPERSON LANDER: So I would  
14 just like to give maybe--and I think then we'll  
15 conclude this questions, we've learned a lot. I  
16 just want to give Mr. and Mrs. Bernich an  
17 opportunity to respond to this sort of question  
18 that's been raised about if you weren't  
19 designated, it sounds like the--and you're having  
20 a hard time selling your house as it is, there's  
21 obviously some anxiety that then it would be used  
22 as a development site itself and essentially just  
23 pass the problem that you're now facing onto the  
24 next homeowner and there's also been some  
25 suggestion that if--anyway, that concern has been

2 raised and I wonder if you want to respond to it  
3 before we conclude the public hearing.

4 FERN BERNICH: The last thing that  
5 you said, to pass on that to the person next to  
6 us, we are the only home with a driveway. Two 11,  
7 which is the last home is next to a large  
8 building, I believe it's a seven-story building,  
9 so if we were to--not that this is something that  
10 we've considered--if we were to sell to a  
11 developer and they built a 16-story building  
12 there, our neighbor would not be faced with the  
13 same problem that we are faced with. They would  
14 be--

15 THOMAS BERNICH: No driveway.

16 FERN BERNICH: --there is no  
17 driveway.

18 THOMAS BERNICH: No easement.

19 FERN BERNICH: There is no easement  
20 that they would enter into, so our problem is  
21 unique to our situation.

22 We cannot sell our home right now  
23 as a simple family residence, no one wants to be  
24 burdened with this, so we face terrible financial  
25 hardship. And even the amount of time we've

2 applied ourselves to research and present this has  
3 injured our business greatly because we are the  
4 ones who are meant to run our business, not to  
5 spend all of our time doing this research. So,  
6 again, this has impacted our life.

7 CHAIRPERSON LANDER: So I  
8 appreciate that, but you're not allaying the  
9 concern that there might be this--I mean, you're  
10 saying the problem will be passed on down the line  
11 differently because there's no shared--

12 FERN BERNICH: There would be--

13 CHAIRPERSON LANDER: --driveway,  
14 but that the problem is inherent of having a  
15 three-story building next to an eight or a 16-  
16 story building might well get passed on to--

17 [Crosstalk]

18 FERN BERNICH: [Interposing] There  
19 are no side windows on the adjacent building, we  
20 have side windows on ours. And if the Council  
21 would like me to put something legally in writing  
22 saying, you know, I'm not going to turn it around  
23 and sell it to a developer, but I would have the  
24 right to change my building structurally so that  
25 my quality of life would be improved, I would be

2 more than willing to sign that.

3 CHAIRPERSON LANDER: Okay. Thank  
4 you very much for taking the time and for giving  
5 us such good detail, it's certainly an education  
6 for those of us that are new to the Commission,  
7 which I know is not your reasons for being here,  
8 but it was helpful to have you put such time into  
9 it and thank you very much.

10 THOMAS BERNICH: Thank you.

11 FERN BERNICH: Thank you for  
12 listening to us.

13 CHAIRPERSON LANDER: All right, I  
14 think those are the--is everyone who is here to  
15 testify for Ocean on the Park, so with that, we'll  
16 close the public hearing on Ocean on the Park with  
17 thanks.

18 And move on to 1780 Broadway,  
19 20105263. Also known as 1780 Broadway and the  
20 B.F. Goodrich Company building, if I'm not  
21 mistaken.

22 JENNY FERNANDEZ: Thank you, Chair  
23 Landers, members of the committee. For the  
24 record, my name is Jenny Fernandez, Director of  
25 Intergovernmental and Community Relations for the

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2 Landmarks Preservation Commission. I'm here today  
3 to testify on the Commission's designation of the  
4 B.F. Goodrich Company building in Manhattan.

5 On August 11th, 2009, the Landmarks  
6 Preservation Commission held a hearing on the  
7 proposed designation of the B.F. Goodrich Company  
8 Buildings and the proposed designation of the  
9 related landmark site. The hearing had been duly  
10 advertised in accordance with the provisions of  
11 law. Six people testified in favor of designating  
12 1780 Broadway and 225 West 57th Street, including  
13 representatives of the Historic Districts Council,  
14 the New York Landmarks Conservancy, the Municipal  
15 Art Society, and the Modern Architectural Working  
16 Group. Three representatives of the owner, as  
17 well as a representative of the American Institute  
18 of Architects New York Chapter, spoke in support  
19 of designating 1780 Broadway, but opposed the  
20 designation of 225 West 57th Street. A  
21 representative of the Real Estate Board of New  
22 York spoke against designating both properties.  
23 The Commission also received a letter that  
24 supported the designation of 1780 Broadway and  
25 opposed the designation of 225 West 57th Street

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2 from City Council Members Melinda Katz, Daniel  
3 Garodnick, Jessica Lappin, and Speaker Quinn, as  
4 well as letters in support of designating both  
5 structures from Community Board 5 Manhattan, New  
6 York State Assembly member Richard Gottfried, the  
7 Fine Arts Federation of New York, the Landmarks  
8 Preservation Council of Illinois, the Howard Van  
9 Doren Shaw Society, and several scholars. On  
10 November 10th, 2009, the Commission voted to  
11 designate 1780 a New York City individual  
12 landmark.

13 1780 Broadway was constructed in  
14 1909 as the New York headquarters of the B.F.  
15 Goodrich Company, a leading American manufacturer  
16 of automobile tires and other rubber products.  
17 Since the late 1880s the company had operated a  
18 Manhattan office and this project coincided with  
19 the company's reincorporation in New York state.  
20 Located in the section of midtown Manhattan that  
21 was known as Automobile Row during the first  
22 decades of the 20th century, Goodrich neighbors  
23 included the A.T. Demarest and Peerless Motor  
24 Companies, as well as the United States Rubber  
25 Company. Chicago architect Howard Van Doren Shaw

1  
2 was responsible for the building's distinctive  
3 design and it is one of two extant works by him in  
4 New York City. Like many of the 200 works Shaw  
5 built during his career, mostly in the midwest, it  
6 reflects his life-long interest in blending modern  
7 and traditional architectural features.

8 Clad with mostly red brick and  
9 limestone, the 12-story facade is distinguished by  
10 abstract, stylized ornament that suggests the  
11 influence of Elizabethan and Jacobean sources--I'm  
12 sorry, the English Arts and Crafts movement, and  
13 the Vienna Secession. Goodrich occupied 1780  
14 Broadway for about 18 years. A tire showroom was  
15 located on the ground floor and other floors  
16 contained offices and repair facilities. In  
17 addition, some space was leased to related firms  
18 in the booming automobile industry.

19 Following the sale of the building  
20 in 1928, the number of automobile-related tenants  
21 began to decline. Although the ground floor was  
22 substantially altered by the early 1950s, the  
23 upper stories retain most of their original  
24 materials and ornament.

25 The Commission urges you to affirm

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2 this designation.

3 CHAIRPERSON LANDER: Thanks very  
4 much, we do have some folks to testify on this  
5 matter, but before I seek questions from my  
6 colleagues, I do just want to point out that our  
7 jurisdiction relates solely to what you are  
8 bringing and proposing to us, 1780 Broadway and--

9 JENNY FERNANDEZ: Right.

10 CHAIRPERSON LANDER: --therefore,  
11 not to the one which was originally initiated, but  
12 not included in your recommendation today. So  
13 even if we're interested in it, it's not germane  
14 to our hearing.

15 JENNY FERNANDEZ: That's correct.

16 CHAIRPERSON LANDER: Okay, are  
17 there any questions from Council Members? Okay,  
18 we have two people to testify, one in favor, and  
19 one opposed. First, William Higgins from Extell.

20 [Long pause]

21 [Off mic]

22 WILLIAM HIGGINS: Is the microphone  
23 on?

24 CHAIRPERSON LANDER: Yes.

25 WILLIAM HIGGINS: Thank you very

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2 much, Councilman. My name is William Higgins, I'm  
3 with Higgins Quasebarth, we are the Landmarks  
4 consultants to Extell, the owners of 1780  
5 Broadway. And I'd like to say briefly that Extell  
6 very strongly supports the Commission's decision  
7 to designate 1780 Broadway. The significance of  
8 1780 Broadway has to do with both historical and  
9 secondarily architectural issues.

10 Historically, 1780 as the  
11 Commission's designation report recognizes, is  
12 very significant as the headquarters of the B.F.  
13 Goodrich Company, which was a significant  
14 corporation in the evolution of the automobile  
15 industry in the United States and in New York.  
16 The building also is significant from the point of  
17 view of automobile history because of its location  
18 and its prominence on Broadway, which was  
19 historically New York City's Auto Row. So we  
20 believe and Extell believes that the Commission is  
21 absolutely correct in designating 1780 Broadway  
22 and we very strongly support that.

23 I'm like to just conclude by saying  
24 the designation of 1780 Broadway as an individual  
25 landmark would fully and appropriately recognize

1  
2 the importance of B.F. Goodrich, its relationship  
3 to Automobile Row and the work of the building's  
4 architect, Howard Van Doren Shaw with its Chicago  
5 school Viennese secessionist and other eclectic  
6 influences. Although I know that this is not, as  
7 the Chairman has mentioned, this is not what's  
8 before the committee, we believe that leaving 225  
9 West 57th Street undesignated would in no  
10 significant way diminish the appropriate  
11 recognition of all of these attributes as  
12 recognized in the designation of 1780.

13 And further, the designation of  
14 1780 would make possible a highly significant  
15 multi-dimensional development and preservation  
16 project which would preserve and restore 1780  
17 Broadway, benefit many already designated  
18 landmarks through an air-rights transfer process,  
19 and allow the design and construction of a major  
20 new building by a significant international  
21 architect at a critical moment in New York's  
22 evolution as a historic city.

23 So thank you for allowing us to  
24 testify and we strongly urge that the City Council  
25 affirm the Landmarks Commission's designation of

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2 1780 Broadway. Thank you.

3 CHAIRPERSON LANDER: Thank you.

4 Are there any questions? Thanks very much. Next  
5 up, we have Simeon Bankoff and, Simeon, we'll be  
6 glad to listen to why we should today be  
7 designated 225 West 57th, but we'll ask you to  
8 appreciate our inability to do so.

9 SIMEON BANKOFF: Good afternoon,  
10 Council Members. I'm Simeon Bankoff, Historic  
11 Districts Council. I found myself in a very  
12 unusual situation--actually protesting the  
13 designation of 1780 Broadway.

14 I'm protesting this because,  
15 frankly, this is half a building. The fact is  
16 that the building which was originally considered  
17 has been halved by the Landmarks Commission due,  
18 in large part, to political dealings through  
19 pressure from both the building's owners and,  
20 unfortunately, pressure from the City Council,  
21 which I feel that, while it is entirely  
22 appropriate to be weighed in, for the City Council  
23 to weigh in at the Landmarks Commission, as  
24 Commissioner Tierney spoke in his own statement  
25 about why they were not doing a complete

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2 designation, but instead doing a partial  
3 designation, he felt that at the time it was not  
4 politically feasible. I do not think that is an  
5 appropriate thing for a city agency to have to  
6 feel, I feel that that should have been done here  
7 at the Council when we were discussing it. And  
8 therefore, I think that if the members of the  
9 Council had decided that a certain part of the  
10 building should not have been designated, I still  
11 feel that the entire building was meritorious and  
12 that that decision should be made now. However,  
13 as the case may be, I feel this really impinges on  
14 the integrity of the landmarks designation  
15 process, so the Historic Districts Council would  
16 respectfully prefer that the building not be  
17 designated at all.

18 CHAIRPERSON LANDER: Council Member  
19 Arroyo.

20 COUNCIL MEMBER ARROYO: I'm glad  
21 that you think it's appropriate for us to weigh in  
22 on a discussion about landmarking, it really sets  
23 my day in the right direction.

24 I'm not sure that I disagree with  
25 you, but I think your comment about whether it's

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2 appropriate for us to weigh in on this or not, I  
3 think was just a little bit over the top.

4 SIMEON BANKOFF: If I may,  
5 actually, it was more of a question of where in  
6 the process. I felt that at the time, when  
7 Speaker Quinn, Councilwoman Katz, Council Member  
8 Garodnick, Council Member Lappin, all of whom I  
9 have great respect for and have worked with and  
10 hope to work with in the future, when they weighed  
11 in, I felt that that created a situation which the  
12 Landmarks Commissioner, in his own testimony said  
13 influenced him greatly, I think making--and, you  
14 know, that might not been their point, but they  
15 felt he was not making a choice at that point  
16 based on the significance of the building, that is  
17 my point.

18 CHAIRPERSON LANDER: Council Member  
19 Sanders.

20 COUNCIL MEMBER SANDERS: Being new  
21 to this Subcommittee, what were the reasons given  
22 why this project was halved as you have stated?

23 SIMEON BANKOFF: Well there was a  
24 letter that was--well the reasons by the Landmarks  
25 Commission or the reasons by--there were a couple

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2 of--

3 [Crosstalk]

4 COUNCIL MEMBER SANDERS: Both.

5 SIMEON BANKOFF: --against it. The  
6 Landmarks Commission, as my memory serves, and I  
7 was actually not ready for this hearing today, I  
8 should have been more prepared, I didn't look at  
9 the calendar on the website on Friday, otherwise  
10 I'd have all my papers with me. The Landmarks  
11 Commission, the Commissioner Tierney said at the  
12 time, his statement talked about the political  
13 opposition and talked about the economic benefits  
14 of the new development and we'd have to go back to  
15 my papers to see what the other Landmarks  
16 Commissioners had made a decision about doing  
17 that. I do know that there was an article in the  
18 New York Times shortly thereafter where Council  
19 Member--sorry, Commissioner Christopher Moore  
20 spoke that he felt that it was the political  
21 opposition to it that really forced his vote.

22 COUNCIL MEMBER SANDERS: Mr. Chair,  
23 may I have Ms. Fernandez answer that same  
24 question?

25 CHAIRPERSON LANDER: Sure.

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2 COUNCIL MEMBER SANDERS: Thank you.

3 JENNY FERNANDEZ: Thank you,

4 Council Member Sanders. There were several  
5 reasons for having the project, as we've kind of  
6 stated here. And certainly Chair Tierney did  
7 allude to the Council Members' position at the  
8 public hearing for this building or for these  
9 buildings, but it was more conversions of things  
10 that happened, partly it was the opposition and  
11 partly it was also on its architectural merits.  
12 They felt that particular building, 225 East 57th  
13 Street, had never been occupied by the B.F.  
14 Goodrich Tire Company and, yes, it was built at  
15 the same time and certainly shared a lot of its  
16 structural and architectural detailing, but the  
17 research staff had determined that it was a more  
18 subservient building to the main building that was  
19 occupied by B.F. Goodrich and then, because of  
20 that history, that did impact on their decision.  
21 So in weighing in, they did feel that 1780  
22 Broadway was the more significant building and by  
23 preserving that building, we'd be preserving the  
24 history of B.F. Goodrich and occupying this  
25 particular building and it also fronted what was

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2 actually Automobile Row, and so by designating  
3 that building and not designating the secondary  
4 building or the second building on that lot, the  
5 Commission felt they were still preserving it and,  
6 at the same time, wouldn't be facing the  
7 possibility of not having any of them designated  
8 if the Council opposed the designation of both.  
9 So that was part of the--

10 COUNCIL MEMBER SANDERS:

11 [Interposing] Thank you, a very persuasive  
12 argument.

13 SIMEON BANKOFF: If I may just  
14 include, the 225 West 57th Street shared the  
15 elevator and the heating system with the building  
16 on Broadway, it was part of the same building. In  
17 addition, 225 West 57th Street also was identified  
18 by two Gs on the front as being a B.F. Goodrich  
19 Company building. So there was a fire in the  
20 1940s that destroyed the elevator and then they  
21 modified them to be separate buildings, but they  
22 were built as the same building.

23 CHAIRPERSON LANDER: Council Member  
24 Williams.

25 COUNCIL MEMBER WILLIAMS: Well I

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2 have two questions, but sort on that, I was  
3 confused when you first said halved, so is it half  
4 of a physical structure or is it two buildings or  
5 is that where all the debate is?

6 SIMEON BANKOFF: The buildings were  
7 heard as the B.F. Goodrich Company buildings,  
8 there is one frontage on 1780 Broadway which is a  
9 12-story? Sixteenths?

10 JENNY FERNANDEZ: I think it's a  
11 16--

12 [Crosstalk]

13 SIMEON BANKOFF: Sixteen story and  
14 then there is another frontage at 225 West 57th  
15 Street which is an eight-story building. It's a  
16 weird T-shaped lot and so they were designed with  
17 different façade treatments and they did have  
18 different usages. So when I say halved, I regard  
19 the buildings as being developed as part of the  
20 same complex and being part of the same history  
21 with the same architect and, except for an  
22 accident in building filings, they would have had  
23 the same building permit. One had an NB number  
24 that was three months later than the other.

25 COUNCIL MEMBER WILLIAMS: But it's

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2 two physical structures.

3 SIMEON BANKOFF: They are two  
4 physical structures that were connected until the  
5 1940s, when a fire disconnected them.

6 COUNCIL MEMBER WILLIAMS: The last  
7 of the questions, I was very interested if anyone  
8 knew why Rebny [phonetic] was against the--

9 [Crosstalk]

10 SIMEON BANKOFF: [Interposing]  
11 Rebny doesn't like landmarking.

12 COUNCIL MEMBER WILLIAMS: Just in  
13 general.

14 JENNY FERNANDEZ: Not at all, yeah.

15 COUNCIL MEMBER WILLIAMS: They had  
16 no--

17 [Crosstalk]

18 SIMEON BANKOFF: [Interposing]  
19 Sorry, that's a gimme.

20 CHAIRPERSON LANDER: Council Member  
21 Arroyo?

22 COUNCIL MEMBER ARROYO: And, Ms.  
23 Fernandez, just for clarity because I'm a little  
24 bit confused, the Commission received  
25 correspondence in support of 1780 and opposing 225

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2 from Council Member Katz, Garodnick, Lappin, and  
3 Council Member Quinn.

4 JENNY FERNANDEZ: That is correct.

5 COUNCIL MEMBER ARROYO: Okay.

6 Thank you.

7 [Off mic]

8 MALE VOICE: --in support of the  
9 [off mic].

10 CHAIRPERSON LANDER: So, Simeon,  
11 for those of us that were not part of the Council  
12 when that letter was written, you would really  
13 rather us not designate the entire site than  
14 designate what you see as half the building.

15 SIMEON BANKOFF: Yeah, because I do  
16 feel that this is--it's designating half a  
17 building and that's not an appropriate kind of  
18 thing. Two 25 is going to be demolished as part  
19 of this development site, it is what it is. But I  
20 feel that sort of making one a landmark  
21 misrepresents the history of the site.

22 CHAIRPERSON LANDER: Thank you both  
23 very much. I think that's all the public comment  
24 we have on 1780 Broadway, so unless we hear any  
25 others... Hearing none, we'll close the public

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2 hearing, thank you very much.

3 [Off mic]

4 CHAIRPERSON LANDER: This is some  
5 hazing here, huh? I didn't know there was going  
6 to be hazing in my first year. All right, we're  
7 moving on, I think we're now--yes, hopefully we  
8 can close to the end here. All right, we've got  
9 147 Eighth Avenue, AKA--oh, sorry, then let's do  
10 145 first, I apologize, so right, 145 Eighth  
11 Avenue, 20105265.

12 JENNY FERNANDEZ: Thank you, Chair  
13 Landers, committee members. For the record, my  
14 name is Jenny Fernandez, Director of  
15 Intergovernmental and Community Relations for the  
16 Landmarks Preservation Commission. I'm here today  
17 to testify on the Commission's designation of 145  
18 Eighth Avenue House in Manhattan.

19 On June 23rd, 2009, the Landmarks  
20 Preservation Commission held a public hearing on  
21 the proposed designation of the 145 Eighth Avenue  
22 House. The hearing was duly advertised according  
23 to provisions of law. The two co-owners of the  
24 building opposed the designation. Three witnesses  
25 spoke in favor of designation, including

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2 representatives of the Historic Districts Council-  
3 -excuse me--the Society for the Architecture of  
4 the City, and Community Board 4. On November  
5 17th, 2009, the Commission voted to designate the  
6 building a New York City individual landmark.

7 The modest row house at 145 Eighth  
8 Avenue is one of a pair of highly intact 3 1/2  
9 story Federal-style houses constructed in 1827 for  
10 owner Aaron Dexter, a dry goods merchant, who  
11 retained ownership of the property until 1846. At  
12 the time of its completion, 145 Eighth Avenue was  
13 situated between Greenwich Village and Chelsea.  
14 Number 145 Eighth Avenue has continuously housed  
15 both residential tenants and businesses,  
16 reflecting the evolving commercial character of  
17 Eighth Avenue. Over the course of centuries, the  
18 original storefront configuration of the ground  
19 floor has had several alterations, most notably  
20 the historic 1940 arcaded shop front.

21 This row house, in concert with its  
22 neighbor at 147 Eighth Avenue, is intact above its  
23 storefront and exhibits all of the attributes of  
24 Federal-style houses of the era. The building has  
25 a steeply pitched roof with double dormer windows,

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3 shares a party wall and central chimney with its  
4 neighbor, and a façade clad in Flemish bond  
5 brickwork.

6 The windows on the second and third  
7 floors have flat stone lintels and sills. Number  
8 145, together with 147 Eighth Avenue, is among the  
9 rare extant significantly intact Federal-style  
10 houses with a commercial ground floor that have  
11 survived north of 14th Street.

12 The Commission urges you to affirm  
13 this designation.

14 CHAIRPERSON LANDER: If I'm buying  
15 lunch or drinks for anyone, I think it's Ms.  
16 Fernandez really. But Council Member Arroyo.

17 COUNCIL MEMBER ARROYO: So we're  
18 considering 147 as well today?

19 JENNY FERNANDEZ: Yes, that is  
20 correct.

21 [Crosstalk]

22 COUNCIL MEMBER ARROYO: Because  
23 that was going to be my question, why one and not  
24 the other.

25 CHAIRPERSON LANDER: They're  
separate applications--

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2 COUNCIL MEMBER ARROYO: Okay.

3 CHAIRPERSON LANDER: --but we're  
4 going to consider it--

5 COUNCIL MEMBER ARROYO: All right.  
6 And then we're--

7 CHAIRPERSON LANDER: --momentarily.

8 COUNCIL MEMBER ARROYO: Thank you.

9 CHAIRPERSON LANDER: And we do have  
10 one person testifying on 140--oh no, 145 [pause].  
11 Some--

12 [Off mic]

13 CHAIRPERSON LANDER: Of 147, but  
14 why don't we do 147 and then--do you want to  
15 testify separately on each of them?

16 EDWARD KIRKLAND: No, no [off mic].

17 [Pause]

18 [Off mic]

19 CHAIRPERSON LANDER: Okay. I'm  
20 sorry, we're going to wait, go ahead, let's let  
21 her read 147 and then we'll have your testimony  
22 after we've heard both of them. Thank you.

23 JENNY FERNANDEZ: Mr. Kirkland is  
24 correct, they have been calendared, heard, and  
25 designated together the whole entire time, but

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2 they're two individual lock and lots and  
3 individual buildings.

4 So now for the record, my name is  
5 Jenny Fernandez, Director of Intergovernmental and  
6 Community Relations for the Landmarks Preservation  
7 Commission. I'm here today to testify on the  
8 Commission's designation of 147 Eighth Avenue  
9 House in Manhattan.

10 On June 23rd, 2009, the Landmarks  
11 Preservation Commission held a public hearing on  
12 the proposed designation of the 147 Eighth Avenue  
13 House. The hearing was duly advertised according  
14 to provisions of law. Three witnesses spoke in  
15 favor of designation, including representatives of  
16 the Historic Districts Council, the Society for  
17 the Architecture of the City, and Community Board  
18 4. On November 17th, 2009, the Commission voted  
19 to designate the building a New York City  
20 individual landmark.

21 Number 147 Eighth Avenue is one of  
22 a pair of highly intact 3 1/2 story Federal-style  
23 houses constructed in 1827 to 1828. It is a rare  
24 survivor from the earliest period of development  
25 in the area that is now part of Chelsea. 147

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2 Eighth Avenue has continuously housed both  
3 residential and tenants and businesses, reflecting  
4 the evolving commercial character of Eighth  
5 Avenue. The building was constructed in 1828 for  
6 Stephen Weeks, who owned the property for a short  
7 time. He continued to conduct business at this  
8 location well into the 1840s.

9 Over the course of the centuries,  
10 the original storefront configuration of the  
11 ground floor has had several alterations; however,  
12 this row house, like its neighbor at 145 Eighth  
13 Avenue, is intact above its storefront and  
14 exhibits the attributes of the Federal-style  
15 houses of the era. This row house has a steeply  
16 pitched roof, with double dormer windows. The  
17 building shares a party wall and central chimney  
18 with its neighbor, and a façade clad in Flemish  
19 bond brickwork. The windows on the second and  
20 third floors have flat stone lintels and sills.  
21 147 Eighth Avenue and the neighboring 145 Eighth  
22 Avenue are among the rare extant significantly  
23 intact Federal-style houses with a commercial  
24 ground floor that have survived north of 14th  
25 Street.

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2 CHAIRPERSON LANDER: Thank you very  
3 much. Any questions? All right, now we'll call  
4 up the public testimony, the first from Edward  
5 Kirkland with Community Board 4.

6 EDWARD KIRKLAND: I'm going to read  
7 it, then I'll give it to you.

8 [Off mic]

9 EDWARD KIRKLAND: My name is Edward  
10 Kirkland, I'm the co-chair of the Landmarks  
11 Committee of Community Board 4 and we wish to  
12 reconfirm the support for designation of a  
13 striking pair of houses in the west side of Eighth  
14 Avenue that is expressed before on at least one  
15 occasion. As a matter of fact, it was we that  
16 originally called these buildings to the attention  
17 of the Landmark Commission because all the studies  
18 of federal houses had been south of 14th Street,  
19 no one seemed to realize that there were  
20 significant houses north of 14th Street. They're  
21 remarkable houses, I will not repeat their  
22 description, I would just point out that the rare  
23 central chimney on the party wall is a very rare  
24 thing because they are two buildings, but they're  
25 [off mic] completely mirror images of each other,

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2 they had entrances on the far side and then they  
3 had storefronts, which are now gone, but  
4 everything except these storefronts are there and  
5 they did share a chimney and, therefore, the  
6 fireplaces must have been on both sides of the  
7 same chimney. It is an extraordinary feature.  
8 And the status of these buildings is excellent,  
9 much better than of some Federal houses that have  
10 recently been designated, even if the original  
11 ground floor has been lost and the fact that they  
12 are among the rare Federal houses that actually  
13 did have stores, most those that have been already  
14 designated did not only later and here as Eighth  
15 Avenue grew for commercial reasons was did this  
16 one occur and it is very rare in the city.

17 We need not remind the committee of  
18 the importance both intrinsic and symbolic of  
19 Federal houses in the New York City, which was the  
20 first capital of the federal republic established  
21 under the constitution. Many of these houses have  
22 been defaced or utterly lost and the face of these  
23 losses has been considerably increased by recent  
24 development pressure, they are disappearing every  
25 day in Manhattan, there are very few outside

2 Manhattan. These pressures have been so strong in  
3 Chelsea that, even under the protective zoning  
4 established under the Chelsea 197A plan, similar  
5 if less intact Federal buildings on Eighth Avenue  
6 near these houses have been demolished to provide  
7 sites for buildings only slightly larger than  
8 those they replaced. In fact, as far as we can  
9 determine, there are at least four Federal houses  
10 on this block and very likely more, these are the  
11 only two to survive. These losses have diminished  
12 the character of this main street of Chelsea and  
13 the loss of this fine largely intact pair will be  
14 disastrous for the character of the avenue and the  
15 community because it is our main street and it is  
16 changing rapidly. And these two buildings, which  
17 are extraordinary, are threatened in the long run  
18 because they are only three stories and that they  
19 should be and we believe that it is appropriate to  
20 designate them.

21 CHAIRPERSON LANDER: Thank you very  
22 much, Mr. Kirkland. Any questions? All right,  
23 then I'll call up Kalliopi Hadjigeorgis.

24 KALLIOPI HADJIGEORGIS: Yes.

25 [Pause] My name is Kalliopi Hadjigeorgis, I

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2 reside at 147 Eighth Avenue and I'm the landlord  
3 of that property there.

4 I don't want to come across and the  
5 most of us, the landlords, like the monsters that  
6 wouldn't want to preserve our city and anything  
7 and everything that is beautiful. My building is  
8 in that condition that gentleman spoke to you  
9 because I invested so much money and I made sure  
10 when I bought it in the early 90s when Eighth  
11 Avenue had the pimps and prostitutes in front and  
12 drug dealers and it was falling apart. If you  
13 have left it--I will have left a few years, it  
14 will have fallen apart. That is in [off mic]  
15 today the way it is is because of the investment I  
16 made all these years in that property there. It's  
17 not like I want to build a big building, I had  
18 numerous opportunities to do that.

19 The same thing goes for 145 Eighth  
20 Avenue. Robert and Lar, the two owners there,  
21 they sell vintage posters, they're wonderful  
22 people and they're wonderful--they respect  
23 history, we both do. But we're faced with some  
24 issues and that's the reason I'm here, to explain  
25 them to you as a human being, not like this short

1 [phonetic] landlord, that's all I own actually  
2 that is here to destroy. Maybe that's the case,  
3 I'm sure there are examples in the city that these  
4 things happen, I don't have extra money, I don't  
5 have political influence. I'm a single person, a  
6 single mother that I came to put my heart to you.

7  
8 By my building become a landmark  
9 building, not that I have any intention to change  
10 anything, but the value is the meanest to the half  
11 of it. The first floor of the business, it's  
12 empty already and since June that my building was  
13 designated, June it was the month that my tenant  
14 left due to the financial hardships. So I have  
15 very hard time renting it because nobody wants to  
16 come in a situation to have to face a board, how  
17 they're going to do their front and how they're  
18 going to operate. So since June my building is  
19 empty and I have a huge mortgage every month to  
20 pay and I'm facing a lot of economical  
21 difficulties.

22 The other thing that happened July  
23 1st to me is my taxes, my real estate taxes  
24 escalated 5 or \$6,000 more, and I hired a real  
25 estate lawyer to go and fight them and the court

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2 there, that presented the case, did not want to  
3 hear anything. So I have these thoughts, I don't  
4 want to put them, not even as a proposals, I  
5 respect both sides. I respect the historical side  
6 and the landmarks society, and I'm one of their  
7 biggest fans, but you have to understand our  
8 situation, a small middle-class people that they  
9 are facing a lot of problems these days.

10 I will suggest--and this is where  
11 it comes down to--I will suggest for us that we're  
12 going to be designated that we'll not have to pay  
13 real estate taxes. Make life easier for us since  
14 our value has been diminished.

15 I will like to ask the board here,  
16 the landmark board, to be able to have the tenant  
17 to have a little bit more flexibility to do on the  
18 store since the storefront resembles nothing like  
19 it used to be 100 years ago. So to be able to do  
20 whatever they want to do so I will have the  
21 ability to be able to rent that space.

22 I will like extra tax breaks from  
23 the income because the income that I'm on track  
24 now, it will not be the same if it was like a free  
25 building to do whatever I wanted to do.

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2 Also I will ask funding from the  
3 city because I do a lot of preservation outside of  
4 the building, nothing inside, and since the city  
5 wants to designate it as a landmark which I have  
6 to hire a special people and pay special money and  
7 do special things and the windows and this and  
8 that to be able to be fund up to a percentage from  
9 the city when I do this preservations.

10 And I don't know if it's a little  
11 bit stretch or something, I have seen that  
12 happening on First Avenue, I saw a building that  
13 they kept the outside, they went a few floors up,  
14 but they kept the skeleton and the outside of the  
15 building--this is on First Avenue and somewhere in  
16 the 50s--and they did a terrific job about it. So  
17 I'm putting that to you as a consideration.

18 For me, this building was my  
19 retirement ticket, if it's going to be a landmark,  
20 that will not be the case anymore. I'm not a big  
21 landlord, the people next to me, they're not big  
22 landlords, we are middle-class, very hard working  
23 people that at one point we took the huge risk to  
24 go to Chelsea, that Chelsea was a very chaotic  
25 situation and buy that property there and believe

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2 that--I always believed that when I was a student  
3 I used to hang out around village and La Mama  
4 Theatre and this and that, you know, I am one of  
5 you, so--

6 CHAIRPERSON LANDER: Thank you,  
7 thank you.

8 KALLIOPI HADJIGEORGIS: --that's  
9 all. I put my--okay, put my heart down--

10 [Crosstalk]

11 CHAIRPERSON LANDER: And there's a  
12 couple of questions for you so--

13 KALLIOPI HADJIGEORGIS: Absolutely,  
14 absolutely.

15 CHAIRPERSON LANDER: --I think  
16 Council Member Sanders and then Arroyo and then  
17 Williams.

18 COUNCIL MEMBER SANDERS: I just  
19 want to affirm my personal bias in favor of those  
20 who don't have political connections--

21 KALLIOPI HADJIGEORGIS: Thank you.

22 COUNCIL MEMBER SANDERS: --who  
23 don't have deep pockets and--

24 KALLIOPI HADJIGEORGIS: Thank you.

25 COUNCIL MEMBER SANDERS: --hopeless

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2 connections. I must admit, I have an automatic  
3 bias in favor of--

4 KALLIOPI HADJIGEORGIS: Thank you  
5 very much.

6 COUNCIL MEMBER SANDERS: --such a  
7 type.

8 KALLIOPI HADJIGEORGIS: Thank you.

9 COUNCIL MEMBER SANDERS: I do have  
10 a question for you, Ms. Fernandez, and my question  
11 is, are there any provisions in the city, the  
12 Landmark Commission, or any other place that a  
13 middle-class to moderate income owner can use to  
14 retrofit or rehab their building?

15 JENNY FERNANDEZ: That's an  
16 excellent question, thanks for asking it because I  
17 certainly wanted to allude to that. The Landmarks  
18 Commission has a grants program, we run a  
19 landmarks grants program that it's an income  
20 eligibility based program where if an owner wants  
21 to do restorative work or correct something that  
22 was done, you know, basically it all falls into  
23 the category of restorative work and they qualify  
24 in terms of their income, the Commission will  
25 grant them--and this is federally funded, it comes

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2 to us through OMB, and we will give grants up to  
3 \$20,000, depending on the work, and we bid that  
4 out to contractors that have experience working  
5 with Landmarks. And once a homeowner is approved  
6 for something like that, we go on site, we  
7 evaluate what needs to be done to the building, we  
8 bid this out, whoever wins the bid, and then we  
9 can have, and they can have work done on their  
10 building. And some of it is matching, so if it's  
11 a huge project and the owner has funds and they  
12 want to put that towards it, we can match some of  
13 that in order to facilitate them doing some of  
14 this work.

15 COUNCIL MEMBER SANDERS: Are the  
16 grants one time only or can a person get more than  
17 one and have we done any studies to see if a  
18 landmark status does depreciate the value of the  
19 building for the owner?

20 JENNY FERNANDEZ: Actually it's the  
21 opposite.

22 COUNCIL MEMBER SANDERS: Okay.

23 JENNY FERNANDEZ: There's been some  
24 empirical evidence just looking at trends in  
25 appreciation values, specifically in historic

2 districts, I can't speak too much on individuals,  
3 so I don't have any anecdotal information for  
4 that, but certainly for historic districts, it's  
5 been seen, there's been a trend that over years,  
6 over time, it's something that takes some time,  
7 the value of homes within a historic district are  
8 significantly higher than those homes that are of  
9 the same typology or are basically the same exact  
10 thing right outside of the district.

11 COUNCIL MEMBER SANDERS: If you  
12 could get the Chair that information, that would  
13 be useful--

14 JENNY FERNANDEZ: Oh sure.

15 COUNCIL MEMBER SANDERS: --and the  
16 question was the grant, can you get more than one?

17 JENNY FERNANDEZ: Oh, I'm sorry.  
18 Yes, we've had situations where a homeowner or a  
19 building owner wants to do several different types  
20 of projects to a building. So for example, we can  
21 talk about Brooklyn, they want to restore a stoop  
22 that was removed many years ago and at the same  
23 time, the building needs significant repointing,  
24 so we could either try--because we do have some  
25 limits, some caps as to the amount of grants that

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2 can be given at once, so if all that work falls  
3 within that amount, we'll max it out. If it  
4 doesn't, if there's more work to be done, then  
5 they can in the second cycle reapply for grants  
6 because the purpose of that is to restore these  
7 buildings and help those who can't really afford  
8 to do that sort of work to their building.

9 CHAIRPERSON LANDER: Thank you. Go  
10 ahead.

11 KALLIOPI HADJIGEORGIS: Yes,  
12 Jennifer mentioned that the value of a building is  
13 going up. It is for some, only residential  
14 properties. My property in 145, Robert's property  
15 next door falls to the commercial residential and  
16 this is where the big conflict comes. That I  
17 cannot attract tenants, my place is empty, and  
18 Robert next door, he operates his own business. I  
19 really have very hard time. I'm not planning to  
20 build a big building there, I'm not planning to...I  
21 really have very hard time paying my mortgage  
22 every month. Actually, last month I went to NACA  
23 [phonetic] which is a non-profit organization to  
24 help modify my mortgage. What else can I tell  
25 you?

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2 CHAIRPERSON LANDER: Council Member  
3 Williams.

4 COUNCIL MEMBER WILLIAMS: I have a  
5 few questions, but one, so with that grant, does  
6 that cover a owner approaching? I noticed that  
7 they [off mic] the architects and stuff like that,  
8 does that cover soup to nuts what would be needed--  
9 -

10 JENNY FERNANDEZ: Yes.

11 COUNCIL MEMBER WILLIAMS: --to  
12 begin getting the work done?

13 JENNY FERNANDEZ: Yes.

14 COUNCIL MEMBER WILLIAMS: And then  
15 I mean I was interested in actually what you said  
16 about tax exemptions for people who have [off  
17 mic], I'm going to see if any could look--I never  
18 heard of it--

19 KALLIOPI HADJIGEORGIS: Yes.

20 COUNCIL MEMBER WILLIAMS: --but I  
21 don't know if that's even possible. Say again?

22 KALLIOPI HADJIGEORGIS: Our taxes  
23 are going up--

24 COUNCIL MEMBER WILLIAMS: I know,  
25 but--

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2 KALLIOPI HADJIGEORGIS: --and I pay  
3 taxes as high as the building across the street  
4 which is like 10 floors, I don't know, 12 floors,  
5 right across me, and we pay exactly the same  
6 taxes.

7 COUNCIL MEMBER WILLIAMS: So it  
8 could be conceivable that it would not cost an  
9 owner money if they fit within the income  
10 guidelines to make changes?

11 JENNY FERNANDEZ: The Commission  
12 does not compel owners to make changes to their  
13 buildings, even if there's been inappropriate  
14 alterations over time and we would like to see  
15 restorations for a building, designation does not  
16 automatically mean now you have to do this work.  
17 So whatever the condition of the building is at  
18 time of designation, that is the grandfathered  
19 condition and we never obligate an owner to do  
20 work.

21 Now if that owner wishes to do  
22 work, but certainly--

23 COUNCIL MEMBER WILLIAMS: Or needs  
24 to.

25 JENNY FERNANDEZ: --or needs to do

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2 work, correct, and has some financial difficulties  
3 with that, that is what the grants program is for  
4 and they can certainly apply to us to do that and  
5 as long as they meet those income eligibility  
6 guidelines, we're able to confer those grants to  
7 them.

8 COUNCIL MEMBER WILLIAMS: And the  
9 last one was, I'm trying to figure out exactly  
10 what your concern is. Is it that you will not be  
11 able to make repairs? Where is the financial  
12 constraint you think would be--

13 KALLIOPI HADJIGEORGIS:  
14 [Interposing] Councilman, I'm not here to oppose  
15 something like this--

16 COUNCIL MEMBER WILLIAMS: That's  
17 right, but--

18 KALLIOPI HADJIGEORGIS: --I find it  
19 reasonably--something that our city needs. I'm  
20 here to speak like the average person. I am put  
21 in a situation that tenants do not want to come to  
22 my place, I have an empty store downstairs--

23 COUNCIL MEMBER WILLIAMS:  
24 [Interposing] Is that because of the landmarks?  
25 I'm confused--

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2 KALLIOPI HADJIGEORGIS: Yes, yes.

3 COUNCIL MEMBER WILLIAMS: Why?

4 KALLIOPI HADJIGEORGIS: Because  
5 right now there is a lot of availability in the  
6 city and they don't want to deal with the  
7 Commission to restrict them, how they're going to  
8 do their front.

9 [Off mic]

10 FEMALE VOICE: Yeah, the tenants  
11 have to--

12 [Crosstalk]

13 KALLIOPI HADJIGEORGIS: And I will  
14 understand if their front was like it was 100  
15 years ago. My front and the way it was done 20  
16 years ago, it's a piece of glass there, actually  
17 it's an ugly piece of glass, and a tenant that  
18 comes there, it's commercial tenant that comes  
19 over there, wants to do their own thing and  
20 they're being restricted. And why to come to me  
21 if they can go two doors down and find a store  
22 that is not restricted in any shape or form, they  
23 will not have to spend extra money to deal with  
24 lawyers and architects and this and that and do  
25 their own thing. I'm speaking like the average

2 person. One thing that the city can do is relieve  
3 us from the real estate taxes.

4 COUNCIL MEMBER WILLIAMS: All  
5 right.

6 KALLIOPI HADJIGEORGIS: That's  
7 crazy, the money we pay every year, the store is  
8 open, I live on the second floor and the other  
9 floor, I have only one tenant.

10 COUNCIL MEMBER WILLIAMS: So grants  
11 program, can it help the tenants somehow with this  
12 particular predicament or does she have to--

13 JENNY FERNANDEZ: [Interposing] In  
14 her particular case, she would need to apply or  
15 speak to our director of Grants and Outreach and  
16 he'd be able to get some initial information from  
17 her and determine on a very basic level if she  
18 would be eligible and then can proceed from there.

19 I do want to answer a couple of the  
20 concerns that she had. In terms of storefront  
21 changes, specifically in a building like this  
22 where there is no historic storefront, the  
23 Commission certainly wouldn't prevent them from  
24 making changes to the storefront. All it is is we  
25 need to make sure that whatever is being put in

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2 there is appropriate to that building. So if they  
3 want to reconfigure it, if they want to move the  
4 entrance, if they want to use different materials,  
5 etc., etc., that--

6 COUNCIL MEMBER WILLIAMS: [Off mic]  
7 extra cost to her?

8 JENNY FERNANDEZ: I don't think it  
9 would be an extra cost to the owner because it's  
10 the tenant that needs to do that, but they would  
11 need to do that anywhere, any building where you  
12 move in at the commercial level to rent out space,  
13 it is incumbent on the tenant to make their  
14 storefront changes and at the same time, those  
15 sorts of changes require Department of Buildings  
16 permits anyway, so it's not that we are now this  
17 whole new regulatory body intruding on this  
18 situation.

19 [Off mic]

20 JENNY FERNANDEZ: No, well the only  
21 thing that I would--it's an extra level, it's an  
22 extra step, so as well as, once it's landmarked,  
23 they would have to--if a store owner wants to  
24 change the configuration of a storefront, they  
25 would still have to hire someone to draw up the

2 plans and all of that other stuff that we would  
3 require. We don't require anything additional  
4 from what DOB requires. When DOB receives these  
5 applications and it's a landmark building, they  
6 send them to us, they say--yes, you had a  
7 question?

8 CHAIRPERSON LANDER: What's the  
9 standard in between--so you said you're not going  
10 to require them to restore the storefront to its,  
11 you know--on the other hand, assuming they want to  
12 just put up a fairly straightforward glass  
13 storefront that was not necessarily in line with  
14 Federal architecture at the time, what's the  
15 standard that the Commission uses to judge the  
16 appropriateness of a, in this case, a use that  
17 wasn't in the building at the time of its--

18 JENNY FERNANDEZ: [Interposing]  
19 That's actually--

20 CHAIRPERSON LANDER: --  
21 construction.

22 JENNY FERNANDEZ: --that's actually  
23 a very good point. If it's something that wasn't  
24 original to the building, so if it didn't  
25 originally have a commercial, there's nothing to

1 recall, there is no--excuse me--there is no  
2 historic storefront to recall. There are cases  
3 where when changes are being made to some of these  
4 buildings, the Commission will look at original  
5 drawings, what did the building look like, and  
6 certainly not compel an owner to bring it back to  
7 that because that would be a significant burden,  
8 but many times we'll ask to either recall that or  
9 do something sympathetic to the original design.  
10 In a case like this where that wasn't an original  
11 use and there was no storefront when the building  
12 was built, there's nothing to refer to, or there's  
13 no recalling of any kind, so the current  
14 storefront that's there now, to me, honestly, this  
15 would be more of those standard run-of-the-mill  
16 applications that we look at all the time and  
17 certainly if it's nothing garish, if it's not now,  
18 you're coming out into the front yard and taking  
19 out--you know, things like that and this doesn't  
20 have a front yard, but just--

22 CHAIRPERSON LANDER: [Interposing]

23 So a quite modern storefront treatment here  
24 wouldn't run into trouble at the Commission.

25 JENNY FERNANDEZ: No, I would

2 safely assume that they would look at this within  
3 context and say that there's no historic  
4 storefront there, they're not removing any  
5 historic fabric, the design is sympathetic, it's  
6 not anything more than what's already there, then  
7 the commissioners tend to look more favorably at  
8 something like that.

9 CHAIRPERSON LANDER: Council Member  
10 Arroyo.

11 COUNCIL MEMBER ARROYO: Okay. So  
12 she gets a potential tenant who raises a concern  
13 about this requirement to conform to some rules  
14 that you have, and she says oh, not a problem, we  
15 can work with the Landmarks Commission, what is  
16 the time frame between a plan being submitted and  
17 approval so that she doesn't lose her prospective  
18 tenant or the business opportunity that would be  
19 created?

20 JENNY FERNANDEZ: By law we are  
21 required to act on applications within 20 days, 20  
22 working days. However, if something is going to a  
23 public hearing--so we do have rules that  
24 facilitate--and the rules aren't something that's  
25 prohibitive, it's actually to facilitate

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2 expediting applications, so--which I alluded to  
3 that before and 90% of our permits are issued at  
4 staff level, that's what those rules are for. If  
5 you meet these requirements, you can get your  
6 permit issued straight away.

7 COUNCIL MEMBER ARROYO: And how  
8 long does that take?

9 JENNY FERNANDEZ: Like I said, we  
10 have 20 days, 20 working days.

11 COUNCIL MEMBER ARROYO: At the  
12 staff level.

13 JENNY FERNANDEZ: At the staff  
14 level. If something is beyond the rules, it's not  
15 something that conforms or you're completely  
16 altering a storefront, completely changing  
17 something and it would require going to a public  
18 hearing, that is a more lengthy process. And--

19 COUNCIL MEMBER ARROYO: What's the  
20 time frame for that approximately?

21 JENNY FERNANDEZ: We safely say  
22 about three weeks depending on the speed of the  
23 applicant as well, because we have to calendar  
24 because of the public review process, we are  
25 required by law to publish that a public hearing

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2 is forthcoming for a particular item and that  
3 allows--and the Community Board must see also  
4 whatever the presentation is.

5 COUNCIL MEMBER ARROYO: Okay.

6 Three weeks is 21 days, so at the staff level 20  
7 days for her to get a response, this has to be  
8 bumped up and then another three weeks on top of  
9 the 20 days? I just--

10 JENNY FERNANDEZ: No, no.

11 COUNCIL MEMBER ARROYO: --want to,  
12 I want to walk out of here with an understanding  
13 that this designation for her property is not  
14 going to delay her opportunities to get a tenant  
15 into the commercial part of that property.

16 JENNY FERNANDEZ: Okay.

17 COUNCIL MEMBER ARROYO: So you said  
18 20 days at staff level.

19 JENNY FERNANDEZ: Let me clarify  
20 that--

21 COUNCIL MEMBER ARROYO: If you have  
22 to do a hearing, three weeks, that's 21, we're  
23 already into a month and a half, what--

24 JENNY FERNANDEZ: [Interposing]

25 It's either or, it's not you don't go staff level

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2 and then a public hearing, it's either or--

3 COUNCIL MEMBER ARROYO: Okay.

4 JENNY FERNANDEZ: --most of our  
5 applications are handled at staff level and you  
6 never go to public hearing, you never see a  
7 commissioner.

8 COUNCIL MEMBER ARROYO: Okay. So  
9 let's say hers has to go to a hearing.

10 JENNY FERNANDEZ: If hers has to go  
11 hearing--

12 COUNCIL MEMBER ARROYO: Yeah.

13 JENNY FERNANDEZ: --like I said,  
14 depending on how quickly the applicant is working,  
15 so if they get their drawings in order, they have  
16 all the materials that we need, pictures of what  
17 it looks like now, what are you guys planning to  
18 put in there, materials, etc., we calendar them  
19 for a public hearing. I mean we handle thousands  
20 and thousands and thousands of applications every  
21 year and it is in our interest to get these things  
22 out quickly so--

23 COUNCIL MEMBER ARROYO:

24 [Interposing] Okay. So is it safe to say within a  
25 month's time, she would know whether her

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2 prospective tenant is going to have to jump  
3 through hoops in order to come in and be a tenant  
4 at her property or not?

5 JENNY FERNANDEZ: I'm sorry, I  
6 didn't understand the question.

7 COUNCIL MEMBER ARROYO: Is it safe  
8 to say that within a month's time she can say to  
9 her tenant what you want to do to the storefront  
10 is not a problem, we can do it, let's sign the  
11 lease?

12 JENNY FERNANDEZ: I'll try to  
13 answer that. If the tenant--because it's the  
14 tenant that's going to be undertaking the project--  
15 -

16 COUNCIL MEMBER ARROYO: Correct.

17 JENNY FERNANDEZ: --it's not her,  
18 so--

19 COUNCIL MEMBER ARROYO: But she's  
20 the property owner.

21 JENNY FERNANDEZ: So she is the  
22 property owner--

23 COUNCIL MEMBER ARROYO: She's the  
24 one you're going to hold accountable.

25 MALE VOICE: Yes.

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2 JENNY FERNANDEZ: Well it would be  
3 on the building, it's not on her person, any  
4 violations or anything like that--

5 COUNCIL MEMBER ARROYO: Okay, so  
6 the building--

7 JENNY FERNANDEZ: --is on the  
8 building.

9 COUNCIL MEMBER ARROYO: --no, come  
10 on, let's not play semantics here--

11 JENNY FERNANDEZ: No, no--

12 COUNCIL MEMBER ARROYO: --she's the  
13 one who ultimately is responsible as the owner of  
14 the property to the Landmarks Commission to  
15 conform to the rules.

16 JENNY FERNANDEZ: Yes.

17 COUNCIL MEMBER ARROYO: Okay. So  
18 although the tenant is the one that's going to  
19 incur the cost of outfitting the space to do  
20 whatever he or she wants to do there, she has to  
21 say to them, it's okay for you to move forward  
22 with your plans and I'm sorry, no, you can't  
23 because the Landmark Commission is not going to  
24 approve what you're proposing for this space.

25 JENNY FERNANDEZ: When the

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2 applicant wants to do something, our goal is to  
3 have an applicant have a successful an application  
4 as possible, so if her tenant wants to do  
5 something that, for example, doesn't meet the  
6 rules and has to go to a public hearing, they go  
7 to a public hearing, the commissioners look at it,  
8 the commissioners never outright, unless it's  
9 something absolutely out of this world, will never  
10 say, oh no, that's denied and then she has to go  
11 back and tell the tenant--

12 COUNCIL MEMBER ARROYO:

13 [Interposing] But that's precisely the time frame  
14 I'm asking for, how long is that going to take?

15 JENNY FERNANDEZ: Like I said, from  
16 the time of calendaring, so as quickly as the  
17 applicant can get in their materials and  
18 everything that we need, we calendar them and it's  
19 three weeks because of the public review process--

20 COUNCIL MEMBER ARROYO: Okay.

21 JENNY FERNANDEZ: --and then they  
22 go to a hearing. Many times, if everything is in  
23 order and it is an acceptable presentation, the  
24 commission will vote right there, they take that  
25 back, and then the preservationist who's working

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2 on that writes up their permit and they can have  
3 that within a few days.

4 COUNCIL MEMBER ARROYO: So the  
5 tenant will have to hire an architect and--

6 KALLIOPI HADJIGEORGIS: And a  
7 lawyer.

8 COUNCIL MEMBER ARROYO: --do all  
9 the other stuff that a possible tenant at a non-  
10 landmarked commercial space does not have to do.

11 JENNY FERNANDEZ: You still need  
12 DOB permits to do the storefront changes, so you  
13 would still have to do all of that anyway.

14 COUNCIL MEMBER ARROYO: So her  
15 tenant is not going through anything different  
16 than--

17 JENNY FERNANDEZ: No, just an extra  
18 level.

19 COUNCIL MEMBER ARROYO: --with the  
20 exception of possibly a hearing being calendared  
21 for the commission, but quite possibly handled at  
22 the staff level at the Landmarks Commission.

23 JENNY FERNANDEZ: Right, that is  
24 correct--

25 COUNCIL MEMBER ARROYO: Okay.

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2 JENNY FERNANDEZ: --possibly can be  
3 handled at staff level if it is a straightforward  
4 application that meets the rules.

5 CHAIRPERSON LANDER: Just [off mic]  
6 on this, can that be taking place simultaneously  
7 with DOB review?

8 JENNY FERNANDEZ: Yes, usually  
9 especially here in Manhattan where people are used  
10 to historic districts and it's very commonplace,  
11 they'll come to us first because if you go to DOB  
12 first, DOB looks up the building, it's landmarked,  
13 you have to go to LPC, so they'll send them to us  
14 anyway so that they're not running around and then  
15 having things not match up. So first they'll come  
16 to us and DOB won't issue a permit unless LPC has  
17 issued a permit.

18 CHAIRPERSON LANDER: So in his  
19 State of the City, the Mayor talked about trying  
20 to streamline some of these processes that  
21 otherwise wind up having to be done one next to  
22 the other--

23 [Off mic]

24 CHAIRPERSON LANDER: --have you--

25 [Off mic]

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2 CHAIRPERSON LANDER: --have you  
3 been part--well I wonder whether you've--I mean  
4 this is a big difference if you're going to go to  
5 DOB and they're going to say go get your landmarks  
6 first and we're not going to look at this  
7 application for its compliance with other DOB  
8 regulations until you've gotten your Landmarks  
9 approval, now you've added three weeks. If they  
10 would begin at that moment reviewing the  
11 application and then wait and of course they have  
12 to hear from you, then you wouldn't necessarily  
13 take that entire three weeks time. Do you know  
14 which way it is and is there any way that we  
15 could--are you guys part of the Mayor's small  
16 business streamlining task force and--

17 JENNY FERNANDEZ: [Interposing]

18 Yes, we are part of the streamlining task force  
19 because we do have to work with sister agencies.  
20 The Department of Buildings and the Landmarks  
21 Preservation Commission enjoys a very good, close  
22 working relationship and we're in constant  
23 communication with them. Usually when someone  
24 goes to them for something and it's in the  
25 landmarked district, we're already talking, even

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2 if they refer them to us, you guys need to get a  
3 Landmarks approval, by the time it gets to DOB,  
4 they're really only looking for any zoning issues  
5 that may arrive and if it's for larger projects,  
6 we get that, we wait for that as well because  
7 what's the point of taking an applicant through  
8 this entire process and then at the end of the  
9 day, DOB says you can't do this here, it doesn't  
10 make sense. So it's something the objection sheet  
11 so we need to have a clean objection sheet from  
12 DOB. So it is a process that's happening  
13 simultaneously to make sure that the applicant  
14 doesn't have an undue burden of time to get their  
15 projects approved, so...

16 CHAIRPERSON LANDER: Thank you.

17 We're moving into some broader policy issues--

18 KALLIOPI HADJIGEORGIS:

19 [Interposing] I just want to--

20 CHAIRPERSON LANDER: --I appreciate  
21 your patience to sit through--

22 KALLIOPI HADJIGEORGIS: --one more  
23 thing that the scenario that Jennifer just  
24 mentioned, the 20 days and then the 21 days, it's  
25 the more ideal scenario. I'm familiar with

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2 somebody up on Eighth Avenue that took him four  
3 months, so I don't think--and usually that's the  
4 time span that you go through. Please consider  
5 my--

6 CHAIRPERSON LANDER: We thank you  
7 for your time and your patience--

8 KALLIOPI HADJIGEORGIS: --my  
9 proposals.

10 CHAIRPERSON LANDER: --in sitting  
11 through all the--

12 KALLIOPI HADJIGEORGIS: Thank you  
13 for listening to me.

14 CHAIRPERSON LANDER: --all the  
15 items on before you, so thank you both very much.  
16 Unless there's any other testimony on 147 Eighth  
17 Avenue, we'll declare the public hearing on that  
18 item closed, thank you. And we're on to our last  
19 item of the hearing, 20105269, also known as 327  
20 Westervelt Avenue or the Vanderzee-Harper House.

21 JENNY FERNANDEZ: Thank you, Chair  
22 Lander. For the record, my name is Jenny  
23 Fernandez, Director of Intergovernmental and  
24 Community Relations for the Landmarks Preservation  
25 Commission. I'm here today to testify on the

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2 Commission's designation of 327 Westervelt Avenue,  
3 the Vanderzee-Harper House on Staten Island.

4 On August 11th, 2009, the Landmarks  
5 Preservation Commission held a public hearing on  
6 the proposed designation as a landmark of the  
7 Vanderzee-Harper House. The hearing had been duly  
8 advertised in accordance with the provision of  
9 law. Eleven people spoke in favor of designation,  
10 including Council Member Kenneth Mitchell, one of  
11 the building's owners, and representatives of the  
12 Historic Districts Council, the Four Borough  
13 Neighborhood Preservation Alliance, the Northshore  
14 Waterfront Conservancy of Staten Island, and the  
15 Preservation League of Staten Island. In  
16 addition, the Commission received one letter in  
17 support of designation. There were no speakers in  
18 opposition to the designation. On November 17th,  
19 2009, the Commission voted to designate the  
20 building a New York City individual landmark.

21 The Vanderzee-Harper House is a  
22 fine surviving example of a Queen Anne style  
23 residence with Shingle style details, built circa  
24 1887 in Staten Island's affluent Fort Hill  
25 section. The house features many details

3 characteristic of the Queen Anne and Shingle  
4 styles, including a prominent three-story tower;  
5 bay window projections; bracketed, cantilevered  
6 gable projections; turned woodwork and curved  
7 roofline at the porch; textured shingle and  
8 clapboard siding; a variety of window types and  
9 shapes, including multi-light upper sash and  
10 stained-glass windows; and a tall, decorative  
masonry chimney.

11 The house was constructed in 1887  
12 for Margaret A. Shields, later Vanderzee, who had  
13 recently purchased the property from Charles  
14 Herpich, a Manhattan furrier and prominent Staten  
15 Island resident. Herpich had substantial real  
16 estate holdings in the area, including this large  
17 home nearby at the corner of Westervelt and  
18 Hendricks Avenue.

19 Having purchased the property in  
20 1887, Margaret Vanderzee retained ownership until  
21 1920, although she and her husband had relocated  
22 to Philadelphia by 1895. After occupancy by  
23 several renters, the family of the Thomas Harper  
24 family owned the home for over 25 years and many  
25 of its historic decorative features remain intact.

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2 The Commission urges you to affirm  
3 this designation.

4 CHAIRPERSON LANDER: Thanks very  
5 much. Are there any questions? I will note that  
6 Council Member Rose reached out to me and is very  
7 enthusiastic and supportive of this designation.

8 COUNCIL MEMBER ARROYO: The owner?

9 JENNY FERNANDEZ: The owner is in  
10 support.

11 CHAIRPERSON LANDER: Okay. Unless  
12 there's anyone wishing to testify, we'll declare  
13 the public hearing on this matter and all the  
14 matters of this hearing closed. Thank you, Ms.  
15 Fernandez very much for giving us a lot of  
16 information.

17 Okay. We will now move on to our  
18 committee meeting. I wonder if there's any  
19 discussion or conversation, I know there was some  
20 possibility of laying over the Ocean on the Park  
21 item, which we seem to have some time on. Just do  
22 we need a motion to lay it over, just--

23 [Off mic]

24 CHAIRPERSON LANDER: Okay. All  
25 right, so we're going to lay over 20105201, Ocean

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2 on the Park, it will not be coupled in today's  
3 actions.

4 [Pause]

5 CHAIRPERSON LANDER: Are people  
6 prepared to vote on all of the remaining item  
7 [pause] one that we just heard?

8 [Pause]

9 [Off mic]

10 CHAIRPERSON LANDER: All right,  
11 then we will couple the remaining matters, do I  
12 need to read what those all are? No, all right,  
13 so we'll couple the remaining matters and the  
14 Chair recommends an aye vote on all the coupled  
15 matters. And if the Counsel would call the roll.

16 CAROL SHINE: Carol Shine, Counsel  
17 to the Subcommittee. Chair Lander.

18 CHAIRPERSON LANDER: Aye.

19 CAROL SHINE: Council Member  
20 Sanders.

21 COUNCIL MEMBER SANDERS: Pass.

22 CAROL SHINE: Council Member  
23 Arroyo.

24 COUNCIL MEMBER ARROYO: Yes.

25 CAROL SHINE: Council Member

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2 Williams?

3 COUNCIL MEMBER WILLIAMS: May I  
4 explain my vote?

5 FEMALE VOICE: Of course.

6 COUNCIL MEMBER WILLIAMS: I just  
7 would like to just encourage that the Commission  
8 work with the homeowners, particularly the last  
9 one to make sure there's the least amount of  
10 stress on her because we do need to keep owners in  
11 consideration when we're doing this, so, please, I  
12 just want to an extra--please make an extra effort  
13 to make sure that she can get a tenant so she can  
14 pay her mortgage on time. I vote yes.

15 CAROL SHINE: Council Member Koo.

16 COUNCIL MEMBER KOO: Yes.

17 [Pause]

18 CAROL SHINE: Council Member  
19 Sanders.

20 [Pause]

21 COUNCIL MEMBER SANDERS: I am  
22 prepared to vote against one issue that is the  
23 last one, the last one that came up and 147 Eighth  
24 Avenue. I am going to vote in favor of all of the  
25 other ones with a special mention that as a

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2 African-American, I love voting for the Lattimer  
3 [phonetic] property.

4 CHAIRPERSON LANDER: Okay, I just  
5 want to--can I just clarify on your vote? We sort  
6 of vaguely coupled and uncoupled 145 and 147,  
7 you're just--

8 [Crosstalk]

9 COUNCIL MEMBER SANDERS: I--

10 CHAIRPERSON LANDER: --147 that--

11 COUNCIL MEMBER SANDERS: Just 147,  
12 since 145 did not show up.

13 [Pause]

14 CAROL SHINE: By a vote of five in  
15 the affirmative, none in the negative, all of the  
16 coupled items are approved and referred to the  
17 full committee with the exception of 20105267,  
18 which was approved by a vote of one in the--pardon  
19 me, four in the affirmative, one in the negative,  
20 and no abstentions.

21 CHAIRPERSON LANDER: Thank you very  
22 much. Unless there's objection, I will adjourn  
23 the meeting and we'll--yeah, all right, great.

24 [Off mic]

C E R T I F I C A T E

I, Tammy Wittman, 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 Tammy Wittman

Date February 3, 2010