

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

SUBCOMMITTEE ON LANDMARKS,  
PUBLIC SITINGS AND  
DISPOSITIONS

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January 15, 2025  
Start: 11:13 a.m.  
Recess: 11:33 a.m.

HELD AT: 250 Broadway  
Committee Room 16th Floor

B E F O R E: Kamillah M. Hanks, Chairperson

COUNCILMEMBERS:  
Oswald Feliz  
Christopher Marte  
Sandy Nurse  
Yusef Salaam  
Carlina Rivera

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

Margaret Herman  
Deputy Director  
Research Development  
Landmarks Preservation Commission

Stephen Thompson  
Landmarks Preservation Commission

Michael Quinn  
Citizen of New York City

Andrew Berman  
Executive Director  
Village Preservation

1  
2           SERGEANT AT ARMS: Good morning and welcome to  
3 the New York City's hearing on this from the  
4 Subcommittee on Landmarks, Public Sitings, and  
5 Dispositions. At this point, I'd like to remind  
6 everyone attending to please silence their electronic  
7 devices and at no point is anyone to oppress the  
8 dais. Chair, we're ready to begin.

9           CHAIRPERSON HANKS: Good morning and Happy New  
10 Year. Welcome to the meeting of the Subcommittee on  
11 Landmarks, Public Sitings, and Dispositions. I am  
12 Councilmember Camila Hanks and I'm the Chair of the  
13 Subcommittee and today I'm joined by my colleague,  
14 Carlina Rivera, Councilmember Rivera.

15           Before we begin today's agenda, I'll remind  
16 everyone that this meeting is being held in a hybrid  
17 format. For members of the public who wish to testify  
18 remotely, we ask that you register online. And you  
19 may do so now by visiting [www.council.nyc.gov/landuse](http://www.council.nyc.gov/landuse)  
20 to sign up. And then sign on to the Zoom and remain  
21 signed on until you've testified.

22           For anyone with us today in person wishing to  
23 testify, if you've not already done so, please see  
24 one of our sergeants to fill out a speaker's card and  
25 we will call your name at the appropriate time.

2 For anyone wishing to submit written testimony on  
3 the items being heard today, we ask that you please  
4 send it via email to  
5 landusetestimony@council.nyc.gov. Include the land  
6 use number and or the project name in the subject  
7 line of your email. Video and audio testimony will  
8 not be accepted.

9 I will remind members of the public that this is  
10 a government proceeding and decorum shall be observed  
11 at all times. And as such, members of the public  
12 shall remain silent and until so, call to testify.

13 The witness table is reserved by people who wish  
14 to testify. No video recording or photography is  
15 allowed from the witness table. Further, members of  
16 the public may not present audio or video recordings  
17 such as testimony, but may submit transcripts of such  
18 recordings to the sergeant for inclusion for the  
19 hearing record.

20 On today's agenda, we have a hearing on LU item  
21 207, the Landmarks Preservation Commission's proposed  
22 designation of Jacob Day Residence in Councilmember  
23 Rivera's District of Manhattan as a historic  
24 landmark.

1  
2 Before I open the hearing, I would like to  
3 recognize Councilmember Salaam has also joined us.

4 So, I will open today's hearing on Landmarks  
5 Preservation Commission's proposed designation of  
6 Jacob Day Residence in Councilmember Rivera's  
7 District of Manhattan as a historic landmark.

8 Councilmember Rivera, you may wish to make your  
9 remarks here if you'd like to.

10 COUNCILMEMBER RIVERA: Thank you. Good morning.  
11 Today, we will be hearing the application submitted  
12 by the Landmark Preservation Commission regarding the  
13 designation of the Jacob Day Residence located at 50  
14 West 13th Street as a historic landmark in Greenwich  
15 Village located in the Council District I represent.

16 Thank you, Chair Hanks, for the opportunity to  
17 deliver brief remarks in support of this application.

18 50 West 13th Street is a historical and cultural  
19 landmark that embodies the spirit of civil rights  
20 advocacy, artistic innovation, and architectural  
21 heritage.

22 Dating to the mid-19th century, the building was  
23 home to Jacob Day, a prominent African-American  
24 businessman and civil rights leader, and hosted  
25 trailblazers like Sarah Smith Tompkins Garnett, the

1  
2 first African-American woman principal of a New York  
3 City public school. It served as a hub for advocacy  
4 efforts, including the founding of the Abyssinian  
5 Baptist Church and the Equal Suffrage League. In the  
6 20th century, the building became a center for  
7 artistic expression, housing the Afro-American  
8 folkloric troupe and later the 13th Street Repertory  
9 Theater, which staged *Line*, the longest-running off-  
10 off Broadway show.

11 Its Greek revival architecture and storied past  
12 make it a critical piece of Greenwich Village's  
13 history, deserving of preservation for future  
14 generations.

15 I strongly encourage my colleagues to support  
16 this designation and am grateful to advocates and  
17 neighbors for their advocacy and testimony in  
18 support. Thank you.

19 CHAIRPERSON HANKS: Thank you very much. So I  
20 would like to recognize Councilmember Nurse has  
21 joined us.

22 Today appearing on this proposal is Margaret  
23 Herman, Deputy Director, Research Development  
24 Landmarks Preservation Commission.

25

2 Stephen Thompson, Landmarks Preservation  
3 Commission.

4 You may approach.

5 Those who wish to testify again may register  
6 online by visiting Council's website at  
7 council.nyc.gov forward slash land use.

8 Counsel, will you please administer the  
9 affirmation?

10 COMMITTEE COUNSEL: Panelists, would you please  
11 raise your right hand and state your names for the  
12 record?

13 MS. HERMAN: Margaret Herman.

14 MR. THOMPSON: Stephen Thompson.

15 COMMITTEE COUNSEL: Do you affirm to tell the  
16 truth, the whole truth, and nothing but the truth in  
17 your testimony before this subcommittee and in answer  
18 to all Council Member questions?

19 MS. HERMAN: I do.

20 MR. THOMPAONS: I do.

21 CHAIRPERSON HANKS: Thank you again for the  
22 viewing public. If you need an accessible version of  
23 this presentation, please send an email request to  
24 LandUse at testimony@council.nyc.gov.

2 Now the applicant team may begin and I'll ask  
3 that you please restate your name and organization  
4 for the record.

5 MS. HERMAN: Good morning Chair Hanks and  
6 subcommittee members. My name is Margaret Herman,  
7 Deputy Director of Research at the Landmarks  
8 Preservation Commission. Thank you for the  
9 opportunity to present our recent designation of the  
10 Jacob Day Residence located at 50 West 13th Street in  
11 Manhattan.

12 Next slide.

13 The former Jacob Day Residence at 50 West 13th  
14 Street is a rare surviving three-story Greek revival  
15 style brick row house built in 1845 for William B.  
16 Fasch. Jacob Day, a prominent African-American  
17 caterer and property owner, purchased the house in  
18 1857 and used it as his residence and place of  
19 business until his death in 1884. His heirs continued  
20 to own the building until 1896.

21 Day was an advocate for the abolition of slavery  
22 prior to the Civil War and later for voting rights  
23 and economic opportunities for African-Americans in  
24 the second half of the 19th century. The Jacob Day  
25 Residence is a rare extant site that is historically



2 and culturally significant in particular for its  
3 connection to New York City's pre-Civil War and  
4 Reconstruction era African-American history.

5 At the public hearing on September 10th, 2024, 11  
6 people spoke in favor of designation, including  
7 representatives from the New York City Landmarks  
8 Conservancy, the Historic Districts Council, the  
9 Victorian Society of New York, Village Preservation  
10 and Save Harlem Now, and four individuals. No one  
11 spoke in opposition.

12 The commission received written testimony in  
13 favor of designation from Councilmember Rivera and  
14 from a petition containing 105 campaign letters.

15 Next slide.

16 The building is located on West 13th Street  
17 between 5th and 6th Avenues just north of the  
18 Greenwich Village Historic District. The landmark  
19 site is the tax lot.

20 Next slide.

21 Jacob Day was a significant figure both as an  
22 abolitionist and a prominent businessman. Before the  
23 Civil War, abolitionism was a dangerous activity for  
24 Black individuals but despite the risks, Day was a  
25 member of the National Anti-Slavery Society, a

1 contemporary of other distinguished abolitionists of  
2 the day and a member of Abyssinian Baptist Church on  
3 Waverly Place, a strong supporter of abolition and  
4 African-American civil rights.  
5

6 Day was a successful caterer when this was one of  
7 the few profitable business opportunities Black men  
8 could pursue. He was a member of the Freedmen's Bank  
9 founded after the Civil War as a means of improving  
10 the economic prospects of African-Americans and a  
11 member of the Caterers Club along with other Black  
12 entrepreneurs who made names for themselves during  
13 that time.

14 Eventually becoming an affluent property owner,  
15 Jacob Day was considered part of New York City's  
16 Black elite in the 19th century at a time when  
17 African-Americans faced substantial barriers to  
18 building wealth.

19 At the time of his death in 1884, Day was worth  
20 an estimated \$200,000, the equivalent of nearly \$6  
21 million today.

22 Next slide.

23 There are very few surviving sites in Manhattan  
24 associated with the pre-Civil War abolitionist  
25 movement.

Two LPC designations with this history include 2  
White Street, home of abolitionist Theodore S.  
Wright, a prominent Black minister, and the Lamartine  
Place Historic District, known for its association  
with noted White abolitionists Abby Hopper Gibbons  
and James Sloan Gibbons. The Jacob Day residence is  
strongly associated with this history as well as with  
the Reconstruction and post-Reconstruction eras after  
the Civil War.

Next slide.

The building was built in 1845 and appears on  
this 1854 map. At this time in the mid-19th century,  
despite significant discrimination and harsh living  
conditions, Greenwich Village became home to many  
Black residents, businesses, schools, churches, and  
benevolent societies. The area around Minetta Lane  
and Bleecker Street south of Washington Square became  
known as Little Africa.

Next slide.

Census records indicate that Jacob Day rented  
additional rooms to other African Americans, and  
according to Board of Education records, prominent  
educator, abolitionist, and later suffragist Sarah J.  
Tompkins Garnett resided at 50 West 13th Street from

1  
2 the 1860s to 1874. During the time she lived in the  
3 house, Tompkins Garnett was a teacher and later was  
4 appointed as one of the first Black female principals  
5 within the New York City public school system at  
6 Colored School No. 4 in Chelsea, which is a  
7 designated New York City landmark.

8       Next slide.

9       After Jacob Day's heirs moved out of the house in  
10 1896, the house had various owners until the 1950s.

11       In 1959, 50 West 13th Street was renovated to  
12 create a theater in the basement, a school at the  
13 first floor, and apartments above. Among various  
14 tenants in the middle of the 20th century, in 1968,  
15 the groundbreaking four-member Afro-American folklore  
16 troupe had a residency at the theater, performing  
17 poetry, folklore, and works by well-known Black  
18 writers.

19       From 1972 to 2020, the building was the home of  
20 the 13th Street Repertory Company, one of New York's  
21 longest-running off-off-Broadway theaters founded by  
22 Edith O'Hara.

23       Many well-known actors and playwrights honed  
24 their craft at the 26-seat basement theater,  
25

2 including Bette Midler, Barry Manilow, Chaz  
3 Palminteri, and Richard Dreyfus.

4 Next slide.

5 The Jacob Day residence is a rare extant example  
6 of a 19th-century Greek Revival-style building, and  
7 it retains its 19th-century form, materials, and  
8 facade configuration to the 40-year period of  
9 association with Jacob Day and his family.

10 Next slide.

11 Built more than 175 years ago, 50 West 13th is  
12 extraordinarily significant for its association with  
13 pre- and post-Civil War Black history and for its  
14 connection to the African-American abolitionist and  
15 businessman Jacob Day and to the important Black  
16 community in Greenwich Village in the 19th century.

17 Thank you.

18 CHAIRPERSON HANKS: Thank you very much, and now  
19 I'd like to recognize-- Is Councilmember Nurse still  
20 here? Or did I recognize her already? So, I would  
21 like to recognize anyone who would like to have any  
22 remarks.

23 Any Councilmembers, some remarks? Seeing none.

24 Sorry, thank you.

1 The applicant panel is now excused. Thank you so  
2 much.  
3

4 Counsel, are there any members of the public who  
5 wish to testify on this item?

6 COMMITTEE COUNSEL: Yes, I believe Michael Quinn  
7 would like to testify.

8 CHAIRPERSON HANKS: As a reminder, if I or other  
9 Councilmembers have any questions or witnesses, ask  
10 them to remain online, have a seat, or to stay seated  
11 here at the microphone after their testimony until  
12 they are excused. For those participating online,  
13 once you and your group and has been excused for  
14 following any questions, participants may continue to  
15 view the live stream broadcast from this hearing on  
16 the Council's website.

17 Members of the public will be given two minutes  
18 to speak. Please do not begin until the Sergeant-at-  
19 Arms has started the clock. Now we will hear from the  
20 first panel. Put your microphone on.

21 MR. QUINN: Can you hear me? All right. Checking.  
22 Sibilance. Sibilance. Okay. I want to start by just  
23 thanking-- my name is Michael Quinn. I want to start  
24 by thanking Councilmember Carlina Rivera's office and  
25 her staff. I really busted their chops for a long

2 time to get this done. And also, of course, Andrew  
3 Berman of Village Preservation, who just tirelessly  
4 just fights to keep our cultural history and  
5 landmarks here and intact.

6 I have a very close relationship with this  
7 building. I actually lived in the building about 30  
8 years ago for about four months. I would like to talk  
9 a little bit about Edith O'Hara.

10 Edith O'Hara I had a very close relationship  
11 with. Edith was the type of person where someone who  
12 just arrived from Montana with manure on their boots  
13 would ring her doorbell and say, hey, I want to be an  
14 actor. And Edith would take care of them and feed  
15 them and give them a place to stay and then cast them  
16 in a play.

17 The place just meant so much to her and so much  
18 to me.

19 I think at the time, back in the 90s, between the  
20 two women that had the biggest influence on my life  
21 as far as an artist was my acting teacher, Uta Hagen,  
22 and Edith O'Hara. She cast me in the lead role in  
23 Line. And the playwright, Israel Horovitz, many  
24 people know him as Ad-Rock from the Beastie Boys,

1 lives around the corner. And he shows up and he's  
2 just like, yeah, this is the new cast.

3  
4 And he goes, "Wait a second. This is a tall Irish  
5 Catholic man from Brooklyn. I wrote this play for a  
6 short Jewish man from Brooklyn." The first person he  
7 cast in that play was Richard Dreyfuss. But it didn't  
8 matter to Edith. She believed in diversity. She  
9 believed in having people from all backgrounds. And  
10 she really, really took care of us. And it really  
11 means a lot to me to preserve this structure.

12 Because, I mean, you may know it as the Jacob Day  
13 residence.

14 I'll forever know it as the 13th Street Repertory  
15 Company. And that place, even on weekends, they had  
16 children's theater. At night, we had Line.

17 And also, at the same time, it was just a place  
18 that I learned. It's a place where I grew. And I want  
19 it to continue to be a place where people from all  
20 around, from different backgrounds, could go and  
21 learn and grow.

22 So I'm asking you to please consider landmarking  
23 the structure. But also, I'd like it to eventually be  
24 a place where people could go to learn about culture.  
25 Where maybe children can continue to visit there as



1 they did years ago to learn about the history of our  
2 city and what went on in that building.

3  
4 So, thank you so much for your time and letting  
5 me share a little bit about myself and Edith O'Hara  
6 and the 50 West 13th Street building, which I hope  
7 you landmark.

8 Thank you so much.

9 CHAIRPERSON HANKS: Thank you so much. I just  
10 want to say, Mr. Quinn, that that's like the beauty  
11 of this committee. And we love hearing those stories.  
12 I'm from Staten Island. And I think every single  
13 borough has those stories.

14 I just really want to thank the Landmarks  
15 Preservation Commission to bring forth into life the  
16 stories that many people share. So I appreciate your  
17 testimony.

18 MR. QUINN: Thank you so much.

19 CHAIRPERSON HANKS: Is there any council members  
20 with a question for this panel?

21 COUNCILMEMBER RIVERA: I just wanted to thank  
22 you, Michael Quinn, for your testimony and your  
23 support.

24 MR. QUINN: Thanks for your hard work and  
25 dedication. Thank you.

1  
2 COMMITTEE COUNSEL: We also have some testimony  
3 online. If Andrew Berman could unmute.

4 CHAIRPERSON HANKS: Can you give me one moment,  
5 person online? I just want to recognize for the  
6 record that Councilmember Feliz has joined us.

7 Thank you.

8 You may begin online.

9 You can unmute yourself.

10 MR. BERMAN: Thank you. Good morning, council  
11 members, and thank you for the opportunity to  
12 testify. My name is Andrew Berman, and I'm the  
13 Executive Director of Village Preservation.

14 In 2020, when it became clear due to the death of  
15 longtime 13th Street Repertory owner, Edith O'Hara,  
16 that 50 West 13th Street was endangered, we submitted  
17 a request to the Landmarks Preservation Commission  
18 with substantial documentation urging them to  
19 consider this site for landmark designation. They  
20 refused. Over the course of the next four years, we  
21 continued to submit additional documentation  
22 establishing the site's profound significance to  
23 abolitionists, civil rights, suffragists, and theater  
24 history.

1  
2       We garnered support from some elected officials,  
3 scholars of Black history, women's rights advocates,  
4 theater lovers, and literally thousands of New  
5 Yorkers who wrote to the commission and mayor urging  
6 them to move ahead with designation. But they  
7 continued to refuse to act even as the condition of  
8 the building deteriorated dangerously to the decrepit  
9 condition it's in today.

10       Finally, in June of last year, the commission  
11 relented and calendared the building. Sadly, that  
12 came too late to prevent serious damage to the  
13 building taking place and the owner destroying the  
14 rare distinctive 19th century ironwork which had  
15 surrounded the doorway for a century and a half.

16       We're glad that the house is now finally  
17 landmarked and hopefully the destruction will be  
18 stemmed. But it shouldn't take this long or this much  
19 effort to get the Landmarks Preservation Commission  
20 to recognize and protect a site of such incredible  
21 significance to New York history, especially our too-  
22 often-overlooked Black history, women's history, and  
23 civil rights history.

24       Unfortunately, this is not an aberration but a  
25 consistent piece of an ongoing pattern. As per our

2 study analyzing all New York City landmark  
3 designations which was submitted to each member of  
4 the City Council, under Mayor Adams the number of  
5 landmark designations have dropped dramatically to  
6 unprecedented levels as compared to every prior  
7 mayor. And that lack of action to protect our city's  
8 history and especially our most endangered and most  
9 underrepresented histories extends to every corner of  
10 the city.

11 The outer boroughs and upper Manhattan have, like  
12 the Manhattan core in this case, seen a huge decrease  
13 in the number of designations taking place since  
14 Mayor Adams took office. Right now, we're fighting to  
15 landmark the city's first Spanish language church and  
16 what would be the city's very first landmark  
17 designation honoring the history of people with  
18 disabilities, both of which are currently endangered.  
19 Under Mayor Adams the Landmarks Preservation  
20 Commission has thus far refused to act on either.

21 We urge the Commission to approve this much  
22 needed and long overdue designation but we also urge  
23 you to use your power as the body with oversight on  
24 the Landmarks Preservation Commission to take a hard  
25 look at why so few designations are taking place

2 under this commission and why critical sites like the  
3 ones I described are being ignored or slow walked by  
4 the commission.

5 Thank you.

6 [BELL RINGS]

7 SERGEANT AT ARMS: Your time expired.

8 CHAIRPERSON HANKS: Thank you. Thank you so much.

9 Are there any questions for this panel?

10 Thank you, you're excused.

11 There being no more questions for this panel,  
12 this witness panel is now excused.

13 This is the last call. Are there any further  
14 people wishing to testify?

15 COMMITTEE COUNSEL: No.

16 CHAIRPERSON HANKS: With there being no other  
17 members of the public wishing to testify on land use  
18 item 207, Jacob Day Residence, the public hearing is  
19 now closed. Thank you so much for your participation.

20 [GAVEL]

21

22

23

24

25

C E R T I F I C A T E

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



Date January 24, 2025