

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITING AND  
MARITIME USES

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January 23, 2018  
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HELD AT: 250 Broadway-Committee Rm, 16<sup>th</sup> Fl.

B E F O R E: ADRIENNE E. ADAMS  
Chairperson

COUNCIL MEMBERS:

INEZ D. BARRON  
PETER A. KOO  
I. DANEEK MILLER  
MARK TREYGER

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

Kate Lemos McHale  
Director of Research at the New York City  
Landmarks Preservation Commission

Ali Rasoulinejad  
Director of Community and Intergovernmental  
Affairs at the New York City Landmarks  
Preservation Commission

Virginia Giovinco  
Owner and Taxpayer of Peter P. Huberty House

Paul Giovinco  
Cousin of Owner and Taxpayer of Peter P. Huberty  
House

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MARITIME USES

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[gavel]

CHAIRPERSON ADAMS: Good morning and welcome to the first meeting of the Subcommittee on Landmarks, Public Siting and Maritime Uses of this, the 11<sup>th</sup> session of the New York City Council. I'm Council Member Adrienne Adams, the Chair of this subcommittee. We're joined today by the former chair of this subcommittee, Council Member Peter Koo and Council Member Inez Barron. Today we will hold a hearing on a single item, LU-7, the designation by Landmarks Preservation Commission of the Peter P. and Rosa M. Huberty House located at 1019 Bushwick Avenue as a historic landmark. The Peter P. and Rosa M. Huberty House is a freestanding colonial revival home made of brick, terracotta and galvanized iron. The house was designed in 1900 by Ulrich Huberty who also designed several other Brooklyn landmarks. The house is located in the 34<sup>th</sup> council district and at a June 25<sup>th</sup>, 2013 hearing held by LPC representatives of former Council Member Diana Reyna spoke in support of this designation. The current Council Member, Antonio Reynoso has also expressed his support for this designation. Our Speakers today are Ali Rasoulinejad and Kate Lemos McHale. Please raise your right hands,

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1  
2 do you affirm to tell the truth, the whole truth and  
3 nothing but the truth in your testimony before this  
4 committee and in response to all council member  
5 questions? Thank you very much.

6 KATE LEMOS MCHALE: Thank you Chair Adams  
7 and good morning subcommittee members. My name is  
8 Kate Lemos McHale, Director of Research at the New  
9 York City Landmarks Preservation Commission, I'm  
10 joined by Ali Rasoulinejad and Erica Rothman. Thank  
11 you for the opportunity to present the designation of  
12 the Peter P. and Rosa M. Huberty House. The  
13 commission voted to designate this property on  
14 October 24<sup>th</sup>, 2017, the building had originally been  
15 calendared and heard in 2013. The commission has  
16 received both written and verbal public testimony  
17 including support for designation from former Council  
18 Member Diana Reyna, current Council Member Antonio  
19 Reynoso, the Historic District's Council and the New  
20 York Landmarks Conservancy. The property owner, a  
21 family member and a community member supporting them  
22 opposed designation at the public hearing. LPC has  
23 reached out to the owner a number of times and late  
24 last year representatives of LPC and Council Member  
25 Reynoso met with the owner and explained how the

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2 commission staff can be a resource to owners  
3 including providing technical guidance and  
4 recommending appropriate methods and materials for  
5 maintenance and restoration work. The, the Huberty  
6 House was designed in 1900 by the notable Brooklyn  
7 architect, Ulrich Huberty for his parents and is a  
8 significant and intact example of the colonial  
9 revival style of the early 20<sup>th</sup> century. It  
10 contributed to the late 19<sup>th</sup> and early 20<sup>th</sup> century  
11 development of Bushwick Avenue as one of Brooklyn's  
12 prestigious residential districts and remains one of  
13 the most extinguished examples of this historical  
14 development. The landmark site on Bushwick Avenue is  
15 shown here and includes the entire tax lot. The  
16 commission has designated residential and  
17 institutional buildings in this area of Bushwick  
18 including the Catherine Lipsius, Doctor Frederick A.  
19 Cook House at 670 Bushwick Avenue; the DeKalb Branch  
20 of the Brooklyn Public Library and the Reformed  
21 Church of South Bushwick. Like these buildings, the  
22 Huberty House speaks to the rich history of  
23 development in Bushwick. The Huberty House is notable  
24 for its association with Peter P. Huberty, a German  
25 born lawyer who became a prominent figure in Brooklyn

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2 politics in the local community and his son Ulrich,  
3 an important Brooklyn architect who designed the  
4 house for his parents. Ulrich J. Huberty designed  
5 many fine residential, ecclesiastic, civil... civic and  
6 commercial buildings including the Prospect Park Boat  
7 House and the Williamsburg Trust Company Building  
8 both designated individual landmarks. Working in the  
9 colonial revival style, Huberty adapted Georgian and  
10 Federal precedence for his parent's house including  
11 the symmetrical arrangement of the façade, the hipped  
12 roof dormers, red brick facades laid in Flemish bond  
13 with grey brick coins and windows topped with splayed  
14 terracotta lintels. The striking main façade features  
15 a semi-circular portico, an open veranda, an arched  
16 entrance and bay windows. Among other notable  
17 features are the substantial cornice, the variety of  
18 dormers and its ornate iron work. The house's  
19 architectural details and craftsmanship stand out as  
20 particularly fine. Between 1909 and 1928, subsequent  
21 owners added four additions each carefully designed  
22 to harmonize with the original design including an  
23 entrance vestibule on the Northwest corner, which you  
24 can see on the left and extensions at the rear of the  
25 house. The Peter P. and Rosa M. Huberty House is a

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1 particularly fine intact example of the colonial  
2 revival style, a significant early work by a  
3 prominent Brooklyn architect and represents  
4 Brooklyn's immigrant history and the early 20<sup>th</sup>  
5 century character of Bushwick Avenue when it was  
6 lined with large freestanding homes. We request that  
7 the city council uphold the designation, thank you.  
8

9 CHAIRPERSON ADAMS: Thank you, before we  
10 continue I'd like to acknowledge we've been joined by  
11 Council Member Daneek Miller and Council Member Mark  
12 Treyger. Were, were you going speak also Ali?

13 ALI RASOULINEJAD: That's all.

14 CHAIRPERSON ADAMS: Okay, thank you. Does  
15 anyone have any questions?

16 COUNCIL MEMBER BARRON: Yes.

17 CHAIRPERSON ADAMS: Council Member  
18 Barron.

19 COUNCIL MEMBER BARRON: Thank you Madame  
20 Chair and congratulations on your... for this hearing  
21 here. The opposition that was presented, what was the  
22 foundation and what issues were cited by those who  
23 opposed to this landmarking?

24 KATE LEMOS MCHALE: The property owners  
25 have actually... it's been in the same family since the

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2 1930's and they feel they've taken very good care of  
3 this house and they didn't want an extra level of  
4 sort of regulation placed on them.

5 COUNCIL MEMBER BARRON: So, the property  
6 as it exists has maintained all of these features  
7 that you've highlighted here and there has not been  
8 any significant change to the façade, is that  
9 correct?

10 KATE LEMOS MCHALE: That's correct, it's  
11 very intact, it's a very fine example of its style.

12 COUNCIL MEMBER BARRON: Thank you.

13 CHAIRPERSON ADAMS: Members, anymore... any  
14 further questions? Are there any members of the  
15 public who wish to testify today?

16 [off-mic dialogue]

17 CHAIRPERSON ADAMS: Okay, we will dismiss  
18 this panel. Okay. And we will call on Doctor (8:18).  
19 Okay, good morning, will you please identify  
20 yourselves?

21 VIRGINIA GIOVINCO: Oh, is this better?  
22 My name is Virginia Giovinco and I am the owner and  
23 taxpayer of the quest... house in question here and I  
24 strongly oppose this designation. This house has been  
25 the home of the family, the same family since 1937



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2 and I have lived in it since the first grade, so you  
3 can imagine through the decades all the repairs and  
4 paint jobs that have been done always in keeping with  
5 the colonial style and maintaining it in good  
6 condition as you can see and expressed by the  
7 previous speakers. The old timer did not need an, an  
8 outside agency to tell them they should preserve the  
9 pureness of this house and I don't need an outside  
10 agency either. Now I grew up in the house which  
11 always stressed private ownership, I was brought up  
12 believing that owning a house meant that nobody could  
13 tell you what to do, you do what you wanted and  
14 nobody could ask you to move because somebody was  
15 getting married and needed the property and there was  
16 a great sense of security and as a tax owner I felt  
17 very comfortable now knowing that it was my home and  
18 now suddenly I get a notice in the mail not asking me  
19 but telling me that the house was going to be  
20 designated and it meant curtailing my control over  
21 the house, I would now need permission to make  
22 repairs, I found that quite shocking. I spoke to my  
23 contractor, the one who's done all this work for me  
24 and he said forget about him, he's not signing any  
25 papers and, and he... I'm afraid that contractors also...

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2 other contractors will have the same idea. As a  
3 matter of fact, years ago... I know you have a list, I  
4 have such a list here of people, 15 years ago I  
5 consulted somebody on one of your lists and it was a...  
6 it was a total disaster, so I really lost faith in  
7 these lists. I don't want to live with this feeling  
8 that, who do I call when something happens, do I have  
9 to go through all the yellow pages, who will come  
10 and... and sign papers, it's a total burden on my, I, I  
11 just cannot live with that idea so, I, I strongly  
12 oppose this designation for that moment that I don't  
13 have control over my house. Thank you.

14 CHAIRPERSON ADAMS: Did you wish to speak  
15 also?

16 PAUL GIOVINCO: Sure.

17 CHAIRPERSON ADAMS: Okay.

18 PAUL GIOVINCO: My, my, my say here is,  
19 is more to ask... [cross-talk]

20 CHAIRPERSON ADAMS: Can you please  
21 identify yourself?

22 PAUL GIOVINCO: I'm Doctor Paul Giovinco,  
23 Virginia's cousin. Again, this house is... was  
24 purchased by our grandfather, my parents lived there,  
25 her parent's lived there, our father lived there... my

1 father lived there. Since I was born I made trip,  
2 trips, trips to the house, visited the house, I lived  
3 there during the times when my mother gave birth to  
4 my brother and sister. So, it's deep in my... in my  
5 soul also. The neighborhood, we've seen the change,  
6 we've seen it gone through many changes, we're very  
7 proud of the house, we've maintained the house as  
8 much as we can but being many, many years of age  
9 there are many things that are falling apart and yes,  
10 you know you're, you're giving us a designation but  
11 you're not saying well we're going to compensate you  
12 for that or we're going to help... or you know the way  
13 the... the way the... as you can see the fence, the, the  
14 wrought iron fence there it, it needs in repair,  
15 there's not... there's very hard people to find, it's  
16 very costly when they see this stuff. I'm not seeing  
17 that the preservation site is... you know we're going  
18 to give you 50 percent of the price to maintain this  
19 preserved or this house as a landmark. The roof, all  
20 tile, you know we're not going to go ahead and throw  
21 down some tar paper and some shingles and... we're  
22 going to maintain it the same way, but I don't see no  
23 compensation or help so what is the landmark giving  
24 us, giving my cousin, she's the owner of the house.  
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2 When I was little I remember going out on that  
3 portico and watching parades down Bushwick Avenue, it  
4 was a beautiful place, it was a beautiful place. Is  
5 the preservation company... is the preservation  
6 commission land... historic commission going to redo  
7 the neighborhood so that we can be proud of it again?  
8 How many... can any... can anybody lift their hands up  
9 and say that they've walked down Bushwick Avenue or  
10 drove... driven down Bushwick Avenue from Eastern  
11 Parkway to Myrtle Avenue, anybody here? Okay, where...  
12 what are you seeing, we're seeing derelict cars on  
13 front of grass where there used to be grass, where  
14 there used to be beautiful statues in front of the  
15 homes, we see derelict cars, we see broken down cars,  
16 we see commercial vehicles, that's not... that's not  
17 showing preservation of the neighborhood, you know we  
18 want to talk about one house but what about the  
19 neighborhood, okay? And, and in conclusion, you know  
20 we, we have one famous word that is this month come  
21 up to everything, okay and, and the rest of the  
22 neighborhood, yeah, we're looking beautiful but the  
23 rest of the neighborhood is looking like that S-hole  
24 and I'd like to see that change. That's all.

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CHAIRPERSON ADAMS: Thank you both for  
being here today, thank you for your passionate  
testimony to this committee and to this audience, I  
thank you very much for being here.

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COUNCIL MEMBER MILLER: Council... [cross-  
talk]

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CHAIRPERSON ADAMS: Yes sir, go right  
ahead, Council Member Miller.

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COUNCIL MEMBER MILLER: Please if you  
don't mind, I, I do have a question and I do actually  
have... I have driven down there, I lived a few blocks  
away during a, a, a period in my life and, and on the  
contrary if, if you drive Bushwick Avenue in the  
community you know that it is on the come up and that  
things are different certainly from what they were  
decades that past and that they are changing,  
continue to change but I think what... as stated here  
is whether or not and, and your cousin said that, how  
do you maintain the integrity of the home, obviously  
your family has been committed for generations to  
doing just that, it is absolutely beautiful, I, I  
know the house, go past there two or three times a  
week but there are other historical or potentially  
historical homes that are now co-ops and condos and I

1 think when you have something... such a... and  
2 magnificent... that you have there that you want to be  
3 able to maintain that and, and the historical  
4 background of that community and, and that's what  
5 we're trying to do here in the midst of whatever  
6 happens and things are happening in Bushwick for  
7 sure, I don't think anyone would, would deny that  
8 just pick up any real estate magazine but there is  
9 certainly a, a point that, that you have there but I,  
10 I don't think representing a historical community in  
11 which a, a, a great portion of the homes have been  
12 designated that... I would say that it does not create  
13 an unfair burden in terms of maintaining the property  
14 in that experience. So, it, it may be a little  
15 premature in, in saying so but definitely we want to  
16 be supportive in, in whatever way... in being able to  
17 maintain this property as is and, and surely I would  
18 hope that it is not... that it is protected from  
19 becoming one of the condos that we see in the  
20 Bushwick area so, thank you and I had to be here so  
21 forgive the attire and everything else but we are  
22 here and congratulations and.. [cross-talk]

24 CHAIRPERSON ADAMS: Thank you... [cross-  
25 talk]

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COUNCIL MEMBER MILLER: ...thank you very  
much, have a great day.

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CHAIRPERSON ADAMS: Thank you very much...  
[cross-talk]

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COUNCIL MEMBER MILLER: Thank you...  
[cross-talk]

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CHAIRPERSON ADAMS: Council Member  
Miller. Committee members are there any other  
questions? Are there... yes, Council Member Treyger.

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COUNCIL MEMBER TREYGER: Thank you Chair  
Adams and congratulations for, for, for and excellent  
first, first hearing and the form... the, the, the  
former history teacher in me enjoys hearing about  
these historic homes. I'm just... I have a question for  
the... for the homeowner with regards to when did you  
first learn about the interests of, of the city to  
designate this as a landmark?

VIRGINIA GIOVINCO: I'd say about 20  
years ago, 15... at least 15 to 20 years ago.

COUNCIL MEMBER TREYGER: So, this has  
been in the works for close to two decades, is that  
correct?

VIRGINIA GIOVINCO: Yes, but I, I  
resented it at that time too.

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COUNCIL MEMBER TREYGER: And were there meetings organized with officials from the city administration, landmarks and you with maybe your attorney present or folks to... [cross-talk]

VIRGINIA GIOVINCO: No, no, no... [cross-talk]

COUNCIL MEMBER TREYGER: ...go over... [cross-talk]

VIRGINIA GIOVINCO: ...it was just very, very informal.

COUNCIL MEMBER TREYGER: Right but...

VIRGINIA GIOVINCO: Twenty years or so... I, I used to go to... I was very safe minded at the time and Diana Reyna's the one suggested that I had a session... look into landmarks.

COUNCIL MEMBER TREYGER: Right... [cross-talk]

VIRGINIA GIOVINCO: And, and that, that's... and it was very informal that's why... that's was... and then I got some mailing from them.

COUNCIL MEMBER TREYGER: Because I, I think that we're, we're, we're trying to be mindful of both the, the interest to, to preserve a sense of our city's history and at the same time being



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2 respectful and mindful of your rights and power as,  
3 as a homeowner and I think that this is the balance  
4 and I think that... the one thing that I think should  
5 be crystal clear is what are your rights and  
6 responsibilities under such a designation and how can  
7 the government make it as transparent and as easy for  
8 you as possible throughout this process, I mean I  
9 think that's what I think... because I think that the  
10 issue that you've raised is a... is an interesting one...  
11 a valid one that when you have a landmark property  
12 are there contractors that are less willing or more  
13 reluctant to work on such a property and maybe that's  
14 where landmarks can assist or folks can assist in  
15 finding people who are specialized and trained in  
16 this work, that's a very valid issue and, and, and I  
17 just think that folks in this committee want to be  
18 respectful to your rights as a homeowner, as someone  
19 who not just to this home but I think your family has  
20 given a lot to the neighborhood as you mentioned not  
21 just to this property but to the neighborhood as a  
22 whole and we as a city want to... want to preserve  
23 these, these special places that really helped shape  
24 these great neighborhoods. So, I, I just... I, I would  
25 just appreciate if there's additional follow up from

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2 the city's end to make sure that your rights are as  
3 crystal clear to you as possible and that if there  
4 are folks who are trained and skilled in this  
5 particular field of maintenance at reasonable costs  
6 that they come to your attention and I think that  
7 that's... this process should be a two-way street and  
8 again I, I thank the Chair for her time.

9 VIRGINIA GIOVINCO: Can I respond to  
10 that? May I respond to that?

11 COUNCIL MEMBER TREYGER: Sure.

12 CHAIRPERSON ADAMS: Yes, of course.

13 VIRGINIA GIOVINCO: I... yes, the landmarks  
14 does have a list of repairmen but, you know some of  
15 them are located in Mount Vernon, I mean faraway  
16 places, they're not going to come into Bushwick and  
17 it's a... it's a terrible sense of insecurity you have  
18 no idea, I've been through this very recently, who do  
19 I call and who will come and they... and they see me  
20 alone and I don't know, you know they'll charge  
21 anything they want, it's very insecure this... if  
22 somebody's going to dictate who I call, I have  
23 somebody very nice now who I can rely on, he's not  
24 going to want to sign papers, he has no time for  
25 that. Thank you.

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CHAIRPERSON ADAMS: We will be happy to facilitate a meeting with landmarks to help you with that after this session, we would be more than happy to... [cross-talk]

VIRGINIA GIOVINCO: One other point I'd like... I don't... [cross-talk]

CHAIRPERSON ADAMS: Yes.

VIRGINIA GIOVINCO: ...feel I have control over my house, it... no matter how small the infringement is on my privacy or my control, I feel it's, it's not mine anymore, it's, it's a terrible feeling.

CHAIRPERSON ADAMS: Council Member Koo?

COUNCIL MEMBER KOO: Thank you Chair Adams, Adams yeah. Virginia Giovinco you are the... you are the only owner of the house or you have a... your whole family's the owner... the owner?

VIRGINIA GIOVINCO: No, I am the owner of the house.

COUNCIL MEMBER KOO: Oh...

VIRGINIA GIOVINCO: I'm the sole owner.

COUNCIL MEMBER KOO: Yeah, so how many people live in the house now?

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VIRGINIA GIOVINCO: Just me at the moment.

COUNCIL MEMBER KOO: Oh, so... [cross-talk]

VIRGINIA GIOVINCO: Well we had... the family has dwindled down to just me.

PAUL GIOVINCO: And me...

VIRGINIA GIOVINCO: And, and... well he, he spends a great deal of time and his children live in my house all the time.

COUNCIL MEMBER KOO: So, why now... can you meet all the burdens on maintaining the house economically I mean like do you make enough money to pay all the bills...

PAUL GIOVINCO: Within reason, yes.

COUNCIL MEMBER KOO: Yeah.

VIRGINIA GIOVINCO: I've lived in it my whole life so that... its nothing new to me.

COUNCIL MEMBER KOO: Yeah, because like, like you said before I sympathize with your situation, right, you're, you're the only owner of the house and you're a senior citizen so you may not like be able to afford extra burden to maintain the house because once its landmarked, you know there are all these different criteria to meet so, so you, you

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2 suffer economically, we don't want to do it so, the..  
3 maybe the... our committee has to hold on to these to..  
4 we have to further study on this case, yeah. Miss  
5 Chair Adams just thank you... [cross-talk]

6 PAUL GIOVINCO: Just, just, just to  
7 answer... [cross-talk]

8 COUNCIL MEMBER KOO: Yeah... [cross-talk]

9 PAUL GIOVINCO: ...that, we had a meeting  
10 with, with the gentleman who just spoke before with  
11 the landmarks about a month, a month and a half ago  
12 and they said, you know they have this list people  
13 who would want... but for them to start any project  
14 they're going to have to sign on and, and, and show  
15 the insurances and, and go through a whole bunch of  
16 paperwork before they will allow it to go, half of  
17 these people don't want to do that and that's the  
18 problem that we have. I live... I live out on Long  
19 Island in, in a... in a very Italian area of Glen Cove,  
20 I can get guys into to do the brickwork and the  
21 cement work and everything but they're not going to  
22 want to do the paperwork and they are master  
23 mechanics, okay at their work, it would look better  
24 than when it was built but again these are the  
25 problems that we sit with, okay and she had some

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2 cement work done and the job is off color, when... I'm  
3 not happy about it, it's shameful that it happened  
4 that way but again you, you, you're dealing with who,  
5 what, when and where so if you see the columns, all  
6 those flutings that are at the top you can't... you,  
7 you can't find those, they're not... you can't go to  
8 Home Depot and, and buy those, you don't go to Home  
9 Depot décor, you, you don't go anywhere, they have to  
10 be handmade, it's, it's a... it's a... it's a major  
11 project not that we're going to change it, we want to  
12 keep it that way, we're happy, we are proud of this  
13 piece of property and we're glad to see that other  
14 people want to make something even more proud but  
15 again the neighborhood and, and... let us, you know let  
16 us have the freedom to do it the way we're doing it  
17 and the way we're keeping going with it and, and as  
18 you say we haven't change, don't plan on changing for  
19 the next bunch of years.

20 VIRGINIA GIOVINCO: I, I'd like to add  
21 something to that, in talking about the columns the  
22 capitals on one of them was completely destroyed  
23 about two years ago and this man that I was telling  
24 you about, the contractor he searched the computer  
25 and he found a place in Oregon to, to replace those

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capitals, I didn't buy one, I bought enough for all four or whatever so in case the others go I still have some held in reserve because I know I'll never get them again anywhere. So, I mean it takes a lot of thought to own that and keep maintaining it and I love it, I mean I have no problem doing it but let me be free, let me... it's my home, I'm not doing it for somebody else.

CHAIRPERSON ADAMS: Thank you very much for your testimony today.

PAUL GIOVINCO: You're welcome.

CHAIRPERSON ADAMS: I will now... [cross-talk]

PAUL GIOVINCO: Thank you very much.

CHAIRPERSON ADAMS: Thank you. I will now close the public hearing on LU-7 and we will lay that matter over. I'd like to thank the members of the public, my colleagues, council and land use staff for attending today's hearing. This meeting is hereby adjourned.

[gavel]

C E R T I F I C A T E

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



Date

January 24, 2018