

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

SUBCOMMITTEE ON LANDMARKS, PUBLIC SITING & MARITIME
USES

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May 3, 2011
Start: 11:24 am
Recess: 12:31 pm

HELD AT: Committee Room - 16th Floor
250 Broadway

B E F O R E:

BRAD LANDER
Chairperson

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

A P P E A R A N C E S

Gregory Shaw
Principal Attorney For Real Estate
New York City School Construction Authority

Jenny Fernandez
Director of Intergovernmental & Community Relations
Landmarks Preservation Commission

John Krawchuk
Director of Historical Preservation
New York City Parks

Michael Patrick Smith
Resident
Addisleigh Park

Simeon Bankoff
Executive Director
Historic Districts Council

Steve Roberts
Resident
Addisleigh Park

Yvonne Taylor
Descendant
Rev. Isaac & Rebecca Gray Coleman

Linda Eskenas
Representative
Preservation League of Staten Island

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2 CHAIRPERSON LANDER: Good morning,
3 this meeting of the City Council's Land Use
4 Subcommittee on Landmarks, Public Siting &
5 Maritime Uses is called to order. I'm Council
6 Member Brad Lander, I'm pleased to be joined this
7 morning by my colleagues on the Committee, Annabel
8 Palma from the Bronx, Maria del Carmen Arroyo from
9 the Bronx, Council Member Jumaane Williams from
10 Brooklyn, Council Member Dan Halloran from Queens,
11 and we'll also be honored to be joined this
12 morning by the Chair of the Land Use Committee,
13 Council Member Leroy Comrie from Queens. We've
14 got a bunch of items on the calendar today, so
15 that will be exciting. We're going to go slightly
16 out of order, because we have many landmarks and
17 one school, so we'll do the school first, so that
18 the DOE and the SCA can get back to finding more
19 school seats for our kids. And ... so all right, so
20 that means we will start with Land Use #384,
21 application 20115274, the proposed PS 313 in
22 Queens, in Council Member Van Bramer's district,
23 and I'd like to invite the School Construction
24 Authority up to present the project to us.

25 MR. SHAW: Oh, I had it on, thank

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2 you. Good morning, Chairman Lander and Council
3 Members, my name is Gregory Shaw, I am Principal
4 Attorney for Real Estate for the New York City
5 School Construction Authority, and I want to thank
6 you for having us here today to talk about this
7 important project. The New York City School
8 Construction Authority has undertaken the site
9 selection process for the proposed 432-seat
10 primary school facility that will be located on
11 tax block 169 in lot six ... on lot six, excuse me,
12 located at 45-46 42nd Street, between Queens Blvd.
13 and 47th Avenue, in the Sunnyside section of
14 Queens. The proposed school site is also located
15 in Community School Board #24, and Queens
16 Community Board #2. The project site, a vacant
17 parcel, contains a total of approximately 15,000
18 square feet of lot area. Under the proposed plan,
19 the SCA would acquire the privately-owned lot and
20 construct the new 432-seat primary school
21 facility. A phase-one environmental site
22 assessment and a phase-two environmental site
23 investigation were conducted at the site. Soil
24 sampling tests determined that the metals ... that
25 metals, petroleum compounds and other hazardous

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2 compounds were found at the site, and in
3 accordance with New York City School Construction
4 protocols for construction of public schools, a
5 soil vapor barrier and active sub-slab
6 depressurization system will be installed as part
7 of the foundation for the proposed new school.
8 Moreover, during construction the general
9 contractor will be required to remove all
10 contaminated soil and replace it with 24 inches of
11 environmental clean fill. The notice of filing
12 for the site plan was published in the New York
13 Post and the City Record on October 10th, 2010.
14 Queens Community Board #2 was also notified of the
15 site plan on that date, and was asked to hold a
16 public hearing. Community Board #2 did hold a
17 public hearing on the site plan on November 4th,
18 2010, and submitted written comments in favor of
19 the proposed site plan. The City Planning
20 Commission was also notified of the site plan on
21 October 10th, and it also recommended in favor of
22 the site. The SCA has considered all comments
23 received on the proposed site plan and affirms it
24 pursuant to section 1731 of the Public Authorities
25 law. In accordance with section 1732 of the

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2 Public Authorities law, the SCA submitted the
3 proposed site plan to the Mayor and City Council
4 on April 28th, 2011. We look forward to your
5 Subcommittee's favorable consideration of the
6 proposed site plan, we are prepared to answer any
7 questions that you might have.

8 CHAIRPERSON LANDER: Thank you very
9 much, I'll note that the Community Board #2 vote
10 was unanimous, 37 in favor, zero opposed, and zero
11 abstentions, so we like to get things when the
12 Community Board is uniformly enthusiastic about
13 the site and about the proposal, so thank you for
14 that, and to them as well. Do any of my
15 colleagues have any questions about this proposed
16 siting? Council Member Halloran?

17 COUNCIL MEMBER HALLORAN III: Thank
18 you very much. If I could just ask you, just
19 briefly a little bit about the environmental
20 contamination and what's being done currently,
21 whether or not it found itself on the DEC's spill
22 list or contamination list, and if there was any
23 state or Federal action with regards to the site?

24 MR. SHAW: No, there wasn't any
25 spill. What was found there was some volatile

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2 organic compounds in the soil that will be
3 removed. In addition, some of the petroleum
4 issues were from off-site sources, but the level
5 of contamination was not unusual, it wasn't a
6 great deal, and it will be removed as part of the
7 soil when excavation in the work begins. As I
8 might add, this is a privately-owned site, so
9 there's nothing for us to do until such time as we
10 acquire it. There was an existing structure
11 there, Sunnyside Jewish Center, which was
12 demolished by the private owner, and so we ... there
13 will be some asbestos that we will be checking to
14 make sure that that's cleared out as well, once we
15 acquire the site.

16 COUNCIL MEMBER HALLORAN III: Okay,
17 and just to try to stay on this issue just for a
18 little bit, I spent some of my time as an attorney
19 as an environmental litigator, so I'm kind of
20 familiar with the remediation process. Can you
21 explain to me, a. what the nature of the volatile
22 compounds were that you found, a., b., is it a
23 plume from a water table discharge or a downflow
24 in the ground that is the offsite petroleum
25 discharge source, and can you explain to me what

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if any remediation has taken place to date by the current owners of the premises?

MR. SHAW: I am not aware of any remediation to date that has been taken over by the ... taken by the current private owner. There was no ... we went down to a depth and there was no ground water source that we ... that was found, in terms of our analysis, so it didn't affect the- -

COUNCIL MEMBER HALLORAN III:

(Interposing) Was phase two done?

MR. SHAW: Yes, a phase two site investigation was performed.

COUNCIL MEMBER HALLORAN III: Okay.

Were there boring and wells drilled for- -

MR. SHAW: (Interposing) Yes.

COUNCIL MEMBER HALLORAN III: ... for monitoring? Okay. And the off-site plume, I assume that comes from a gas station located nearby?

MR. SHAW: Yes, there is a gas station- -

COUNCIL MEMBER HALLORAN III:

(Interposing) Near.

MR. SHAW: There's a gas station

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that is, I believe, across the street from this.

COUNCIL MEMBER HALLORAN III: Do you have a weeping tank, or did you have a tank that was removed and discharged? Do you know?

MR. SHAW: Well, that I don't know. There was an indication that there was an existing petroleum tank that may still be on the site, and which of course will be removed in accordance with DEC requirements.

COUNCIL MEMBER HALLORAN III: Is there currently an open spill action at the DEC site?

MR. SHAW: Not that we're aware of, no.

COUNCIL MEMBER HALLORAN III: Okay, and so this is actually, if it's not reaching water table seepage, how ... and you're saying the site is across the street, that had to be a pretty significant for you to have simple ground penetration without water carrying it to your site. I mean, you're ... somebody has to be aware of that.

MR. SHAW: All I can tell you is that's the information that I was able to glean.

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I can give you additional information from our environmental consultants if you would like.

COUNCIL MEMBER HALLORAN III: Well, I would just suggest to you, as somebody who has litigated cases regarding petroleum discharges, if it was not carried by water table, and there's 50 feet between you and the location of the spill, which you're indicating it's across the street, it has to be at least 50 feet.

MR. SHAW: Well, what I'm talking about is, we're talking about some compounds which might have emanated from the petroleum that we believe is existing there, and we're talking about vapors.

COUNCIL MEMBER HALLORAN III: Okay.

MR. SHAW: Okay, so that- -

COUNCIL MEMBER HALLORAN III:

(Interposing) And what are the materials that you've discovered?

MR. SHAW: Well, we have triglycerin and you know, TGC.

COUNCIL MEMBER HALLORAN III: Okay, all right. And the current petroleum discharge, does it contain MTBE? Do you know?

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2 MR. SHAW: No, I, that I do not,
3 no.

4 COUNCIL MEMBER HALLORAN III: Okay.
5 Because if it doesn't contain MTBE, it's an older
6 spill. All right. Mr. Chair, I'd just say that
7 we need to be very careful with potentially
8 continuous ongoing petroleum discharge, and if
9 it's not being carried by the water table, that's
10 significant.

11 CHAIRPERSON LANDER: Thank you, Mr.
12 Halloran. Yeah, at some point, you know, I think
13 we've had these conversations sort of in little
14 bits, and it may do us well as a Committee to make
15 a few minutes at some point at one hearing where
16 we can understand in a little more depth kind of
17 what you guys do on each new site. Obviously, as
18 you know, environmental issues in our schools are
19 of some interest to the members of the public and
20 the Council these days, and I think, you know, in
21 each of them it's helpful for us to hear what
22 you're doing specifically, and perhaps we can make
23 a time to understand the broader framework on how
24 you approach environmental issues.

25 MR. SHAW: Sure.

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2 CHAIRPERSON LANDER: I note on this
3 one, for example, you did both the phase one and
4 the phase two, and you have a plan for soil
5 remediation, but no EIS is necessary, there's some
6 discussion about where the playground will be and
7 the noise, and so anyway, thank you for answering
8 the questions.

9 MR. SHAW: Sure.

10 CHAIRPERSON LANDER: And perhaps at
11 some point we can come back to a more
12 comprehensive look at sort of how you relate to
13 environmental issues. Any other questions from my
14 colleagues on this item? We don't have anyone
15 signed up to testify who are ... well, first of all,
16 let me thank you.

17 MR. SHAW: Thank you.

18 CHAIRPERSON LANDER: Thanks very
19 much to the School Construction Authority for your
20 time and presentation and the answers to the
21 questions, and your work to keep finding more
22 school seats for the kids who need them in our
23 city. We don't have anyone signed up to testify
24 on this item. Oh yeah, I'm sorry, I thought I did
25 say that. Council Member Van Bramer, whose

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2 district it is in, is supportive of this, as I
3 mentioned is the Community Board. So thank you
4 very much, we'll close the public hearing on that
5 item and move on to the landmarks. Thank you very
6 much. We will go first, because I think we have
7 the most people signed up to testify on it, and I
8 also have the local member here in Chair Comrie,
9 to the Addisleigh Park Historic District, that is
10 Land Use #379, application 20115467, the
11 Addisleigh Park Historic District in Queens. I'm
12 pleased to welcome Jenny Fernandez from the
13 Landmarks Preservation Commission.

14 MS. FERNANDEZ: Thank you, Chair
15 Lander and members of the Landmarks Subcommittee,
16 good morning, my name is Jenny Fernandez, Director
17 of Intergovernmental & Community Relations for the
18 Landmarks Preservation Commission. I am here
19 today to testify on the Commission's designation
20 of the Addisleigh Park Historic District in
21 Queens. On March 23rd, 2010, the Landmarks
22 Preservation Commission held a public hearing on
23 the proposed designation of the Addisleigh Park
24 Historic District. Twenty people spoke, 19 in
25 favor of designation, including New York City

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2 Council Member Leroy Comrie, representatives for
3 State Senator William Perkins, as well as current
4 and former presidents of the Addisleigh Park Civic
5 Association, representatives from Central Queens
6 Historical Association, Historic Districts
7 Council, New York Landmarks Conservancy and
8 Society for the Architecture of the City, Louis
9 Armstrong House and numerous residents of the
10 district. Several were in favor of landmarking
11 the district, with the exclusion of the church.
12 One person spoke in opposition to the proposed
13 designation. In addition, the Commission also
14 received many letters and emails regarding this
15 designation, including Queens borough President
16 Helen Marshall, and the American Institute of
17 Architects, Queens Chapter. The majority have
18 been in favor of designation. On February 1st,
19 2011, the Commission voted to designate the
20 neighborhood a New York City Historic District,
21 and as an added note, that church was excluded
22 from the boundaries of this historic district.
23 The Addisleigh Park Historic District consists of
24 approximately 422 primary buildings, including
25 attached and free-standing houses, constructed

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2 largely between 1910's and 1930's. It also
3 includes the eleven-acre St. Alban's Park,
4 centered along Murdock Avenue and the adjoining
5 streets, the houses are sited back from the
6 street. Many are large landscaped lots and have a
7 consistent scale that gives the neighborhood a
8 suburban feel. Built in brick, stucco, wood and
9 stone, the homes reflect the predominant
10 architectural styles of the early part of the 20th
11 century, English Tudor revival, Colonial revival
12 and the arts and crafts styles. In the 1930's and
13 40's racially restrictive covenants were
14 introduced that prohibited the sale of property to
15 African-Americans. During the 1940's the New York
16 State Supreme Court upheld covenants in two
17 lawsuits where homeowners were sued by their
18 neighbors for selling their homes to African-
19 Americans. While he ruled in favor of the
20 plaintiffs, the judge in the case of Kemp vs.
21 Reuben, 1947, acknowledged that Addisleigh Park
22 already was home to 48 African-American families,
23 including both Lena Horne and Count Basie, who had
24 purchased their homes in 1946. This was also
25 notable for the number of organizations that filed

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2 amicus briefs supporting the right to sell to
3 African-Americans, making Kemp vs. Reuben a
4 significant case in the struggle for African-
5 Americans to own their own land. Following the
6 United States Supreme Court decision in Shelley
7 vs. Kramer in 1948, which ruled that state
8 judicial enforcement of racially-restrictive
9 covenants was a violation of the equal protection
10 clause under the fourteenth amendment, the
11 demographic makeup of Addisleigh Park changed as
12 more African-Americans moved to the area. By
13 1952, an article on the neighborhood in the
14 magazine Our World noted that it was home to the
15 richest and most gifted African-American, among
16 them Count Basie, Lena Horne, Milt Hinton, Jackie
17 Robinson, Roy Campanella and Ella Fitzgerald, as
18 well as many middle-class residents of the area.
19 Among the earliest of the prominent African-
20 American residents was Thomas W. "Fats" Waller,
21 who lived on Sayres Avenue at the time of his
22 death in 1943. Today Addisleigh Park remains a
23 distinctive enclave with a remarkable sense of
24 place due to its period-revival style houses that
25 are set back from the street on spacious, well-

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2 landscaped lawns, and its remarkable history that
3 illuminates African-Americans' struggle for
4 achievement of the basic civil right of home
5 ownership. The Commission urges you to affirm
6 this designation.

7 CHAIRPERSON LANDER: Thanks so
8 much, Ms. Fernandez, I want to thank you not only
9 for looking up the architectural significance
10 here, but in the designation report placing it in
11 the context of suburban development, as you just
12 mentioned, in the context of the civil rights and
13 legal struggle, and the social history that the
14 neighborhood has as well. I think it really helps
15 us appreciate it. With that I would like to
16 recognize Council Member Comrie for his comments
17 and questions.

18 COUNCIL MEMBER COMRIE, JR.: Oh, I
19 don't really have any questions, other than I want
20 to thank the Landmarks Preservation Commission for
21 putting the designation forth in February at the
22 beginning of Black History Month. I want to thank
23 them for doing the deep history of the Addisleigh
24 Park, showing how it connected to the history of
25 African-Americans and their struggle to have an

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2 equal opportunity to purchase property. Just to
3 go back a bit, when the opportunity for
4 designation first came up, I was able to give some
5 money out of my discretionary fund to the Historic
6 Districts Council, because it was important that
7 we gave them an opportunity to go in and do a
8 research, to do the survey, to work with the
9 community. They did extensive work with the
10 residents of the community, with the Addisleigh
11 Park Civic Association, which is one of my
12 strongest civic associations that meet on a
13 regular basis to discuss issues and concerns
14 within the community. Addisleigh Park is most
15 definitely worthy of historic landmarking, I was
16 concerned originally that they may not want to
17 deal with the issues of landmarking, so I wanted
18 to make sure that they understood all of the
19 aspects and all of the issues around it. The
20 Historic Districts Council worked with them for
21 the past three years to make sure that they
22 understood what would happen, that they understood
23 all of the ramifications. I was pleased that the
24 community has overwhelmingly accepted the idea of
25 landmarking and has now enthusiastically embraced

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2 it. So we did all of the legwork early, we took
3 care of all of the problems. I want to thank past
4 president Greg Mays, who started the project, and
5 the present president, oh oh, president Renee
6 Hill, who I went to ... we were in high school at
7 the same time. I was older than her, I tell that
8 story now. So we go back to Jamaica High School,
9 we're both Jamaica High School alums. And Renee
10 Hill, who is now president, for doing all of the
11 necessary legwork to make sure that the homeowners
12 were informed and have embraced this designation,
13 Addisleigh Park truly is one of the jewels of our
14 city, and I'm glad that it is getting the
15 opportunity to be designated a historic district,
16 and I would ask the Committee to vote unanimously
17 in favor of it. Thank you.

18 CHAIRPERSON LANDER: Thank you very
19 much, Chair Comrie, congratulations to you and to
20 the community in working toward this and working
21 through those issues. One thing we try to do here
22 in the Committee also is appreciate, you know,
23 where owners step up as stewards and, you know,
24 help preserve their neighborhood, both for
25 themselves, but also for posterity and for the

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2 city, it's something we take note of. So, thanks
3 to you and the partners that have worked in this.
4 Do members of the Committee have any questions?

5 COUNCIL MEMBER SANDERS, JR.: A
6 statement?

7 CHAIRPERSON LANDER: Yes. Council
8 Member Sanders.

9 COUNCIL MEMBER SANDERS, JR.:
10 Outside of Harlem, I would argue that there's no
11 place in New York City that has more of a
12 prestigious African-American population, indeed
13 New York population, I'd argue. The list of
14 people who have lived there, including the
15 esteemed Leroy Comrie, I believe.

16 COUNCIL MEMBER COMRIE, JR.: Oh no.

17 COUNCIL MEMBER SANDERS, JR.: Okay,
18 that's all right.

19 COUNCIL MEMBER COMRIE, JR.: I
20 couldn't afford it then, and definitely won't be
21 able to afford it now.

22 COUNCIL MEMBER SANDERS, JR.: I was
23 merely predicting his future, saying that I could
24 see him in the future there. Outside of that,
25 this is a magnificent area, and I can understand

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2 why the ... all of those celebrities, including
3 James Brown, if my memory serves me correct, the
4 Godfather himself found it necessary to live right
5 there. I merely wish that I could move it a few
6 blocks down, but since that's not in the
7 possibility, I would encourage everyone up here
8 to, we need you to do the right thing here and
9 vote for this designation. Congratulations to all
10 concerned with this great and historic day.

11 CHAIRPERSON LANDER: Tempted as I
12 am to stand up for Stuyvesant Heights and Bedford
13 Stuyvesant and its history of prestigious African-
14 Americans, I will pass over that temptation and
15 just ask if other Council members have either
16 comments or questions they would like to make or
17 ask at this time. We do have a few people, thank
18 you very much, Ms. Fernandez, for the testimony,
19 we do have a few people signed up to testify, four
20 of them, so we'll call them up, and we'll
21 alternate, we have three in favor and one in
22 opposition. So we'll first call one in favor and
23 then one opposed, and then we'll go back to the
24 other two. At this time let me first ask John
25 Krawchuk to come and present testimony.

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2 MR. KRAWCHUK: I thought that was
3 on. Good morning, Chairman Lander and members of
4 the Council Landmarks Committee. My name is John
5 Krawchuk, I am the Director of Historic
6 Preservation for the New York City Parks and I am
7 pleased to be here today on behalf of Commissioner
8 Adrian Benepe and the New York City Parks
9 Department to testify on behalf of the Addisleigh
10 Park proposed historic district. We have one park
11 within the proposed district, St. Alban's Memorial
12 Park, it's one of our great parks, and I'd just
13 like to say a few words on behalf of Parks in
14 support of the designation today. The bucolic
15 setting of this charming 1930's neighborhood is
16 distinctive for its tree-lined streets and grand
17 homes, and of course its famous residents, many of
18 them related to the gold age of jazz in Queens.
19 We at the Parks Department are actually quite
20 proud to have a companion landmarks connection to
21 the proposed historic district, which is the
22 Chapel of the Sisters, some of you may know it,
23 it's located near York College in Jamaica Queens.
24 I know Council Member Comrie is very familiar with
25 it, he came to our dedication, and we actually

1 honored Illinois Jacquet by renaming this chapel
2 for him in September of 2008. It's in a landmark
3 site, it's the Prospect Cemetery location, which
4 is in Jamaica Queens, and the chapel is actually
5 owned by the Parks Department and is, as I
6 mentioned earlier, adjacent to York College. And
7 because of that great connection and the Landmarks
8 Commission actually designated it in 1977,
9 rededicated that chapel in September of 2008 in
10 Illinois Jacquet's honor, who actually lived in
11 Addisleigh Park. So it's quite an appropriate
12 connection that we're quite proud of, and we now
13 offer jazz at the chapel, so we hope you'll come
14 out and see that there. And we're pleased to
15 share that actual, hopefully that official
16 landmarks designation with the Addisleigh Park
17 proposed historic district. And moving on, it's
18 fitting to include St. Alban's Memorial Park in
19 this designation within the boundaries of the
20 historic district. It's the beloved green gateway
21 to Addisleigh Park enclave and the neighborhood
22 residents have enjoyed recreating in you know,
23 active and passive recreation in this park since
24 we acquired it in 1914. And we support the
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2 inclusion of the park in the proposed historic
3 district, and we encourage the Council to vote in
4 favor of the designation. Thank you.

5 CHAIRPERSON LANDER: Thanks very
6 much, it's good to hear about the concerts. One
7 thing that we like a lot is when something is
8 done, not just to designate the area and make sure
9 that the structures are preserved, but that that
10 history also kind of continues and people can
11 attend to it. I was going to propose that we have
12 a sound track for today's hearing, but at least
13 knowing we can come to the chapel and hear some of
14 the music that has been made by the folks in the
15 neighborhood is great. So are there any questions
16 for ... great, thank you very much for your
17 testimony. We will next ... we'll next call up
18 Michael Patrick Smith, who is going to testify in
19 opposition to the designation and then we'll go
20 back to the other two in favor. Mr. Smith, thank
21 you for being here, if you can, the light should
22 be off, rather than on, which is confusing. And
23 if you'll begin by stating your name for the
24 record, and then presenting your testimony, thank
25 you.

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2 MR. SMITH: My name is Michael
3 Patrick Smith, and I'm here to testify against
4 this historic designation. First of all, my
5 parents moved to the area in 1961, and they moved
6 there for no other reason than to mind their own
7 business and to be left alone. We didn't care one
8 way or another about whatever, who lived there
9 before or the historic district or whatever, and
10 in fact my parents, if they knew that something
11 like this would happen, they would not have moved
12 there in the first place. I would like to point
13 out too that, I mean, we have property rights, and
14 we don't want people ... we don't want any
15 regulation of the property. We moved there with
16 the understanding that we were going to live the
17 American dream, which means that we have our
18 property and it's ours, period. Who lived there
19 before, that didn't mean anything one way or the
20 other to us, we just moved there just to mind our
21 own business and be left alone. And I would like
22 to point out too that we are on ... if you check the
23 map, and you know I mentioned this before at the
24 last meeting, we are on the edge of the district.
25 You can still have your district and leave us out

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2 of it. And that's, you know, so frankly, you
3 know, there's really not much more I could add to
4 that, except that we moved there only for ... only
5 to mind our own business and live the American
6 dream, and be left alone, and that's it. I don't
7 really have anything else to say other than that.

8 CHAIRPERSON LANDER: I want to
9 thank you for making the time to ... there may be
10 questions, so hang on one second. There may not
11 be, I don't mean to make you sit back down. But
12 first I want to thank you for making the time to
13 come out and testify today, and I appreciate that
14 some of the very history that we're talking about
15 and celebrating has given African-Americans reason
16 to be leery of government regulation, so I
17 appreciate you making the time to come out and
18 testify. If there ... Council Member Sanders has a
19 question.

20 COUNCIL MEMBER SANDERS, JR.: How
21 close are you to the edge, sir?

22 MR. SMITH: Well, there's only ...
23 sorry. There's only one house between mine and
24 the border of the district. The gentleman who
25 lives next door to me, he and his wife, I don't

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2 know what their position is on the historic
3 district designation, because I have not talked to
4 them, you know, but they're on 176th Street, 112-
5 31, I believe, and I'm 112-39. So as far as I
6 know, you know, like I said, I haven't heard them,
7 I haven't heard anything from them, one way or the
8 other about the district, you know, so their house
9 is not really one of the ... well, their house was
10 probably built in the 1930's- -

11 COUNCIL MEMBER SANDERS, JR.:

12 (Interposing) If I may, just a technical question.

13 MR. SMITH: Yes.

14 COUNCIL MEMBER SANDERS, JR.: How ...
15 is it possible to cut one house out?

16 MR. SMITH: Well, all I know is- -

17 COUNCIL MEMBER SANDERS, JR.:

18 (Interposing) No, no, no, that's directed to the
19 Chair, and he can direct it to whoever he feels is
20 appropriate.

21 CHAIRPERSON LANDER: And as a
22 technical matter, the Committee has the ability to
23 adjust the boundaries of a proposed district. I
24 think obviously we do so with great caution when
25 it's gone through the whole process and many

1
2 different neighbors have been part of the process
3 and communicated. But that's why we have these
4 hearings is to listen what the public has to say.

5 MR. SMITH: Well, I would like to
6 re-emphasize, you know, like I said, I'm that
7 close to the edge of the district. You could
8 still have your district, you know, I mean. You
9 know, frankly, you know, we just want to mind our
10 own business and be left alone, that's all we
11 want, that's all we ask of anybody in this world.

12 CHAIRPERSON LANDER: Thank you very
13 much. Seeing no other questions, I thank you very
14 much for your testimony. We have two remaining
15 people signed up to speak on this item, and
16 they're both in favor, so I'll just call you both
17 up together, Simeon Bankoff from the Historic
18 Districts Council and Mr. Steve Roberts from
19 Addisleigh Park.

20 MR. BANKOFF: Here, actually if you
21 want, take a look at this. Good morning, I'm
22 Simeon Bankoff, Executive Director of the Historic
23 Districts Council, it's a pleasure to be here, we
24 are in strong support of the Addisleigh Park
25 Historic District. I'd like to take a moment and

1
2 kind of talk about the powerful public/private
3 partnership and community partnership that caused
4 this ... us to get to this point in this project.
5 About five years ago, Council Member Comrie's
6 chief of staff called me up and said, "Would you
7 mind going out to the Addisleigh Park Civic
8 Organization and talk about what a historic
9 district means, they're interested in learning?"
10 So I went out there and we spent a good evening
11 together, and they had a lot of really good
12 questions. We followed up over the course of a
13 couple of months and then we ... I said, you know,
14 there is ... they wanted to know more about their
15 history, the history of the neighborhood, because
16 everyone sort of knew vaguely that Lena Horne
17 lived here and Roy Campanella lived there, and
18 everyone knew where Council Member Springer was,
19 and in fact Council Member, former Council Member
20 Springer was at the meeting, she was very
21 supportive, very helpful. But they said, you
22 know, it would be great if we could get some real
23 history here, just so we can tell everybody, you
24 know, who lived where and when. So HDC started
25 looking into a couple of grants, and we actually,

1
2 we got a grant, in addition to the support from
3 Council Member Comrie, we got a grant from the
4 National Trust for Historic Preservation, and also
5 a grant through the Preservation League of New
6 York State, which is a re-grant program from the
7 New York State Council on the Arts, to do a
8 reconnaissance-level survey where we hired a
9 professional to start looking into the history of
10 the area, looking through property deeds, looking
11 through newspaper clippings, in order to sort of
12 create a baseline of information. All the while,
13 you know, the Addisleigh Park Civic Organization
14 were terrific partners, they voted to support this
15 grant. We said, "We're not going to do this if
16 you guys don't want to, you know, get involved."
17 And they said, "Yes indeed, you know, why don't
18 you go forward." We, my staff, went out, took
19 numerous photos and as we were moving forward with
20 this, talking to the community, the community got
21 more interested in it. And actually I want to say
22 that we had never intended ... we didn't go into
23 this wanting to make this into a New York City
24 historic district. The original idea was to get
25 it on the National Register of Historic Places

1
2 determined eligible, which we finally did.
3 Meanwhile, Landmarks and the Landmarks Chair, Bob
4 Tierney, is a great fan of jazz and very
5 interested in the history of the area, and he had
6 also been informing his staff to do a survey. We
7 started working with Landmarks staff, giving them
8 our information, working on the information also
9 that Jeff Gottlieb from Central Queens Historical
10 Association had done, Christabel Gough from the
11 Society for the Architecture of the City about 16
12 years ago had talked to people about Addisleigh
13 Park, about the notion of the history and trying
14 to celebrate it. So it was really a fully-
15 transparent community-driven process, and an
16 incredibly successful one. So I'm really glad it
17 got to this point, and I'd like to thank our
18 partners, especially Council Member Comrie who has
19 been terrific about this, and the Addisleigh Park
20 Civic Organization and the Landmarks Commission.
21 Thank you.

22 CHAIRPERSON LANDER: Thank you. Do
23 you want to go?

24 COUNCIL MEMBER COMRIE, JR.: I just
25 want a copy of the book.

1
2 CHAIRPERSON LANDER: I also want to
3 say something, something there ... well, first of
4 all, thank you for your testimony, thank you for
5 your work together with Council Member Comrie to
6 help residents and owners so they understand the
7 issue and understand the process. I think it
8 makes us very happy to believe in landmarking as a
9 tool of preservation, but who also hear from
10 homeowners who have a lot of questions, when real
11 good education is done and decide we really want
12 to do this, that makes a big difference. One
13 other thing about the book, I just want to ask, I
14 know you've been in touch with Steve Romalewski,
15 who's put out a very nice new app for iphones that
16 helps you find and learn about landmarks near
17 where you are. At some point I'll send an email
18 around to people to let folks know about it. But
19 they link official documents, but they can also
20 link other things, so it might be great to give
21 them this document.

22 MR. BANKOFF: Yeah, I actually had
23 a meeting with Steve on Friday, talking about how
24 to work better with him and link that up. And
25 just also a final piece is that one of the things

1
2 that Landmarks had originally proposed the
3 district, and over the course of a public meeting,
4 a bunch of people who lived on the other side of
5 Linden Blvd. said, "We're in Addisleigh Park, how
6 come we're not in the district?" And we went back
7 to the property records and discovered that indeed
8 those houses had been developed as part of the
9 Addisleigh Park home development, and the LPC
10 enlarged the district at the request of the
11 community.

12 CHAIRPERSON LANDER: Thank you very
13 much for- -

14 COUNCIL MEMBER SANDERS, JR.:
15 (Interposing) Yes, not only do I want a copy of
16 the book, I want to pay the original price for one
17 of these homes. I would like to buy ten of these
18 homes.

19 CHAIRPERSON LANDER: Thank you very
20 much. Mr. Roberts.

21 MR. ROBERTS: Okay, thank you.
22 Good afternoon, and thanks for the privilege to
23 speak. I'm a resident of Addisleigh Park, in fact
24 I live on the other side of Linden and I was
25 included, on 176th Street. I'm privileged to be

1
2 the age of 64 and I'll be 65 in October, but we
3 moved out in Addisleigh Park and St. Alban's in
4 1956, one block past the border, and then we moved
5 into Addisleigh 17 years ago, but I had the
6 privilege of swimming in Count Basie's pool, speak
7 to Brook Benton, also Shari Headley of "Coming to
8 America" lived there. Many of the celebrities I
9 went to church with, so I had the pleasure to see
10 them, get to know them. There are a lot of
11 seniors in those houses still, and I love the way
12 the community comes together and looks out for the
13 community, for those individuals, those seniors.
14 We enjoy, we consider ourselves tremendously
15 blessed and privileged to live in that community,
16 and what I love about it also, it is peaceful and
17 quiet, so those who want to be left alone are left
18 alone. So we really enjoy the privilege of living
19 there, and I'm just praying that we do preserve
20 it, and I'm glad and flattered that we decided to
21 go this route, and I'm definitely in favor of it.
22 And thank you so much.

23 CHAIRPERSON LANDER: Thank you very
24 much for making the time to come out today, and
25 again for the support that you and your neighbors

1
2 have offered in this process. Any questions or
3 comments for Mr. Roberts? Thank you very much for
4 your time and your testimony. That concludes,
5 unless anyone jumps up and down, the public
6 testimony on Addisleigh Park. So thank you very
7 much, we'll close the public hearing on that item.
8 We are going to continue in our, as Council Member
9 Comrie said, the ... even though it is not currently
10 African-American history month, with some items
11 that I think were started at that period of time.

12 COUNCIL MEMBER SANDERS, JR.: Every
13 month.

14 CHAIRPERSON LANDER: And so the
15 next three items we're going to hear relate to
16 Sandy Ground in Staten Island, and I think what
17 we'll do is hear all ... we'll hear from LPC on all
18 three of those items and then we can take public
19 testimony on all three of them together. So let
20 me call them up altogether: Land Use numbers 376,
21 377 and 378. 376 is application 20115464, the
22 Reverend Isaac and Rebecca Gray Coleman House;
23 Land Use 377 is application 20115465, the
24 Rossville AME Zion Church; and Land Use 378 is
25 application 20115466, 565 and 569 Bloomingdale

1
2 Road cottages, all in Council Member Ignizio's
3 district, in Community Board #3 in Staten Island.

4 Thank you, Ms. Fernandez.

5 MS. FERNANDEZ: Thank you, Chair
6 Lander and members of the Committee. Before I
7 continue with them, I also wanted to reiterate
8 Landmarks Commission's gratitude to Council Member
9 Comrie, who has been amazing during the process
10 for Addisleigh Park and the neighborhood could not
11 have had better representation and champion for
12 preservation there. So thank you, Council Member
13 Comrie.

14 COUNCIL MEMBER COMRIE, JR.: Thanks
15 for sucking up, Jenny.

16 MS. FERNANDEZ: That's on behalf
17 of, you know, Chair Tierney. Okay, so my name is
18 Jenny Fernandez, Director of Intergovernmental and
19 Community Relations for Landmarks Preservation
20 Commission. I'm here today to testify on the
21 Commission's designation of the Reverend Isaac
22 Coleman and Rebecca Gray Coleman House on Staten
23 Island. On August 10th, 2010, the Landmarks
24 Preservation Commission held a public hearing on
25 the proposed designation as a landmark of the

1
2 Reverend Isaac Coleman and Rebecca Gray Coleman
3 House. There were six speakers in favor of
4 designation, including Yvonne Taylor representing
5 the family of Rebecca Gray Coleman, which still
6 owns the property. Other speakers in favor
7 included representatives for the Society of the
8 Architecture of the City, the Preservation League
9 of Staten Island, the Historic Districts Council,
10 the Sandy Grounds Historical Society, and the
11 Butler Manor Civic Association. There were also
12 letters in favor of designation from Yvette Taylor
13 Jordan, the great-granddaughter of Rebecca Gray
14 Coleman, and from the Metropolitan Chapter of the
15 Victorian Society in America. There were no
16 speakers in opposition. On February 1st, 2011, the
17 Commission voted to designate the building a New
18 York City Individual Landmark. The Reverend Isaac
19 Coleman and Rebecca Gray Coleman House is a
20 vernacular framed structure that is possibly the
21 earliest-extant building surviving from the period
22 when Sandy Ground was a prosperous African-
23 American community on Staten Island. The area's
24 first African-American residents purchased
25 property in 1828. Their numbers were bolstered in

1
2 the 1840's and 50's by the arrival of numerous
3 families from Snow Hill, Maryland who were
4 involved in the oyster trade and came to New York
5 to escape harsh laws passed in this slave state
6 prior to the Civil War. Beginning in the 1840's
7 through the early 20th century, this area, called
8 Wood Row or Little Africa, more commonly Sandy
9 Ground, was home to a group of free African-
10 Americans who resided here in more than 50 houses.
11 It is unclear when the Coleman-Gray House was
12 originally constructed, although it is identified
13 on one of the earliest surviving maps of the area
14 from 1859. The house was purchased by Isaac
15 Coleman and his wife, Rebecca Gray Coleman, when
16 he came to Sandy Ground to serve as pastor of the
17 Rossville AME Zion Church in 1864. The building
18 has been in the possession of Rebecca Gray
19 Coleman's descendants since that time and its
20 survival is a remarkable and rare reminder of this
21 very early African-American community. The
22 Commission urges you to affirm this designation.

23 CHAIRPERSON LANDER: Thank you, why
24 don't you go ahead and do the other two, and then
25 we can do questions and testimony on all three

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together?

MS. FERNANDEZ: Okay. For the record, my name is Jenny Fernandez, Director of Intergovernmental and Community Relations for the Landmarks Preservation Commission. I'm here today to testify on the Commission's designation of the Rossville AME Zion Church on Staten Island. On August 10th, 2010, the Landmarks Preservation Commission held a public hearing on the proposed designation as a landmark of the Rossville AME Zion Church. There were six speakers in favor of designation, including a member of the board of trustees of the Rossville AME Zion Church, who read a letter of support from Reverend Janet Jones. Other speakers on behalf of the designation included representatives of the Sandy Grounds Historical Society, the Preservation League of Staten Island, the Society for the Architecture of the City, and the Historic Districts Council. The Commission has received two letters in support of the designation, including one from the Metropolitan Chapter of the Victorian Society in America. There were no speakers or letters in opposition. On February

1
2 1st, 2011, the Commission voted to designate the
3 building a New York City Individual Landmark. In
4 1897 Rossville AME Zion Church is a rare and
5 important surviving building from the period when
6 Sandy Ground was a prosperous African-American
7 community on Staten Island. Sandy Ground is
8 located in the southern part of Staten Island, not
9 far from the shipping port of Rossville on the
10 Arthur Kill to the north and the prime oyster
11 grounds of Prince's Bay on the south. The Sandy
12 Ground community thrived for many years, built
13 substantial houses and established successful
14 businesses and institutions, chief among them the
15 Rossville AME Zion Church. The founder and first
16 minister of the church was William H. Pitts, a
17 Virginia-born African Methodist Episcopal Zion
18 minister who purchased land in Sandy Ground in
19 May, 1849 and began holding prayer services in his
20 home. The African Zion Methodist Church in the
21 village of Rossville, now Rossville AME Zion
22 Church, was formally established in December,
23 1850. By 1890 the congregation had outgrown its
24 first church and purchased this site and
25 constructed the present building in 1897.

1
2 Originally a simple, clapboarded vernacular framed
3 structure, with a gabled entrance porch, the
4 building survives as a tangible and visible link
5 to the rich history of the Sandy Grounds
6 community. The church remains in use and the
7 descendants of the original founders are still
8 members of the congregation. The Commission urges
9 you to affirm this designation.

10 And finally, for the record again,
11 Jenny Fernandez, Director of Intergovernmental
12 and Community Relations for the Landmarks
13 Preservation Commission, here today to testify on
14 the Commission's designation of 565 and 569
15 Bloomingdale Road cottages on Staten Island. On
16 August 10th, 2010, the Landmarks Preservation
17 Commission held a public hearing of the proposed
18 designation as a landmark of the 565 and 569
19 Bloomingdale Road cottages. There were five
20 speakers in favor of the designation, including a
21 member of the board of trustees of the Rossville
22 AME Zion Church, the owner of the properties.
23 Other speakers on behalf of the designation
24 included representatives of the Sandy Ground
25 Historical Society, the Preservation League of

1
2 Staten Island, the Society for the Architecture of
3 the City, and Historic Districts Council. The
4 Commission has received two letters in support of
5 designation, including one from the Metropolitan
6 Chapter of the Victorian Society in America.

7 There were no speakers or letters in opposition.

8 On February 1st, 2011, the Commission voted to
9 designate the buildings New York City Individual
10 Landmarks. Constructed between 1887 and 1898 as
11 rental properties by Robert E. Mersereau. The
12 small frame houses at 565 and 569 Bloomingdale
13 Road, traditionally known as the baymen's
14 cottages, are rare surviving buildings from the
15 period when Sandy Ground was a prosperous African-
16 American community on Staten Island. Typical
17 examples of the small cottages erected in the late
18 19th century and early 20th century to house workers
19 in the rural areas of New York. These two houses
20 were nearly identical, two-story, one-room deep,
21 peaked-roof framed structures with central
22 chimneys and side hall entrances with shallow
23 stoops and porches. Number 569 Bloomingdale Road,
24 the northernmost of the two houses, was occupied
25 from about 1900 to 1930 by William Landon, son of

1
2 Robert Landon, one of the most prominent and
3 successful of the Maryland oystermen who settled
4 in Sandy Ground around 1850. The trustees of the
5 AME Zion Church of Rossville purchased the
6 property in 1981. Today the houses survive as a
7 tangible and visible link to the rich history of
8 the Sandy Ground community, the Commission urges
9 you to affirm this designation.

10 CHAIRPERSON LANDER: Thank you very
11 much, Mr. Fernandez. Council Member Ignizio is
12 not here, whose district this is in, but I know
13 that he is in support of the designation, and
14 since I think he's the Council member who probably
15 votes against more designations than any other
16 Council member, where owners do not support it, as
17 they do in this case, it's significant to note his
18 support, and we thank him for it. Obviously, with
19 support of owners, he is enthusiastic about
20 preservation, so I don't mean to make it seem
21 otherwise. And also since Council Member Barron
22 is not here, who would surely thank you for
23 attending to African-American history in what you
24 designate and preserve, I'll also, I can't really
25 channel Council Member Barron, but I'll still

1

2 thank you on his behalf. Are there questions for
3 the LPC from the Committee?

4

COUNCIL MEMBER HALLORAN III: Mr.
5 Chairman, just a comment, I had an opportunity to
6 speak with Council Members Oddo and Ignizio about
7 specifically the Reverend Isaac Coleman House, and
8 they were very much looking to try to preserve it.
9 They've been trying to find funding to keep it up
10 from falling down, as a matter of fact, because it
11 requires a lot of work. So I know that they have
12 made a commitment to do everything they can to
13 preserve this particular piece, so be aware that
14 they've been working on this.

15

CHAIRPERSON LANDER: Great, thank
16 you. Okay, Ms. Fernandez, thank you very much.
17 We have two people signed up to testify, both in
18 favor of the designation, Ms. Yvonne Taylor and
19 Ms. Linda Estreyes ... Eskenas, I apologize, okay.
20 Just begin by stating your name for the record,
21 and then give your testimony. Thank you. Push
22 the button first, thank you. There you go.

23

MS. TAYLOR: Thank you, Mr.
24 Chairman and members of the Committee. My name is
25 Yvonne Taylor and I am here to testify in favor of

1
2 the designation of the Isaac Coleman - Rebecca
3 Gray House to be a city landmark. I'm a
4 descendant of Rebecca Gray Coleman, who with her
5 husband, Reverend Isaac Coleman, purchased the
6 property at 1482 Woodrow Road in Staten Island in
7 1864. Reverend Coleman had been assigned to
8 pastor the Rossville AME Zion Church in the Sandy
9 Ground community of Staten Island, and because the
10 church did not own a parsonage, it became his
11 responsibility to find a home. He and his wife
12 Rebecca purchased the property referred to and,
13 according to stories told to me by my grandmother,
14 Rebecca Landon, there was a small house on the
15 property. My grandmother and siblings moved with
16 their parents, Steven and Martha Gray, to this
17 house, to care for their aging grandmother Rebecca
18 Coleman, after the death of her husband, Reverend
19 Isaac Coleman. My grandmother was seven years old
20 when she moved there. She lived in the house
21 until her death at the age of 91. After she
22 married Robert Landon, she told of the need to
23 enlarge the house, because they had twelve
24 children. Thus what originally was a small
25 cottage, over the years evolved into a thirteen-

1
2 room house. I lived in that house until the age
3 of 30, and still have a strong attachment to it.
4 This house is the oldest of only a few remaining
5 structures which were once occupied by African-
6 Americans who settled in the Sandy Ground
7 community in the early and middle 1800's. The
8 preservation of this structure is significant
9 because as communities change, it's important to
10 see some of the remaining vestiges of the past. I
11 sincerely hope that you will support this
12 designation of the Landmarks Preservation
13 Commission that this house, as well as the three
14 other structures which lie within the Sandy Ground
15 community, receive the distinction of landmark
16 status. Thank you very much for this opportunity
17 to speak.

18 CHAIRPERSON LANDER: Thank you so
19 much for coming out today, and for bringing that
20 history into the room, it's wonderful obviously
21 for us to hear it. Thank you.

22 MS. ESKENAS: Thank you. Linda
23 Eskenas, the Preservation League of Staten Island
24 and Four Borough Neighborhood Preservation
25 Alliance, West Brighton Restoration and Community

1
2 Board #1 Greenway Committee. It's really a
3 privilege to support this wonderful designation of
4 Sandy Ground, which is really the triumph of the
5 human spirit. When you think of this as well
6 before the Civil War, when people had the courage
7 to come here, come to Staten Island from Maryland,
8 where they were oyster fishermen, but could not
9 own their own boat, they couldn't even be
10 navigators of these boats, much less a captain.
11 And they created lives, wonderful lives with their
12 courage, for their families and for those that
13 came after them. And I think you've heard the
14 history, which is very moving, and we're so lucky
15 to have this wonderful place. I think that the
16 cemeteries already are landmarked, but it would
17 seem that now the achievement of these people
18 being recognized rising over great difficulties,
19 it's really an honor to be able to do this now.
20 Because I think people need to be inspired now,
21 and in doing this we're handing something special
22 and we must rise to the occasion for people that
23 come after us, because something is asked of us
24 today, at this time. And I think it's this kind
25 of thing, to inspire, to have vision, and that's

1
2 part of Landmarks. So these three remarkable
3 sites must be, of course, historic ... New York
4 historic landmarks. And thank you so much for the
5 great work you're doing and your Committee, and
6 thank you.

7 CHAIRPERSON LANDER: Thank you very
8 much for taking the time to come and testify, it's
9 wonderful to hear. Any questions for this panel?
10 Seeing none, I want to say thank you very much for
11 your testimony, and again for your stewardship of
12 the property, your family's stewardship of the
13 property as well. We have no one else signed up
14 on these items, so we'll close the public hearing
15 on the three Sandy Ground properties with thanks.
16 We do have one more item on the calendar, and that
17 is in Speaker Quinn's district. Oh, thank you.
18 And it is Land Use #380, 20115516, the
19 Manufacturers Trust Company Building interior in
20 Speaker Quinn's district, in Community Board #5 in
21 Manhattan. Thank you, Ms. Fernandez.

22 MS. FERNANDEZ: Thank you, Chair
23 Lander and members of the Committee, Subcommittee.
24 My name is Jenny Fernandez, Director of
25 Intergovernmental and Community Relations for

1
2 Landmarks Preservation Commission, I'm here today
3 to testify on the Commission's designation of
4 Manufacturers Trust Company Building interior in
5 Manhattan. On February 1st, 2011, the Landmarks
6 Preservation Commission held a public hearing on
7 the proposed designation as a landmark of the
8 Manufacturers Trust Company Building interior.
9 Fourteen people spoke in favor of designation,
10 including two representatives of the owner, as
11 well as representatives of the Coalition to Save
12 MHT, Docomomo New York Tri-State, the Historic
13 Districts Council, the Landmarks Conservancy, the
14 Modern Architectural Working Group, the Municipal
15 Arts Society, and the Recent Past Preservation
16 Network. On February 15th, 2011, the Commission
17 voted to designate the building's interior as a
18 New York City Individual Landmark. When the Fifth
19 Avenue offices of the Manufacturers Trust Company
20 opened in October, 1954, bank officials claimed it
21 was unlike any other financial institution in this
22 country or abroad. A major example of mid-20th
23 century modernism 510 Fifth Avenue was designated
24 a New York City landmark in 1997, and is one of
25 Manhattan's most transparent structures, revealing

1
2 two elegantly-spacious banking floors that were
3 planned to be as prominent to passing pedestrians
4 as the glass and aluminum exterior. Though
5 interior components and artwork by sculptor Harry
6 Bertolia were recently removed, many distinctive
7 elements remain. Because the 7,000 square foot
8 second floor, sometimes called a mezzanine, is
9 recessed from the street, it appears to float,
10 creating the impression that both levels occupy a
11 single monumental space. Other notable historic
12 features include the twin escalators which were
13 originally free-standing, as well as the 43rd
14 Street lobby at the west end of the building,
15 which, like the rear wall of the second floor,
16 displays handsome sets of elevator doors set into
17 polished gray marble walls. By conceiving this
18 building and its minimalist interiors as a unified
19 architectural statement, SOM, the architect, not
20 only produced one of Fifth Avenue's most memorable
21 structures, but it created a work that influenced
22 the course of American bank design. The
23 Commission urges you to affirm this designation.

24 CHAIRPERSON LANDER: Thank you very
25 much. Any questions or comments from members of

1
2 the Committee? Speaker Quinn does support this
3 designation, and let's see whether the board ... so,
4 all right, seeing none, all right, thank you, Ms.
5 Fernandez. We'll take Simeon Bankoff's- -

6 MR. BANKOFF: (Interposing) Sorry
7 to just jump in, Simeon Bankoff, Executive
8 Director of Historic Districts Council. We were
9 very strong in support of the designation of this
10 interior. We are very pleased that the Landmarks
11 Commission did this, and we are very pleased that
12 they could find a workaround with the current
13 owner. I would like to sort of point out the
14 peculiar irony of the escalators being noted as a
15 featured part of the importance of this building,
16 because the Landmarks Commission has just allowed
17 them to be rotated a full, again with my math, but
18 180, thank you, 180 degrees from their original
19 configuration, which is perhaps the way that
20 things should work, so we should have an
21 understanding that even when things are protected,
22 they are still altered in the future and
23 landmarking does not freeze things in time.

24 CHAIRPERSON LANDER: Great, thank
25 you for noting that, it's helpful, I think, you

1
2 know, when we're here and people ask questions
3 about it, that that's something that the owner was
4 able to bring forward, so thank you very much.

5 All right, so that closes the public hearing on
6 that item, and on all items before the Committee
7 today. We will now proceed toward a vote on the
8 items. Council Member- -

9 COUNCIL MEMBER WILLIAMS:

10 (Interposing) Can we do them separately?

11 CHAIRPERSON LANDER: Yes, we can.

12 COUNCIL MEMBER WILLIAMS: That way
13 we can speed it.

14 CHAIRPERSON LANDER: Okay. All
15 right. So what I think we're going to do is,
16 we'll vote on all the items other than Addisleigh
17 Park first, and then we'll have a second vote on
18 Addisleigh Park, and perhaps a bit more
19 conversation about it. Okay, all right, so let's
20 ... we will vote as a block on 380, 384, 376, 377
21 and 378. The Chair recommends a vote of aye, as
22 he will on the subsequent one as well, and ask the
23 counsel to call the vote.

24 MR. HYLTON: Christian Hylton,
25 counsel to the Committee. Chair Lander?

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CHAIRPERSON LANDER: Aye on all.

MR. HYLTON: Council Member

Sanders.

COUNCIL MEMBER SANDERS, JR.:

Permission to explain my vote?

CHAIRPERSON LANDER: Granted.

COUNCIL MEMBER SANDERS, JR.: I

think it's a great day. I think it's fantastic
that we do these things, and I vote aye.

MR. HYLTON: Council Member Palma.

COUNCIL MEMBER PALMA: Aye.

MR. HYLTON: Council Member Arroyo.

COUNCIL MEMBER ARROYO: Yes.

MR. HYLTON: Council Member Mendez.

COUNCIL MEMBER MENDEZ: Aye on all.

MR. HYLTON: Council Member

Williams.

COUNCIL MEMBER WILLIAMS: Aye.

MR. HYLTON: Council Member

Halloran.

COUNCIL MEMBER HALLORAN III: As

the resident Scutch, I mean Republican, I vote
aye.

MR. HYLTON: By a vote of seven in

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2 the affirmative, none in the negative, no
3 abstentions, LU 384, 376, 377, and 378 are
4 approved and referred to the full Land Use
5 Committee.

6 CHAIRPERSON LANDER: Thank you very
7 much to counsel, we will now return to Land Use
8 379, the Addisleigh Park Historic District, and I
9 recognize Council Member Sanders.

10 COUNCIL MEMBER SANDERS, JR.: Thank
11 you. Thank you very much. I'm trying to find out
12 why we just can't do a little cut of this ... for
13 this particular person. Is any historical
14 significance, extra significance, to the
15 particular house in question? If there are not,
16 then why don't we just cut one person out?

17 CHAIRPERSON LANDER: So I'll give
18 an answer as Chair, and if Council Member Comrie
19 also wants to answer, I mean, I can't speak to
20 this individual house. We have before the
21 Committee a few times in my tenure, had individual
22 owners in districts come forward and raise
23 objections, and I think it ... and we have as a
24 Committee generally thus far have the precedent
25 that if the overwhelming ... if we're supporting a

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2 district, if a significant majority of residents
3 have been supportive, if the Council members have
4 been supportive, that the risk of allowing
5 individuals to sort of pull properties would
6 create a very challenging situation for us, and
7 could sort of pit neighbors against each other,
8 and we had that happen a few times. So I think if
9 it's gone through the whole process, and actually
10 I'll even invoke Council Member Ignizio, because
11 I've spoken with him about this, you know, he does
12 generally object if we ... if an individual property
13 is being designated over the objections of the
14 owner, then he'll vote no on the floor. If a
15 district is being designated, even if there are,
16 you know, as an owner or some owners who are
17 opposed, he will still vote in favor, rather than
18 leading to sort of a sawtooth thing. So we have
19 the technical power to adjust the boundaries, but
20 I think it's advisable by the time if it gets to
21 us, if the district has been presented with some
22 integrity, and if there is community support, that
23 I would urge that we not open up the door to
24 people coming and seeking individual home
25 exemptions, which I think would make the whole

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2 process much more complicated. But I also will
3 recognize Council Member Comrie and Council Member
4 Halloran on the issue.

5 COUNCIL MEMBER COMRIE, JR.: The
6 home in question is not at the end of the block,
7 which could be cut out. Even if it were at the
8 end of the block, it would significantly alter the
9 homes within that particular block, which actually
10 fought to be added into the ... they were not part
11 of the original designation scope, they found out
12 about the designation scope, they wanted to be
13 added in, so that they could be part of the
14 designation. It's very important to those
15 homeowners that there's a uniform look within the
16 entire. With all due respect to the individual
17 that came in, he is not the owner, he is the child
18 of the owners, and you know, to come in and assert
19 a desire of people that were not here to express
20 for themselves is actually suspect. I believe
21 that his parents are still with him, and I do
22 believe if you do look at that home, it is a home
23 that is as significant as all of the other homes
24 within the particular block. So I am not in favor
25 of cutting it out. If there were some specific

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2 hardship or some handicap reason, or if there were
3 some access reason, or if he had a school or
4 something, but this is nothing but him deciding
5 that he wanted to have an individualistic concept,
6 and he has no other significant reason. The
7 homeowners have really worked hard to develop this
8 designation, they understand what the needs are,
9 and what they've already created almost historic
10 relationship with the Historic Districts Council,
11 and Landmarks Preservation, and I hope that this
12 is a template for communities to work with getting
13 designation, as Simeon said, you know, the Civic
14 Association reached out to me and my going to
15 meetings, and they were inquiring about the
16 opportunity. We brought in the Historic Districts
17 Council to work with them to find out what their
18 questions were, to do the research, to walk them
19 through it, to work with Landmarks. This has been
20 a total cooperative process with full information
21 and disclosure done up and down the line. And
22 actually I'm kind of insulted that he shows up
23 here today at the last minute to ask for a carve-
24 out, when he's never testified at any other
25 meeting other than one public meeting before. We

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2 have worked hard to try to include, and in fact we
3 had other neighbors that wanted to be included in
4 the designation, and so that they could keep a
5 uniform community, keep their homes in that
6 historic manner because there is a lot of history,
7 a lot of sacrifice, a lot of effort that was made
8 into creating that area. So I would urge that it
9 be made whole. Thank you.

10 CHAIRPERSON LANDER: Thank you.

11 Council Member Halloran.

12 COUNCIL MEMBER HALLORAN III: Just
13 to briefly address my colleague's dilemma, I agree
14 that there is a dilemma when a homeowner presents
15 himself. In fact, I'm going to have that dilemma
16 shortly in the Broadway-Flushing area. I had it
17 in the Douglaston Historic area, and as somebody
18 who tends to be a libertarian, it always bothers
19 me to interfere in property rights. But I have to
20 agree that if we're going to do these
21 designations, and we designate districts, we have
22 to designate a district. And it just seems that
23 the lines were drawn carefully with cooperation
24 from multiple parties, including the civics, and
25 you wind up, if we're going to have people cutting

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2 things in and out, if it's not done in the plan,
3 that we're going to have problems down the line
4 getting it through, and people will be able to go
5 to court and say, "you were able to make an
6 exemption for this person, why not for me?" I
7 think we open a Pandora's box of litigation
8 issues, because if we don't uniformly apply the
9 landmarks process, and we are able to individually
10 cut out houses, I believe the integrity of the
11 process from a judicial point of view collapses.
12 And then you can bring article 78's and these can
13 be overturned, because the designation process
14 will then become what's called arbitrary and
15 capricious. And when that happens, it's rife for
16 attack by lawyers, not that we don't need lawyers,
17 but we do, but in this case I think it would
18 destroy and undermine the law of landmarking, and
19 we would no longer be able to do districts,
20 because if we start carving out individual houses
21 for these reasons, the whole process becomes
22 arbitrary, and therefore the courts can say, no,
23 you can't landmark any more, because you're
24 willing to cut out for X, Y, and Z reasons, well
25 then why can't you cut everybody out who wants to

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2 come out? And that's the problem. I'm not saying
3 it's a good ... I'm not saying this is a good
4 answer. What I'm saying is I think that's the
5 legal answer to the question as to why we
6 shouldn't do it.

7 CHAIRPERSON LANDER: Any other
8 Council members, Committee members on this issue?
9 If not ... Council Member Sanders.

10 COUNCIL MEMBER SANDERS, JR.: Since
11 the person in question, according to my colleague,
12 is not the owner, he ... the question doesn't have
13 standing under those conditions. The issue is one
14 that we'll wrestle with in the future somewhere
15 I'm sure, but he doesn't have standing, it's just
16 ... it would be the equivalent of anybody walking by
17 or something of that nature. A worthy argument,
18 not for today, and certainly not one that will
19 take away from having this fantastic historical
20 district created. And with that I'm going to vote
21 yes, and I'm going to urge my colleagues to vote
22 yes.

23 CHAIRPERSON LANDER: Thank you,
24 Council Member Sanders. We'll turn to the vote in
25 just a minute, but first I'll recognize Council

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Member Mendez.

COUNCIL MEMBER MENDEZ: Thank you, Mr. Chair. I just feel like I have to add my comments now. Irrespective if he was the owner or not, I think we end up going down this slippery slope and whether it's on the edge of the district or not, again it becomes a slippery slope. It would not have made it through this part of the process had it not been worthy of being part of this historic district. So then when we start to say, let's chop out this building from the historic district, then we really would have to go back and look at the entire district, and that creates just a dilemma for everybody. And it's not a simple process, it's a long process, and a very thoughtful process. So I just want to add my comments, and certainly you can guess I'll be voting aye on this. Thank you.

CHAIRPERSON LANDER: All right, thank you, I appreciate the discussion, obviously it will continue to be relevant to us in the future, as we see more districts, and thanks, I ask on Land Use #379, the Addisleigh Park Historic District, that the counsel call the roll and the

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Chair recommends an aye vote.

MR. HYLTON: Christian Hylton,
counsel to the Committee. Chair Lander?

CHAIRPERSON LANDER: Aye.

MR. HYLTON: Council Member
Sanders.

COUNCIL MEMBER SANDERS, JR.: An
enthusiastic yes.

MR. HYLTON: Council Member Palma.

COUNCIL MEMBER PALMA: Aye.

MR. HYLTON: Council Member Arroyo.

COUNCIL MEMBER ARROYO: Yes.

MR. HYLTON: Council Member Mendez.

COUNCIL MEMBER MENDEZ: Aye.

MR. HYLTON: Council Member
Williams.

COUNCIL MEMBER WILLIAMS: May I be
excused to explain my vote?

CHAIRPERSON LANDER: (inaudible).

COUNCIL MEMBER WILLIAMS: Sorry, I
wasn't here for most of it, but I think I got it,
and I'm going to vote aye on all, but I too have
concerns when owners are opposed, and I think
someone brought up the suggestion of carving out,

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2 and perhaps if it was at the end, I do think that
3 may be a possibility. But I remember we had one
4 such case in Mathieu Eugene's district, where
5 there was one closer to the end, and we still
6 didn't use that option, and I thought that
7 actually would have been a best-test case to do
8 that. But I vote aye, thanks.

9 MR. HYLTON: Council Member
10 Halloran.

11 COUNCIL MEMBER HALLORAN III: I
12 vote aye.

13 MR. HYLTON: By a vote of seven in
14 the affirmative, none in the negative, LU 379 is
15 approved and referred to the full Land Use
16 Committee.

17 CHAIRPERSON LANDER: Thanks very
18 much, and with that this meeting of the
19 Subcommittee is adjourned.

C E R T I F I C A T E

I, Richard A. Ziats, 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 _____

Date May 10, 2011