

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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June 19, 2012
Start: 11:20 a.m.
Recess: 12:42 p.m.

HELD AT: Council Chambers
City Hall

B E F O R E:
BRAD S. LANDER
Chairperson

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

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

Kate Daly
Executive Director
Landmarks Preservation Commission

Robert Neborak
Owner
34 Dominick Street

Roy Luzaro
Owner
36 Dominick Street

Andrea Goldwyn
Representative
New York Landmarks Conservancy

Simeon Bankoff
Representative
Historic Districts Council

1
2 CHAIRPERSON LANDER: Good morning.
3 I'm City Council Member Brad Lander, chair of the
4 Landmarks, Public Siting and Maritime Uses
5 Subcommittee of the Land Use Committee. I'm
6 pleased to call this committee meeting to order.
7 I'm joined today by Council Members Maria del
8 Carmen Arroyo and Annabel Palma of the Bronx and
9 Jumaane Williams of Brooklyn, and we're pleased to
10 be starting relatively close to on-time today, so
11 thank you for - - . We're staffed today by our
12 Land Use Director, Gail Benjamin [phonetic], which
13 is a treat.

14 We have four items on the calendar
15 all in individual landmark designations in Speaker
16 Quinn's district. There's a few people signed up
17 to testify and what we're going to do—we also have
18 the executive director of the LPC [phonetic], Kate
19 Daly [phonetic], here. I don't know if Jenny is
20 on vacation, but it's a treat nonetheless to have
21 Kate presenting them to us. What we're going to
22 do, we have two people signed up to testify on all
23 four of those items, so I think we will hold you
24 guys until the end so you can just do one
25 testimony rather than come up, and we'll allow the

1
2 two individuals that have signed up on specific
3 buildings to testify in order, so let's start—
4 there are Land Use items 622, 623, 624 and 625,
5 but since we have the two individuals signed up
6 for 623 and 624, we will start with those. So let
7 me ask Kate Daly from the LPC to come up and
8 present them to us and let me ask that we start
9 with Land Use No. 623, which is the 34 Dominick
10 Street House, Item No. 20125555 HKM.

11 KATE DALY: Good morning, Chair
12 Lander, Council Members. My name is Kate Daly.
13 I'm the executive director of the Landmarks
14 Commission. I'm filling in for Jenny Hernandez
15 today, who is attending her daughter's graduation.
16 I'm here today to testify on the Commission's
17 designation of 34 Dominick Street in Manhattan.
18 On June 28th, 2011, the Landmarks Preservation
19 Commission held a public hearing on the proposed
20 designation as a Landmark of the 34 Dominick
21 Street House. There were four speakers in favor
22 of the designation, including representatives of
23 the New York Landmarks Conservancy, the Society of
24 the Architecture of New York City, the Historic
25 Districts Council and the Greenwich Village

1 Society for Historic Preservation. Robert
2 Neborak, co-owner of the building, spoke in
3 opposition to designation on behalf of the owners
4 of the building. On March 27th, 2012, the
5 Commission voted to designate 34 Dominick Street
6 as an individual landmark. The building at 34
7 Dominick Street was one of twelve federal style,
8 brick row houses, numbered 28 to 50, that were
9 built around 1826 on the south side of Dominick
10 Street between Hudson and Varick Streets. It was
11 one of five houses constructed by builder, Smith
12 Bloomfield. The house retains its federal style,
13 Flemish bond brickwork and stone lintels and
14 sills. It was raised to a full third story with
15 Flemish bound brickwork at the third story and an
16 Italianate style cornice around 1866. The
17 addition of a full story is a typical alteration
18 that many owners of federal era houses made at
19 that time. The 34 Dominick Street house is a
20 relatively rare surviving Manhattan townhouse of
21 the federal style and period with Italianate style
22 alterations. It is also notable as being only one
23 of four remaining federal era row houses on a
24 block that was once lined with brick row houses
25

1
2 and one of the three relatively intact remaining
3 houses in that row. The Commission urges you to
4 affirm this designation. Thank you.

5 CHAIRPERSON LANDER: Thank you very
6 much. Ms. Daly, let me just call to the attention
7 of the other Committee members that three of the
8 four items today are adjacent, 32, 34 and 36
9 Dominick Street house, so they are each individual
10 landmark designations, so we will hear them
11 separately and have testimony on them separately,
12 but they are three adjacent buildings. Council
13 Member Williams? - - So what we're going to do is
14 do questions on this one - - we have the owner who
15 is mentioned here. He is going to testify, and
16 then we'll come back - - the other items - - .

17 COUNCIL MEMBER WILLIAMS: Is this
18 commercially owned or private?

19 KATE DALY: I believe it's
20 privately owned, but I think the owners can speak
21 to the current ownership best.

22 CHAIRPERSON LANDER: Any questions
23 before - - we will likely have some questions for
24 - - . Oh okay.

25 FEMALE VOICE: - -

1
2 KATE DALY: The Commission
3 typically doesn't designate historic districts of
4 only three buildings. The smallest historic
5 district the Commission has designated has six
6 buildings, and so this block doesn't have the
7 necessary sense of place or streetscape elements
8 that contribute to a historic district, but
9 because these buildings are so rare and so old and
10 so relatively intact it was determined that they
11 do rise to the level of individual landmarks.

12 FEMALE VOICE: And the owners are
13 in favor?

14 KATE DALY: The owners testified in
15 opposition at our public hearing.

16 FEMALE VOICE: For 34?

17 KATE DALY: That's correct. For
18 34.

19 CHAIRPERSON LANDER: We also have
20 someone signed up to testify for 36. I assume—you
21 alluded to it—this is part of the federal style
22 building sort of project that LPC is - - looking
23 to identify as many possible of the federal style
24 buildings and individually designate them.

25 KATE DALY: That's right. The

1 Commission conducted a survey in 2006 and
2 continued that survey in more recent years to find
3 every federal era building in Lower Manhattan
4 because these are such a rare and important part
5 of New York City's history, and so as a result of
6 that survey, we have designated nearly a dozen
7 federal buildings over the course of the past
8 several years, and these three are considered a
9 very important part of that survey.
10

11 CHAIRPERSON LANDER: Thank you very
12 much. I'm sure we will call you back if we have
13 more questions. The one person who is signed up
14 to testify on 34 Dominick Street is Robert
15 Neborak, so let me invite you to come up and say
16 your testimony to us.

17 [background conversation]

18 ROBERT NEBORAK: This is my
19 testimony. This is a supporting article in the
20 paper. This is visual aids.

21 CHAIRPERSON LANDER: Anything else?

22 ROBERT NEBORAK: Yes, I will give
23 you the testimony that I presented at the hearing,
24 and I will give you the letter that I wrote in
25 opposition on March 16th, and then if you would

1
2 like, I can give you an example of the typical
3 federal house that has been landmarked.

4 CHAIRPERSON LANDER: So if you'll
5 just introduce yourself, state your name for the
6 record, and then you can go ahead and begin your
7 testimony when you're ready.

8 ROBERT NEBORAK: My name is Robert
9 Neborak. I am the owner of 34 Dominick Street.
10 And to answer your question, it's a private
11 residence. Good morning. I'm Robert Neborak.
12 I'm the owner of 34 Dominick Street. My wife and
13 I are opposed to the designation of our house as
14 an individual landmark. The New York City
15 Landmarks law requires landmarks to possess "a
16 special character or a special historical or
17 aesthetic interest" and was meant to protect the
18 "finest architectural products of distinct periods
19 in the history of this city." When reviewed
20 against the criteria for designation as a federal
21 house created by the commission's research staff,
22 their own report titled Federal Style Houses in
23 Manhattan and the commission's own admission that
24 34 Dominick Street has been altered and lacks many
25 of the defining characteristics of the federal

1 style, we submit that 34 Dominick Street does not
2 meet the criteria set forth in the Landmarks law
3 for designation as an individual landmark. It is
4 not rare. There are hundreds throughout New York
5 that have been altered. As described in the
6 federal house presentation to the Commission,
7 candidates for designation as examples of the
8 federal period are assessed with respect to the
9 following physical attributes—form, material and
10 details. The defining form of 34 Dominick Street
11 does not exhibit the 2 ½ story characteristic form
12 of the federal house. The façade was raised to a
13 full third floor. The windows were altered, and
14 the front door was raised and enlarged.
15 Furthermore, when the Holland Tunnel was built,
16 Dominick Street was raised, obscuring the
17 building's base and burying the stoop. The base
18 was further altered in the 1950s. In terms of
19 materials, the brick work has been altered and
20 filled in in patches. The ironwork is from the
21 early 20th century. There is a concrete - - . The
22 house does not have its original door or stoop.
23 The cornice is of a later style. The window
24 openings have been modified and all of the windows
25

1
2 have been replaced. There are folks who make it
3 their business to secure landmark status for
4 buildings, and when appropriate, we support them,
5 but keep in mind that they have no skin in the
6 game. There is no cost to them to operate or
7 maintain these landmarks. They chalk up their
8 victories and move on. The sole cost is borne by
9 the property owner; therefore, thoughtful
10 consideration must be given to the long term
11 regulatory and financial burden of a landmark
12 designation, particularly an individual landmark
13 designation. 34 Dominick Street is located just
14 40 feet from the Holland Tunnel, and is surrounded
15 by large industrial buildings vertically stacked
16 parking. There are pictures in my testimony from
17 the original testimony at the Landmarks last
18 March. Trucks entering the tunnel shake the house
19 to the foundation loosening the brickwork, further
20 damaging the structural integrity of the house. A
21 review of the federal style properties in
22 Manhattan having individual landmark status to
23 date indicates these common defining
24 characteristics—and I've offered a picture of the
25 individual landmark houses, the federal style

1 houses. It's a 2 and ½ story height, a peaked
2 roof, prominent segmental dormers--and this is
3 taken right off of Landmarks' reports--original
4 decorative wood trim, Flemish bond brickwork, low
5 stoop with wrought iron work, stone lintels and
6 sills and a molded cornice. These are not the
7 defining characteristics at 34 Dominick Street,
8 and an individual Landmark designation would be a
9 radical departure from these precedents. As you
10 may know, Stephen Spinola, president of the Real
11 Estate Board of New York, recently wrote "a
12 consistently high standard is not applied in
13 determining whether an individual structure or
14 district warrants landmark protection." He goes on
15 to say "substantially altered buildings should not
16 be included." We are not aware of any individual
17 landmark designation of a building that is of no
18 particular style and that what our house is--no
19 particular style--and has been so altered in form,
20 materials and details as 34 Dominick Street;
21 therefore, we urge the City Council vote not to
22 designate 34 Dominick Street. Do you have any
23 questions?
24

25 CHAIRPERSON LANDER: Thank you very

1
2 much for your testimony. Let me ask if my
3 colleagues have questions.

4 ROBERT NEBORAK: Sure.

5 CHAIRPERSON LANDER: Council Member
6 Williams?

7 COUNCIL MEMBER WILLIAMS: Thank you
8 for your testimony. When did you find out that
9 the building might get landmarked?

10 ROBERT NEBORAK: I think it was
11 March or April of last year we got a letter
12 stating that they wanted to designate it as a
13 federal. I called and spoke to Kate. I said,
14 "We're not a federal." I went through all the
15 points of why we were not a federal, and she
16 acknowledged that we weren't a federal, that it
17 had been altered, but we had to go through the
18 process.

19 COUNCIL MEMBER WILLIAMS: So you
20 responded to the letter right away?

21 ROBERT NEBORAK: Yes, I did.

22 COUNCIL MEMBER WILLIAMS: Can you
23 just explain the process a little bit of your
24 objections and how those objections were dealt
25 with by the Commission?

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2 ROBERT NEBORAK: We were urged to
3 testify in person, which we did at the June
4 hearing of last year, and there were four groups
5 of people that Kate mentioned that testified in
6 favor. Those are not owners. They are not people
7 that share the burden of maintaining and operating
8 a property. It's easy to say, "I'd like you to
9 landmark the Woolworth Building; it costs me
10 nothing." We made our testimony. We went through
11 the whole thing. I talked to Kate about what a
12 federal building is. I went through all of the—I
13 researched all of their documents about federal
14 buildings. They have reports put out of what
15 constitutes a federal house or federal style and I
16 looked through that and I realized that we just
17 are not that kind of a building, and I said to
18 them, if you're creating a district, that's one
19 thing because I understand that landmark districts
20 often times have buildings of mixed styles in
21 them, but our building does not meet the criteria
22 for an individual landmark.

23 COUNCIL MEMBER WILLIAMS: What were
24 the responses to the specific things that you
25 cited why they weren't—why your building didn't

1 fall under that category? Did they respond?

2 ROBERT NEBORAK: I was encouraged
3 to come and testify.

4 COUNCIL MEMBER WILLIAMS: They
5 didn't respond to those very specific things that
6 you raised--those points that you raised?
7

8 ROBERT NEBORAK: They said they are
9 good points. Come and testify.

10 COUNCIL MEMBER WILLIAMS: Do you
11 and your wife live there?

12 ROBERT NEBORAK: Yes.

13 COUNCIL MEMBER WILLIAMS: Does
14 anyone else live there?

15 ROBERT NEBORAK: Our children.

16 COUNCIL MEMBER WILLIAMS: When you
17 bought the house, did you have any idea that it
18 may be landmarked?

19 ROBERT NEBORAK: No.

20 COUNCIL MEMBER WILLIAMS: Thank
21 you.

22 ROBERT NEBORAK: I bought it in
23 1991, so I've owned it for 21 years.

24 COUNCIL MEMBER WILLIAMS: Thank
25 you.

2 CHAIRPERSON LANDER: We've been
3 joined by Council Member Dan Halloran from Queens.
4 Let me ask a little bit about what work in that
5 time that you've owned the building that you've
6 done, what work do you see on the horizon and to
7 what extent you anticipate - - opportunities and
8 challenges in relationship to the-

9 ROBERT NEBORAK: [Interposing]
10 Beyond normal maintenance, you mean?

11 CHAIRPERSON LANDER: Yes.

12 ROBERT NEBORAK: Or do you want me
13 to include normal maintenance?

14 CHAIRPERSON LANDER: No, no, no. I
15 mean, the work that you've done. I mean obviously
16 what the designation means is that going forward
17 exterior work on this building would need to be
18 brought before the LPC for approval, and so I
19 think it would be helpful to us to understand what
20 work you've done to the building - - so we can
21 better evaluate whether - - we think that that
22 would present a burden or an opportunity.

23 ROBERT NEBORAK: Right. One of the
24 first things we did was we replaced the roof
25 because it was leaking. It was an extensive and

1
2 expensive repair. We repointed—the house had been
3 painted many, many times. We had to strip the
4 paint off and repoint - - that the brickwork was
5 all loose and falling apart after years of truck
6 traffic through the tunnel. We had to repoint the
7 front and the back. We replaced all of the
8 windows because they were broken and leaking. We
9 did it in a sympathetic manner.

10 [crosstalk]

11 ROBERT NEBORAK: Those are not the
12 original kind of windows. We did them because we
13 liked that kind of a window. The windows that
14 were there were one over one. We just didn't like
15 the look. I didn't do it because I wanted it to
16 be landmarked. I didn't do it because I thought
17 it was—I just thought that it looked appropriate
18 for the house. Subsequently, I've learned that
19 that is not really appropriate for that style
20 house, but we like it, and it was expensive, and
21 we're not doing it again. We've had to replace
22 the gas service into the building. We've had to
23 replace the electric service in the building.
24 We've had to upgrade just about everything inside
25 the house. We are going to have to replace the

1 sidewalk because the trucks that—two doors away is
2 a loading dock, across the street is a parking
3 lot. There is truck traffic all day long. I have
4 loading docks on both sides. They drive on my
5 sidewalk. They break up the sidewalk. It's an
6 ongoing battle, so that will have to be redone. I
7 had to replace some of the ironwork on the gate
8 because it was broken. What else do I have in the
9 future? I don't really know. I do have a fair
10 amount of FAR [phonetic]. I would like to be able
11 to use that FAR at some point. I haven't looked
12 into how I would use that, what I might do with
13 it, but it's something that I would certainly
14 like. It's not something that should just be
15 snatched away. It has a value. It has a value to
16 me. It has a value to anybody—I'm not planning to
17 sell my house in the near future. I'm not looking
18 to make a quick gain. I hope to be there for a
19 long time. I've been there 21 years. Maybe I'll
20 die there. I don't know.

22 CHAIRPERSON LANDER: Not for a long
23 time.

24 ROBERT NEBORAK: Hopefully not for
25 a long time. My wife and I take a lot of pride in

1
2 our house, but when we bought it my father-in-law
3 said to me, "I love your house, but I wish you
4 were over on Charlton Street" and I said, "Yeah,
5 so do I, but I can't afford it." They have
6 beautiful rows and rows of federal styles houses.
7 - - Historic District. I would love to be there.
8 I couldn't afford it, and I bought where I could
9 afford, and I put up with the tunnel and
10 everything else. Not everyone wants to live 40
11 feet from the Holland Tunnel. Landmarking
12 [phonetic] it would make it even harder. You'd
13 narrow the audience of who would want to live 40
14 feet from the Holland Tunnel with a landmark
15 building.

16 CHAIRPERSON LANDER: Other
17 questions from any of my colleagues? I want to
18 thank you taking the time to come out and
19 presenting us with a lot of detailed testimony.

20 ROBERT NEBORAK: Okay. Thank you.

21 CHAIRPERSON LANDER: Alright, so
22 let me invite Kate Daly from the LPC back up and I
23 think my colleagues have a couple of questions
24 after listening to that testimony specifically
25 about 34 and then we can roll in 36 as well.

2 COUNCIL MEMBER WILLIAMS: Thank you
3 again for the testimony. My first question is, is
4 there any reason that they might have known that
5 this building might be landmarked when they
6 purchased it?

7 KATE DALY: As of 1991, we have no
8 records that this building was included in any
9 previous surveys of federal era buildings or
10 downtown buildings, so as of 1991, if they had
11 contacted the Commission, which we're not saying
12 that they necessarily would have known to do that,
13 the Commission would have done an analysis at that
14 time and determined if the house would or would
15 not be eligible for designation, but there was no
16 record, nothing in the Department of Buildings,
17 nothing that would have shown up on the deed that
18 would have indicated that it was eligible.

19 COUNCIL MEMBER WILLIAMS: So they
20 would have no reasonable reason to know that they
21 were purchasing a building that could be later
22 landmarked.

23 KATE DALY: That's right. I mean
24 many people particularly in Manhattan who purchase
25 historic buildings sometimes do call the

2 Commission prior to purchase to see if the
3 Commission has any interest in the buildings, but
4 that is not something that everybody would think
5 to do.

6 COUNCIL MEMBER WILLIAMS: - -
7 specific building, but is there anything that we,
8 the Council, can do that can either trigger you
9 contacting sellers or trigger sellers contacting
10 Landmarks, so that people have this information
11 when they are purchasing?

12 KATE DALY: That's certainly
13 something that I can talk to our chair about.
14 Sometimes buildings that aren't yet on our radar,
15 that would be the challenge that the Commission
16 hasn't seen the building yet or hasn't received a
17 request for us to evaluate the building or it
18 hasn't been included in a survey. The Commission
19 has surveyed about 30,000 buildings throughout the
20 city since 2006 and part of that effort is to make
21 sure that historic buildings, even if they're not
22 designated yet because we couldn't designate that
23 large volume of buildings of course and many of
24 them end up not being eligible, but just to be
25 certain that the Commission is aware of the

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2 historic buildings and looking at ways to have
3 real estate parties and other interests know more
4 about contacting the Commission to just double
5 check before they buy a historic building is
6 certainly something that I think would be a
7 worthwhile effort.

8 COUNCIL MEMBER WILLIAMS: The owner
9 gave some very specific changes that were made to
10 the building that he felt took it out as a
11 contender. He said the Commission never responded
12 to them. Do you have a response now?

13 KATE DALY: Sure. The way that the
14 Commission process works is that I send a letter
15 to property owners and let them know that their
16 building has been determined by the commissioners
17 to be eligible for consideration. We don't
18 immediately calendar the building; we don't
19 immediately hold the public hearing. I send those
20 letters so that there is enough time for the owner
21 to hold a meeting with me and other staff or to
22 have a phone conversation as I did with Mr.
23 Neborak. So once those letters have been sent,
24 it's only at a later date that we would set up a
25 calendaring date and a public hearing day. And so

1
2 part of that process is to have the informal staff
3 level conversation before it's brought forward in
4 a more formal way before the commissioners;
5 however, the staff doesn't have the ability to
6 change a determination of eligibility or change
7 the commissioners' decision. Our role is to
8 provide information and so in my conversations
9 with property owners where they--

10 COUNCIL MEMBER WILLIAMS:

11 [Interposing] I'm sorry. You lost me. So where
12 in that process did the owners point out the
13 problems with the building because of the changes
14 they had made?

15 KATE DALY: As soon as Mr. Neborak
16 called me, he made his case for not believing that
17 the building was eligible.

18 COUNCIL MEMBER WILLIAMS: So the
19 decision was made after that?

20 KATE DALY: The decision was made
21 prior to me sending a letter to him. Before I
22 send a letter to any owner, the internal staff
23 review of the building happens and then we show
24 the buildings individually to commissioners to see
25 if they believe that they're eligible.

2 COUNCIL MEMBER WILLIAMS: So if you
3 get new information, there's no mechanism to
4 change an eligibility?

5 KATE DALY: Yes, if I get
6 information from an owner subsequent to the
7 commissioners' determination of eligibility, me
8 starting the outreach, then if for example, we
9 learn information that we did not have that for
10 example, half the building is a replica or the
11 building wasn't actually built in the year that we
12 thought. We were mistaken in our review of the
13 records, then if we determine that it's not
14 eligible, we don't proceed with calendaring and
15 holding a hearing on the building.

16 COUNCIL MEMBER WILLIAMS: So did
17 they look at this information and respond and say
18 this information is accurate, but it's still
19 eligible?

20 KATE DALY: Well, we reviewed the
21 information, but the building is a federal era
22 building. It was built in 1826.

23 COUNCIL MEMBER WILLIAMS: I'm
24 asking about the specific things that the owner
25 brought up.

1
2 KATE DALY: What the owner brought
3 up were largely known by us. We knew that the
4 third story was an addition and that's often the
5 case that federal era houses because they're so
6 old have an addition made in the mid to late 19th
7 Century and the Commission's criteria for
8 designation of a federal building says that that
9 is a historic form that is still eligible for
10 designation, so the fact that there was a third
11 story added, which our researchers and we were
12 already aware of, doesn't mean that it's no longer
13 eligible. So all the information—

14 COUNCIL MEMBER WILLIAMS:

15 [Interposing] And the windows being altered and
16 the front door raised and enlarged...?

17 KATE DALY: That's right. It would
18 be atypical for buildings that are sometimes up to
19 200 years old to still have the same windows. We
20 understand that those changes happen.

21 COUNCIL MEMBER WILLIAMS: There's a
22 lot that you can do to a building, and it still
23 would be considered true to form.

24 KATE DALY: Well, that's what the
25 commissioners have to review is how altered is the

1 building, and so that's why we established
2 criteria with the commissioners at a public
3 meeting that was open to the public where as Mr.
4 Neborak mentioned, we looked at established
5 criteria of form materials and details, and so if
6 a building has been so altered that it doesn't
7 have its original or historic form, it's been
8 stripped of all of its details and the materials
9 are no longer there, it's no longer eligible, but
10 it's understood that virtually no federal house
11 will still be intact from 1799 to 1834.

13 COUNCIL MEMBER WILLIAMS: And my
14 last question, in your opinion did the owner since
15 his time of getting the letter do everything that
16 he could do to voice his opposition?

17 KATE DALY: Yes, absolutely. I've
18 e-mailed my staff to ask for the date of our
19 original letter, the calendaring letter and then
20 the public hearing letter, which began long before
21 the public hearing was held, but in my
22 conversations, I heard what Mr. Neborak was
23 concerned about and I always encourage owners to
24 testify at the public hearing, so that the
25 commissioners can hear firsthand the perspective

1 of the owner, and he did all of those things.

2 COUNCIL MEMBER WILLIAMS: Thank
3 you. I am a bit frustrated that he raised issues
4 that didn't seem to be responded and the only
5 answer was, "Come and testify." I think there
6 should be a better way to respond to the owner's
7 concerns.
8

9 KATE DALY: Well, if I can respond
10 to that, I would just say that I think that we did
11 have a lengthy conversation and that sometimes
12 there is two different perspectives on something
13 and Mr. Neborak doesn't feel that this is worthy
14 of designation, but...

15 COUNCIL MEMBER WILLIAMS: Did the
16 owner give his concerns in writing?

17 KATE DALY: Subsequently, he did
18 give his concerns in writing-

19 COUNCIL MEMBER WILLIAMS:
20 [Interposing] So I'm suggesting that maybe the
21 Commission can respond in writing as well.

22 KATE DALY: Chair Tierney
23 [phonetic] did send Mr. Neborak a letter after
24 designation noting that he understood that his
25 concerns and that he disagreed about the

1
2 designation, but that the commissioners had
3 determined it was eligible.

4 COUNCIL MEMBER WILLIAMS: I think
5 you figure what I'm getting at, so I'll just end
6 now.

7 KATE DALY: Okay. Thank you.

8 CHAIRPERSON LANDER: - - in terms
9 of understand how the Commission works if we could
10 see a copy of the letter that the Chair sent. We
11 have a copy of his letter, so if there was a
12 letter from the Chair back that you would share
13 with us that would be helpful. Thank you. We
14 can't take any more from the floor here. I
15 apologize, so let me recognize Council Member
16 Arroyo.

17 COUNCIL MEMBER ARROYO: In your
18 testimony on 34 you speak about the four speakers
19 in favor of designation. Usually that includes
20 the borough president, the council member who
21 represents the district, the community board and
22 while I know you guys don't always involve a
23 community board in conversations, none of those
24 individuals are mentioned in your testimony as
25 having testified in favor of this.

2 KATE DALY: The Commission always
3 does outreach to the community board and to the
4 council member, and so in this case—Jenny
5 Fernandez sends our agendas of upcoming
6 calendaring and public hearings to the community
7 boards, so this community board was sent an agenda
8 when this was going to be calendars, so they would
9 have time to prepare testimony for the public
10 hearing, which was held a few months later. They
11 were also notified of the date of the public
12 hearing.

13 COUNCIL MEMBER ARROYO: - -
14 building in my district was landmarked and had it
15 not been because I reached out to the community
16 board and put it on their radar, they would not
17 have known that that property was being really
18 fast tracked through the process of designation,
19 so I'm going to disagree with you on including the
20 community boards in the process—

21 KATE DALY: [Interposing] I agree.

22 COUNCIL MEMBER ARROYO: --'cause I
23 have personal experience - - .

24 KATE DALY: I absolutely agree and
25 in the case of the American Bank, that community

1
2 board was not on Jenny's mailing list because
3 there haven't been landmarks designated in that
4 neighborhood recently. In Greenwich Village, we
5 work very closely with that community board
6 because there are thousands of landmarks in that
7 district.

8 COUNCIL MEMBER ARROYO: My question
9 and my point is that none of the individuals the
10 borough president, the community or the council
11 member who represents the district are mentioned
12 as having testified in favor.

13 KATE DALY: Yes, we work very
14 closely with the Speaker's staff and the Speaker's
15 staff was made aware of this building prior to the
16 calendaring-

17 COUNCIL MEMBER ARROYO:
18 [Interposing] The Speaker, the borough president
19 and the community board.

20 KATE DALY: The borough president
21 and all local elected officials are sent
22 notification of the public hearing about three
23 weeks in advance of the hearing, but it's often
24 the case that they choose not to attend.

25 CHAIRPERSON LANDER: So let me ask

1 a question—do you have questions? Let me ask a
2 question and then Council Member Halloran will ask
3 his and let me talk about I think how we're going
4 to proceed on the items on today's calendar. So
5 in a situation like this where the building has
6 been altered over time, talk a little bit about
7 how you review applications for further work, so I
8 assume it's not that if they come into to replace
9 the windows on the third floor, you'll say please
10 demolish the third floor and go back and restore
11 the dormers. Tell me how in this case, you would
12 approach an application for future work in terms
13 of sort of essentially to what do you look to go
14 back to or - - ? Maybe use the windows as an
15 example where as the owner discussed, they
16 replaced one over ones with six over sixes, and he
17 made clear he has no intent to replace the windows
18 again, but at some point in the future, they would
19 need to be replaced, and how might the Commission
20 review that - -?

22 KATE DALY: Using the windows as an
23 example, there are always two options for any
24 homeowner. There are existing rules that are
25 available on our website and if the homeowner uses

1
2 those detailed rules for the window replacement,
3 they can get a staff level permit. If they decide
4 that they don't want to do what those rules say,
5 which typically is going back to an original or
6 historic pattern for the windows in terms of their
7 configuration, materials and style, then they can
8 always have the option to appear before the
9 commissioners at a public hearing and make a case
10 for why they think the windows should look
11 different from what the rules would ask for and
12 homeowners do frequently do that.

13 CHAIRPERSON LANDER: And so with
14 the federal buildings is there a distinction
15 between in terms of what's available for a staff
16 level permit between buildings that more fully
17 present an unaltered federal style versus those
18 where some alterations have taken place or...?

19 KATE DALY: That question I can't
20 answer. It's likely that on a federal building on
21 the lower stories that the rules would ask that
22 the original configuration, materials and style be
23 used, but when there's a building that has had a
24 third story altered and those windows were from a
25 subsequent time period, I imagine that the staff

1
2 may ask the owner to go back to that time period,
3 which in this case is late 19th Century, but it's
4 really something for a permanent issuing staff to
5 be able to respond to, so if you'd like, I can
6 follow up and get more detailed information.

7 CHAIRPERSON LANDER: Sure. I guess
8 I'm curious just since he presented this question
9 in choosing the six over sixes is understanding
10 whether that is something that a staff level
11 permit could approve or whether they'd have to go
12 to the commissioner for both the upper and lower
13 floors. - - would be instructive.

14 KATE DALY: Sure. Okay.

15 CHAIRPERSON LANDER: Council Member
16 Halloran?

17 COUNCIL MEMBER HALLORAN: Just to
18 first start where the Chair left off. Let me be
19 very clear in what your response was, so you as
20 the Commission can designate a building knowing
21 that the windows, the roof, the door, the iron
22 gates are not historic, and at the point of
23 designation that's okay, but when the owner needs
24 to repair those items to get a staff level permit
25 and avoid the bureaucracy of having to appear

1
2 before the Commission and essentially beg to have
3 an exemption, they're not allowed to replace the
4 same materials you're telling us are fine to be
5 designated as a federal building historic
6 designation. That's your testimony. That's
7 accurate?

8 KATE DALY: That's largely
9 accurate.

10 COUNCIL MEMBER HALLORAN: Okay.
11 Well, that's ridiculous, one. Number two, what
12 percentage of application requests for non-staff
13 level permits are granted by the LPC?

14 KATE DALY: I'm sorry-

15 COUNCIL MEMBER HALLORAN:
16 [Interposing] What percentage of applications for
17 non standard, in other words for deviations, from
18 the staff level permit criteria are granted?

19 KATE DALY: I can get you that
20 statistic. Most of our certificates of
21 appropriateness reviewed at public hearings are
22 approved by the commissioners. There is a very
23 low rate of denials. It's less than 5% because
24 what the commissioners do is when someone makes a
25 presentation-

2 COUNCIL MEMBER HALLORAN:

3 [Interposing] They negotiate?

4 KATE DALY: --after the owners have
5 worked very closely with the staff and the staff
6 has recommended what the commissioners typically
7 approve and look for, then the commissioners make
8 comments and suggestions. If the applicant then
9 conforms to those suggestions, there is an
10 approval, so-

11 COUNCIL MEMBER HALLORAN: But if
12 he's not going to, there's no point in going
13 forward, and so he is just simply not going to
14 follow through with the request, right?

15 KATE DALY: If what he or she would
16 like to do is not approved by the commissioners at
17 that public hearing, then he or she can choose not
18 to proceed with the work or to do the work in a
19 different way.

20 COUNCIL MEMBER HALLORAN: Okay.
21 And when this negotiation that goes on sort of,
22 the recommendations are made, what percentage--
23 would you be able to tell me, even if you have to
24 go back to do it--what percentage of the original
25 application requests are actually granted the way

1
2 they are asked for, as opposed to after this
3 discussion takes place and what percentage of
4 applicants don't bother to come back after those
5 discussions take place because of the futility of
6 moving forward with that once they have had the
7 opportunity to be heard by the Commission, so if
8 you could get back to me, I would be very grateful
9 to hear that. In particular, in this building's
10 instance, so there is a new roof, there is a new
11 gate, there is a new set of cornices, there is a
12 new set of wrought iron, there's a new door,
13 there's a new floor; all of these things will now
14 be required to be restored to late 1800s for the
15 third floor or late 17, early 1800s for the rest
16 of the building if this owner has to do any more
17 repairs. Would that be accurate?

18 KATE DALY: That's not accurate in
19 that any roof replacement would be a modern roof
20 replacement. Any interior changes would be
21 modern. They owner can do whatever he and his
22 wife want to do on the interior of the building.
23 For changes to windows, doors, stoops, railings,
24 those would all be reviewed by the Commission and
25 would be looked at in terms of their

2 appropriateness for a building of this age and
3 style.

4 COUNCIL MEMBER HALLORAN: Alright.
5 Chair - - . Thank you.

6 CHAIRPERSON LANDER: Thanks very
7 much for this thorough set of questions and
8 discussion. I think what we're going to do is
9 this. We have four items on the calendar today.
10 As I mentioned earlier, three of them are
11 adjacent. We've heard the middle of the three
12 buildings, 34. I think we'll hear similar
13 narrative on 36. 32 does not have anyone at least
14 signed up to testify and I think as you'll see at
15 least to the sort of untrained eye, it looks more
16 like an unaltered federal style building. Why
17 don't we do 32 for which no one is signed up to
18 testify and then 36, and then we'll have the
19 person signed up for 36. I think we are then
20 going to lay those—we're going to hear the
21 testimony on all four of the buildings. We will
22 likely lay these three over, so there can be some
23 additional conversation and dialogue. We may
24 still be able to vote the fourth, which is not in
25 the adjacent package today, so just everyone knows

1
2 what I think is likely to happen, but we have
3 testimony from other people on these buildings as
4 well as the others, so let me ask for you to do 32
5 next, and then if we have questions, and then
6 we'll do 36 and invite the 36 owner up.

7 [background conversation]

8 CHAIRPERSON LANDER: Oh, and if
9 anyone has come in who hasn't already filled out a
10 card, please raise your hand and identify yourself
11 and come and get a card. The three speakers that
12 are signed up to testify are Mr. Luzaro [phonetic]
13 on 36 and then both Andrea Goldwyn [phonetic] and
14 Simeon Bankoff [phonetic] from the Landmark
15 Conservancy - - district counsel on all four items
16 that are on today's calendar. Alright, so we're
17 going to open the public hearing then on 32
18 Dominick Street, Land Use No. 622, Item No.
19 2012555554 HKM. Ms. Daly, thank you.

20 KATE DALY: Thank you, Chair
21 Lander. Thank you, Council Members. My name is
22 Kate Daly, executive director of the Landmarks
23 Preservation Commission. I'm here today to
24 testify on the Commission's designation of the 32
25 Dominick Street house in Manhattan. On June 28th,

2011, the Landmarks Preservation Commission held a public hearing on the proposed designation as a landmark of 32 Dominick Street. There were four speakers in favor of designation, including representatives of New York Landmark Conservancy, the Society of Architecture of New York City, Historic Districts Council and the Greenwich Village Society for Historic Preservation. There were no speakers in opposition to designation. On March 27 of 2012, the Commission voted to designate 32 Dominick Street as an individual landmark. The 32 Dominick Street house was one of 12 federal style brick row houses at numbers 28 through 50 built circa 1826 on the south side of Dominick Street between Hudson and Varick Streets. It was one of five houses constructed by builder Smith Bloomfield. The 32 Dominick Street house is a remarkable, rare surviving example of a federal style house in Manhattan. Its design is characteristic of the federal style and the house retains a significant amount of its original architectural fabric, including its original form and materials, two and a half story height and 20 feet width and front façade with Flemish bond

2 brickwork, high peaked roof with dormers and
3 cornice. Of the 12 federal style row houses built
4 on the south side of Dominick Street between
5 Hudson and Varick Streets, the 32 Dominick Street
6 house is one of only four remaining, and is the
7 one that is the most intact, retaining its federal
8 era form and materials. The Commission urges you
9 to affirm this designation.

10 CHAIRPERSON LANDER: Thank you very
11 much, Ms. Daly. Are there any questions from my
12 colleagues on 32 Dominick Street? I'll just call
13 your attention. We do have packets on each of
14 these, so you can... Right, and you can see it in
15 photo. Okay. We don't have anyone signed up
16 specifically and solely to speak on 32, so while
17 leaving open the opportunity for HDC [phonetic]
18 and Landmarks Conservancy on all four, we will
19 move along to 36 Dominick Street. Hang on. One
20 question from Council Member Williams.

21 COUNCIL MEMBER WILLIAMS: Just one
22 question. So this picture in 32, is that what 34
23 originally looked like?

24 KATE DALY: Yes.

25 COUNCIL MEMBER WILLIAMS: Alright.

2 Thank you.

3 CHAIRPERSON LANDER: I mean - -
4 when the street was - - there was a stoop on 32.
5 The street was lower. When the street was raised,
6 the stoop was-

7 KATE DALY: [Interposing] That's
8 right, so the street was raised. Yes, there have
9 been some alterations. It's that form that we're
10 seeing is the original form of the roofline and
11 the gables and the height.

12 COUNCIL MEMBER WILLIAMS: I just
13 have to say it's slightly obscene I believe to put
14 these two buildings and then say that they're
15 similar in style. It's slightly obscene just from
16 looking at it. - - Am I right? I just want to
17 mention there needs to be a better explanation of
18 why a house like this should be designated with
19 the same style as a house like this. I mean just
20 from looking at it. I'm no expert. I don't know
21 if there is some kind of explanation. I'm maybe
22 just a novice at this, but looking at this, I find
23 it slightly obscene that both of these would come
24 to be landmarked in the same style.

25 KATE DALY: May I respond? So I

1
2 have to apologize 'cause it seems that maybe I
3 haven't explained the criteria for the designation
4 fully, and so if you'd allow me to go into a few
5 more details now... The federal era in construction
6 in New York City was typified by Flemish bond
7 brickwork. It's a type of brick where you have
8 the long bricks and the short bricks next to each
9 other. It's only seen in the federal era. These
10 are buildings built between 1790 and 1840 and it's
11 a very distinctive style that represents that very
12 historic period in American history and New York
13 City history. Also, our architectural historians
14 and experts look at the - - and sills on the
15 buildings and it's very rare in many cases to have
16 intact stone lintels and sills, so that's another
17 feature that they look at. And so that relates to
18 the materials in terms of this brick work and the
19 details in terms of - - and sills, door surrounds
20 and then the form is rooflines and gables and so
21 the original roofline would be a two and a half
22 story building with gables on top and there are
23 some New York City landmarks that have that form.
24 Gable meaning the two sort of attic windows, so
25 some existing landmarks that have been designated

1 from 1966 to the present have that form. Many
2 other federal buildings do have the three story
3 form because it was so common in the 19th Century
4 to cover up those gables and add another floor, so
5 you can have more occupiable [phonetic] space, and
6 so the commissioners have determined over the past
7 40 years that that change in the roofline and the
8 addition of that floor doesn't mean it's no longer
9 a federal house. It's still a house that was
10 built in the 1970s to 1830s, and still has that
11 significant material in terms of the rare Flemish
12 bond brickwork and these original materials of the
13 - - and the sills and the door surrounds and
14 sometimes the stoops and even the ironwork, and so
15 because it is a real challenge, you have to look
16 at all these details and materials and form
17 together to determine how much alteration is too
18 much. The commissioners looked at this very
19 closely. We took them on two site visits to this
20 street and in this particular street in addition
21 to the original materials that are still there,
22 the fact that this is an intact row was also very
23 important to the commissioners because this is
24 what is also very rare to have these federal era
25

1
2 houses still together in a row rather than perhaps
3 just having one left, which is more common because
4 of the development over the past 200 years.

5 COUNCIL MEMBER WILLIAMS: Thank you
6 for that. So I'll lower my objection to a little
7 more concerned as opposed to obscene.

8 KATE DALY: Thank you.

9 CHAIRPERSON LANDER: Okay. Thank
10 you, Council Member Williams. Thank you, Ms.
11 Daly. So now we're going to move on to 36
12 Dominick Street, which is Land Use No. 624, Item
13 20125556 HKM.

14 KATE DALY: Good morning, Council
15 Members. My name is Kate Daly, executive director
16 of the Landmarks Preservation Commission. I'm
17 here to testify on the Commission's designation of
18 the 36 Dominick Street house in Manhattan. On
19 June 28th, 2011, the Landmarks Preservation
20 Commission held a public hearing on the proposed
21 designation as a landmark of the 36 Dominick
22 Street house. There were four speakers in favor
23 of designation, including representatives of the
24 New York Landmarks Conservancy, the Society for
25 the Architecture of the city, Historic Districts

1 Council and the Greenwich Village Society for
2 Historic Preservation. A representative of the
3 owner of the building spoke in opposition to
4 designation. On March 27th, 2012, the Commission
5 voted to designate the 36 Dominick Street as an
6 individual landmark. The house at 36 Dominick
7 Street was one of twelve federal style brick row
8 houses built circa 1826 on the south side of
9 Dominick Street between Hudson and Varick and was
10 one of five houses constructed by builder Smith
11 Bloomfield. The house retains its federal style
12 Flemish bond brickwork. It was raised to a full
13 third story with Flemish bond brickwork at the
14 third story and an Italianate style cornice circa
15 1866. The house's distinctive double doors,
16 molded window - - and area way fence and gate date
17 from this period. The addition of a full story is
18 a typical alteration that many owners of federal
19 era houses made at that time. The 36 Dominick
20 Street house is a relatively rare surviving
21 Manhattan townhouse of the federal style and
22 period with Italianate style alterations. It is
23 also notable as being only one of four remaining
24 federal era row houses on a block that was once
25

2 lined with brick row houses and only one of three
3 relatively intact remaining houses on the row.

4 The Commission urges you to affirm this
5 designation. Thank you.

6 CHAIRPERSON LANDER: Thank you very
7 much. Questions from members of the Committee
8 before we hear from the owner?

9 COUNCIL MEMBER HALLORAN: Just one
10 question. I wanted to follow up on the question
11 that my colleague had asked, Council Member
12 Jumaane Williams. When you state that the
13 Commission has characteristics for which it looks
14 and you particularly noted the brick work as the
15 dispositive characteristic of federalist
16 architecture. Where did you get that from?
17 Because I'm right now on the Association of
18 Architects in the United States and that's not the
19 characteristic that they determine as the
20 characteristic of the federal style house.
21 Federal style buildings characteristics are a
22 simple square rectangular box, two to three
23 stories high, no more than two rooms deep. Some
24 federal style buildings were made larger with
25 projecting wings and attached appendences; however

1
2 the central structure must retain its square or
3 rectangular box, and then it goes on to list a
4 series of features and materials and nowhere in
5 the features or materials does it indicate that
6 that style brickwork is a characteristic. In
7 fact, it says not surprisingly the building
8 materials on the facades of federal style
9 architecture can vary with location. Homes
10 throughout the northeast have been made of
11 clapboard, brick and some federal homes using such
12 fireproofing material as was available to the
13 local environment. So I'm just curious did they
14 just make up a definition or are they actually
15 using ones that actual academics and architects
16 use when you create these answers to our
17 questions?

18 KATE DALY: The answers that I'm
19 giving you are based on the architectural
20 historians who work for the Commission, who have
21 based their studies on established criteria for
22 New York City federal era row houses. There
23 aren't many wooden houses in New York City from
24 that period; whereas if you go to Baltimore,
25 Ithaca, Boston, that description of wooden

1
2 buildings in the certain form it seems like it's
3 also describing freestanding houses, which is
4 different from the typology of the New York City
5 federal brick row house.

6 COUNCIL MEMBER HALLORAN: Alright,
7 but would you agree with at least the central
8 definition in terms of the characteristic being a
9 square rectangular box, two to three stories high,
10 two rooms deep and if projecting rings or other
11 dependencies are attached, they were attached as
12 an afterthought. Would you agree in general that
13 that's the federal style house?

14 KATE DALY: Well, I agree that's in
15 general the federal style house, but the
16 characteristics being described are of a
17 freestanding house, something projecting from a
18 freestanding house.

19 COUNCIL MEMBER HALLORAN: Alright.
20 Thank you very much.

21 CHAIRPERSON LANDER: - - one thing
22 that might be helpful to us is if you can share
23 with us either the original federal, the report
24 that the LPC did or if there is something
25 additional or different from that that either

2 staff or the Commission uses with the identifying
3 federal style criteria that the staff and the
4 Commission use to identify and designate federal
5 style buildings, that would help us.

6 KATE DALY: I'd be happy to provide
7 that.

8 CHAIRPERSON LANDER: - - general
9 criteria - - . Great. Thank you. Okay. So I'm
10 going to now invite up Ray Luzaro-Roy. Alright.
11 Roy Luzaro from 36 Dominick Street up to present -
12 - . When you're ready, go ahead and introduce
13 yourself for the record and then--

14 ROY LUZARO: Hello, everybody.
15 Good afternoon, Council Members. My name is Roy
16 Luzaro, Senior. I represent my father, Antonio
17 Luzaro, who is 95 years old by the way and we've
18 been in this home since 1958. I have a lot of
19 roots in the neighborhood. I grew up in the
20 neighborhood. Went to St. Anthony - - was in the
21 choir, et cetera. I have a lot of good memories
22 of the building. We have maintained the building
23 as is. There have been some modifications made to
24 the windows. Yes, the windows are not the
25 original windows of the building. The brick was

1 painted. My dad had it painted. The roof was
2 replaced about two or three years ago. Electrical
3 was done. A new water line was done according to
4 the city permits. It's oil heat [phonetic]. With
5 that said, I oppose this concept of a federal
6 building. I agree with my neighbor, Robert
7 Neborak, that it does not meet the criteria. I've
8 handed out a copy of the districts that Greenwich
9 Village Society for Historic Preservation—these
10 are more the definitive example of a federal style
11 building. I personally do not believe that it
12 meets the criteria. In addition, I have this
13 impression this has been fast tracked so that even
14 though we are opposing this, the Landmarks
15 Commission has bent on this idea of landmarking
16 it. This presents a financial difficulty to the
17 family, a burden that for us to maintain something
18 back to the 1700s, 1800s when changes have been
19 made all along with previous owners. In respect
20 to no speakers for 32 Dominick, I wanted to bring
21 attention to the Council Members that it belongs
22 to the Arch Diocese Catholic Church. Around the
23 corner is Our Lady of Vilnius. They actually sent
24 a letter with opposition to the Landmarks
25

1 Commission. Robert has a copy of the letter, and
2 I believe that it's not in our best interest. The
3 area is very commercialized. Recent additions has
4 been like the SoHo Trump Hotel. There's something
5 on the board—they want to build a 30-story
6 building between Spring and Dominick. The owners
7 are Google. I think everyone knows who Google is.
8 I don't like that idea either. It's not adding
9 any value to the neighborhood, and I know there
10 has been a big push with the Hudson Square
11 Committee, which has been very good to try to make
12 it a little bit more a neighborhood where you have
13 trees and you have kids running around playing. I
14 like the idea of a park. That's a great idea. I
15 just think that this puts a lot of restrictions on
16 homeowners, specifically my dad and myself because
17 I manage the building and I don't believe that the
18 community board had a fair advanced notice even
19 though they claim they sent them the letter that
20 they were notified of this possible change for
21 landmark status. As far as the form, material and
22 details, I don't think it's applicable to the
23 building as it is right now. There were changes
24 made to certain parts of the building and in front
25

1
2 of the building, and I feel that it's a done deal,
3 and I don't think it's just. That's about it.

4 CHAIRPERSON LANDER: Thank you very
5 much, Mr. Luzaro. Council Member Williams?

6 COUNCIL MEMBER WILLIAMS: Thank you
7 for your testimony. Who lives in the building?

8 ROY LUZARO: The building is three
9 families. I live on the top floor with my wife.
10 We have a tenant on the second floor, and my dad
11 and my brother live on the ground floor.

12 COUNCIL MEMBER WILLIAMS: How long
13 have you lived there?

14 ROY LUZARO: We've lived there
15 since 1958.

16 COUNCIL MEMBER WILLIAMS: And when
17 did you find out about the landmarking?

18 ROY LUZARO: We found out about it
19 I'd say two years ago approximately. I don't
20 remember the exact date. We did get the letters.
21 At the time, I could not make the meetings. My
22 brother came and testified not in favor of the
23 landmark status.

24 COUNCIL MEMBER WILLIAMS: Did you
25 respond in writing or-

2 ROY LUZARO: [Interposing] It was
3 verbal at the meeting.

4 COUNCIL MEMBER WILLIAMS: You
5 attended the first meeting that they had?

6 ROY LUZARO: My brother did.

7 COUNCIL MEMBER WILLIAMS: Did
8 someone reach out to Landmarks Commission before
9 that?

10 ROY LUZARO: What do you mean by
11 that?

12 COUNCIL MEMBER WILLIAMS: Did
13 someone reach out to the Landmarks and
14 Preservation Commission?

15 ROY LUZARO: Someone meaning
16 myself?

17 COUNCIL MEMBER WILLIAMS: - - .

18 ROY LUZARO: I did make a call to
19 them, and I did voice my opinion that I was not in
20 favor of their decision, and I think that their
21 decision is like a done deal.

22 COUNCIL MEMBER WILLIAMS: What was
23 their response?

24 ROY LUZARO: Come to the meeting.

25 COUNCIL MEMBER WILLIAMS: Do you

1
2 have—you said you have a letter from the Arch
3 Diocese?

4 ROY LUZARO: Robert has it. I
5 don't think he has it with him, but we can produce
6 it for you.

7 COUNCIL MEMBER WILLIAMS: Yeah, I'd
8 like to see it.

9 ROY LUZARO: Absolutely.

10 COUNCIL MEMBER WILLIAMS: And just
11 so you know, I know you've mentioned a couple of
12 times that the fact that the area is commercial.
13 For me, I'm not concerned about that. I think you
14 can have a landmark building in a commercial area,
15 but I think there is a lot of other good reasons
16 here why as of right now - - I have some
17 reservations. I want to say thank you for - - .

18 ROY LUZARO: I totally agree with
19 you and I appreciate Mr. Halloran and your input
20 because it just to us being there a long time,
21 we're not going anywhere. There's three
22 generations of Luzaros in that building and we
23 just had twins in the building. We want to
24 maintain it, but we don't want to have a financial
25 burden and have to ask permission to do certain

1 things that are out of our reach. That's about
2 it.
3

4 CHAIRPERSON LANDER: Any other
5 questions? No. Alright. Thank you very much for
6 taking the time to testify. Let me ask Ms. Daly
7 to come back. I have one other question for you
8 on this building and then we'll proceed to - - .
9 I wanted to ask about, so this is—I know you said
10 at one point this whole block essentially has been
11 federal style, but in this picture that's there
12 now, it looks like there are four remaining
13 buildings and so I'm just curious, the fourth, the
14 Commission didn't propose. Can you talk about it?
15 I assume the staff looked at it and in that case
16 decided not to recommend it. Let me know what
17 happened there - - explain why - - .

18 KATE DALY: So the Commission staff
19 originally recommended for eligibility four
20 buildings on the block 32 through 38. The
21 commissioners agreed that 38, which you've
22 referenced that is not before us today, was also
23 eligible and so that building was calendared along
24 with the three other buildings. A public hearing
25 was held on that fourth building in addition to

1
2 the three buildings before you today. At the time
3 of the vote, the commissioners determined that
4 using the criteria of form, materials and details
5 and reviewing very closely all four buildings that
6 number 38 did not meet the criteria, that it was
7 too altered, and that the material presented by
8 the owners to me in meetings that I held with them
9 and at the public hearing to the commissioners and
10 materials that I distributed to the commissioners
11 from the owner, based on that information that had
12 been brought forward about changes they had made
13 over time. They determined there was not enough
14 original or historic material left on that
15 building to quality if whereas they did believe
16 that on these other three buildings, there was
17 enough original and historic material, so they
18 applied the criteria very carefully and did an
19 extensive analysis and made the determination to
20 decalendar [phonetic] number 38 Dominick.

21 CHAIRPERSON LANDER: So this is a
22 little more in the weeds than we usually get, but
23 we're going to need a better understanding of what
24 the difference is and why 38 the commissioners
25 decided didn't need—I mean you're obviously at the

1 same hearing we are, so I think it's easy to feel
2 like on 32 we all see it, and now we hear that on
3 38 as a result of objections the Commission
4 decided it didn't meet it, and we have these two
5 buildings that are in between, so I guess if you
6 can tell me—we may need to sort of look at some
7 things in writing, but just help me understand on
8 38 what's the lacking detail in particular
9 relative to 34 and 36, which I think we understand
10 style have Flemish style brick and in some cases
11 the - - . What did 38 lack or how is it different
12 in a way that led the Commission to decide to
13 decalendar it?
14

15 KATE DALY: On number 38 Dominick,
16 the owner had removed much of the Flemish style
17 brick work, so that very historically important
18 material was not intact for most of the building.
19 On number 38, the Flemish style brickwork had been
20 removed from much of the building, so a lot of
21 that original material was gone, and the - - and
22 sills were also compromised. The door surround
23 [phonetic] had been changed. I believe the back
24 wall of the building had been almost entirely
25 removed when the owner created a garden in the

1
2 back, so whereas, with these other buildings there
3 still was this important original material and
4 important original details. At number 38, it
5 retained the form, which means the two and half
6 story building that was elevated to three story,
7 so it has the forms, so it is consistent and
8 coherent with that row; however, a close
9 examination of the materials and details meant
10 that those two parts of the equation did not meet
11 the criteria for a landmark designation, and so
12 the commissioners were very consistent in their
13 application of those criteria across all four
14 buildings and determined in this case because the
15 form and materials were not there. I mean, sorry,
16 the materials and details were not there despite
17 the fact that the form was intact. Just that one
18 remaining element of the three part criteria was
19 not sufficient to designate the building as an
20 individual landmark.

21 CHAIRPERSON LANDER: Council Member
22 Williams?

23 COUNCIL MEMBER WILLIAMS: Thank
24 you. You said that the original brickwork was
25 removed?

2 KATE DALY: At number 38 Dominick.

3 COUNCIL MEMBER WILLIAMS: I'm just
4 ignorant. How do you remove the brick?

5 KATE DALY: You remove the brick
6 from the building and replace it with newer brick
7 if the brick is failing. Maybe there is water
8 infiltration.

9 COUNCIL MEMBER WILLIAMS: So you
10 can remove the front row of bricks?

11 KATE DALY: Yes.

12 COUNCIL MEMBER WILLIAMS: - - when
13 did that happen?

14 KATE DALY: I would have to check
15 my files. I think that the current owner may have
16 done it or it may have been done even earlier in
17 the 20th Century.

18 COUNCIL MEMBER WILLIAMS: Okay.
19 Thank you.

20 KATE DALY: You're welcome.

21 CHAIRPERSON LANDER: And we heard
22 earlier, Council Member Williams, that on 34--now
23 I'm losing track of which one is which, but on 34
24 there was brickwork replacement. It looks from
25 the picture like it was largely replaced with

1 Flemish bond style brickwork replacement, so I
2 think we've heard a lot on this and I appreciate
3 the testimony, and I think we're going to do some
4 follow up work afterward, and I think that follow
5 up work will likely include us kind of drilling
6 down on this last dialogue that we've had of
7 really understanding what the criteria are and how
8 many of them need to be met, so we can evaluate
9 the differences amongst these four buildings and
10 kind of understand better the conditions - - 38
11 and figure out - - on the others. We will follow
12 up with you to ask for your help and guiding us to
13 what the guidelines and criteria are. We are
14 going to hear from the two other advocates on
15 these three buildings as well as the fourth one on
16 the calendar in just a moment, but let me first
17 ask you to present Land Use No. 625, which is a
18 nearby, but not adjacent set of buildings. I lost
19 the item numbers. 310 Spring Street.

21 KATE DALY: Good afternoon, Council
22 Members. My name is Kate Daly, executive director
23 of the Landmarks Preservation Commission. I'm
24 here today to testify on the Commission's
25 designation of the Dennison and Lydia Wood

1 [phonetic] House in Manhattan. On June 28th, 2011,
2 the Landmarks Preservation Commission held a
3 hearing on the proposed designation of a landmark
4 of the Dennison and Lydia Wood House. Three
5 people spoke in favor of designation including
6 representatives of the Greenwich Village Society
7 for Historic Preservation, Historic Districts
8 Council and the New York Landmarks Conservancy.
9 One representative of the owner also testified
10 stating that the owner had not taken a position on
11 the proposed designation. On March 27th, 2012, the
12 Commission voted to designate the house as an
13 individual landmark. Located just north of
14 Tribeca and a few blocks from the Hudson River,
15 the Dennison and Lydia Wood House stands at the
16 northern edge of Lispenard's Meadows, a former
17 marsh that extended for several blocks along
18 Manhattan's west side. In 1818, ship captain
19 Dennison Wood purchased a parcel on Spring Street
20 from Trinity Church and in 1819, he and his family
21 moved into their new house at what is now 310
22 Spring Street. In the early and mid-19th Century,
23 New York City developed into the country's leading
24 port and financial capital. Wood captained ships
25

1
2 that traveled between New York and Savannah in the
3 1830s and his cargoes may have included cotton
4 being shipped north. The house's storefront space
5 and third floor were likely added following his
6 death in the 1840s. The third floor harmonizes
7 with the floors below, featuring matching window
8 sills and paneled stone lintels. In 1869, the
9 storefront was occupied by the dry goods business
10 of Thomas Courtney [phonetic], who later purchased
11 the building. Courtney's business remained in the
12 building until 1950. The Wood House displays many
13 characteristic features of the federal style,
14 including Flemish bond brickwork, - - at its first
15 and second floors, a fluted doorframe with paneled
16 corners and paneled stone lintels . Today the
17 Dennison and Lydia Wood House remains a tangible
18 reminder of the earliest years of its
19 neighborhood's urbanization. The Commission urges
20 you to affirm this designation. Thank you.

21 CHAIRPERSON LANDER: Thank you very
22 much. Questions on this item? Thank you very
23 much. Then as I mentioned, we have two people
24 here and also some written testimony covering all
25 four buildings on today's calendar, so let me

1
2 invite Andrea Goldwyn from the New York Landmarks
3 Conservancy and Simeon Bankoff up to present
4 testimony on all four, and I will also call your
5 attention to testimony that is presented in
6 writing from the Greenwich Village Society for
7 Historic Preservation also covering all the items
8 on the calendar - - .

9 ANDREA GOLDWYN: Okay. Alright.

10 So I had two statements, but I will combine them
11 into one on these federal style buildings. Good
12 day, Chair Lander and Council Members. I am
13 Andrea Goldwyn, speaking on behalf of the New York
14 Landmarks Conservancy. The Conservancy strongly
15 supports designation of the Dominick Street houses
16 and 310 Spring Street. Over ten years ago, we
17 began surveying buildings for our endangered
18 buildings lists. What stood out immediately among
19 the thousands of properties reviewed for that list
20 was the particular plight of the federal style
21 house. These small, modest buildings with unique
22 federal elements are a vibrant reminder of New
23 York's history, yet they're being lost every year.
24 32 Dominick Street is a fine example of the
25 federal period with many details, including the

1 Flemish bond brick façade, stone lintels and sills
2 and peaked roof with dormers as well as overall
3 massing intact, and while there have been
4 alterations and additions to two other buildings
5 in this group, many important federal elements
6 remain. Furthermore, this grouping of three
7 buildings recalls the original row of 12,
8 providing an important link to early 19th Century
9 Manhattan and the history of the neighborhood.

10 310 Spring Street is an 1819 federal style
11 building with an 1850s federal style addition that
12 clearly deserves the recognition of designation
13 and might benefit from the guidance of the
14 Commission regarding future changes. Like it's
15 neighbor, the Ear Inn, at 326 Spring Street,
16 period characteristics such as that Flemish bond
17 brickwork, stone lintels and modest scale are
18 still intact despite the alterations made in the
19 past 150 years. The Commission's designation
20 report for 326 Spring Street finds that it is
21 "still serving a useful purpose and that it adds
22 charm, intimate scale, a provocative change of
23 pace to our city life and scene." We would think
24 that 310 Spring Street serves an equal purpose and
25

1
2 makes similar contributions to the eclectic mix
3 that defines New York. Originally the home of a
4 prominent ship captain, 310 Spring is now hidden
5 among larger 19th and 20th Century commercial
6 buildings and the more recent high rises of west
7 SoHo, where it is a quiet, yet striking link to
8 this neighborhood's and the city's history. All
9 of the buildings brought forward today are
10 remarkable survivors that deserve the recognition
11 of designation and the protection and guidance
12 that the landmarks law provides, and we'd like to
13 remind the Council Members that the Landmarks
14 Conservancy works with thousands of building
15 owners across the city every year providing
16 financial and technical assistance as they live
17 and use their landmarked buildings. Thank you for
18 the opportunity to present the Conservancy's
19 views.

20 CHAIRPERSON LANDER: Thank you.

21 SIMEON BANKOFF: Good afternoon,
22 Council Members. Simeon Bankoff from the Historic
23 Districts Council. First of all, I would like to
24 thank the Council Members for their engaged,
25 involved conversation around these issues. It's a

1
2 real pleasure to sort of hear us drilling down
3 into it, and I really appreciate your attention to
4 this. The Historic Districts Council is a city
5 wide advocate for New York's historic
6 neighborhoods. We are here in support of the
7 LPC's designation of 32, 34 and 36 Dominick Street
8 as well as the Dennison Lydia Wood House at 310
9 Spring. The houses on Dominick Street present an
10 interesting portrait of typical development of a
11 New York City's federal style townhouse row house.
12 32 represents the beginning, the two and a half
13 story house of Flemish bond brickwork with a
14 peaked roof and a pair of dormers that looks much
15 like it did at the time of its construction around
16 1826. 34 next door retained its Flemish bond and
17 stone lintels and sills, but was raised to a 3rd
18 story topped with an Italianate style cornice
19 about 40 years after its construction. Additional
20 floors were constructed on many federal style row
21 houses as mid-19th Century property owners sought
22 to make the most out of the Manhattan real estate.
23 The Flemish brickwork on 36 reminds us that
24 started out like 32 as a federal style row house.
25 Like 34 though, 36 received an additional story

1
2 around 1866, an Italianate style details, such as
3 the cornice, molded wood lintels, double doors and
4 area way fencing and gate that have been mentioned
5 before. Just a few blocks west stands the Wood
6 House at 310 Spring. Built in 1819, this house a
7 recognizable piece of old New York retains its
8 Flemish bond brickwork and federal door area
9 surround. The pitched [phonetic] roof was raised
10 to make a full third story and a storefront,
11 another other typical alteration, was added in
12 1847. Along with the houses on Dominick Street,
13 the Wood House is a reminder of how the area
14 around what is now the Holland Tunnel was a small
15 scale residential neighborhood two centuries ago.
16 Contrary to what some may believe and to the
17 disappointment of many others, the LPC does not
18 landmark every federal house. Our presentation
19 that was referred to in March of 2011 explained
20 the criteria of original form, materials and
21 details that Ms. Daly had talked about quite a
22 bit, including those of mid-19th Century
23 alterations for landmarking. We've seen a number
24 of requests for evaluations rejected for lacking
25 these qualifications. In fact, 38 Dominick Street

1
2 at the end of this row was voted down by the
3 Commission. The properties that make it through
4 the designation process to this point it means
5 something. It means they're landmarks. Please
6 reaffirm this fact and vote in favor of the
7 designation of 32, 34 and 36 Dominick Street and
8 the Dennison and Lydia Wood House. We are very
9 sorry when it comes to a situation when the
10 property owners have grievances against this
11 process. They have been very good stewards of the
12 property and we believe their statements actually
13 honor the notion of landmarking these in the sense
14 that we are looking to preserve these houses for
15 future generations. Thank you.

16 CHAIRPERSON LANDER: Thanks very
17 much, and I particularly want to thank both of you
18 and Mr. Bankoff for really kind of laying out the
19 questions, and I think you've heard the dialogue
20 folks have had about what the details are that
21 merit preservation and how we're to make those
22 decisions. I think it's helpful to have them
23 reiterated. Council Member Halloran?

24 COUNCIL MEMBER HALLORAN: Thank
25 you. Mr. Bankoff, I'd like to sort of pick your

1
2 brains for a few moments on this because I think
3 you've seen that there's a bit of a disconnect
4 here between what the Council Members questions
5 were and the responses that we were getting from
6 LPC just in terms of how we are supposed to look
7 at this. I appreciate very much what you're
8 doing. I appreciate the advocacy and I appreciate
9 the notion that we do have to protect what little
10 is left of our architectural history, but we also
11 have to balance that on whether or not we're being
12 objective in those criterias [phonetic] as we
13 apply them and whether we are creating undue
14 hardships on people who in some cases may have
15 been here for five generations or four generations
16 of being stewards of the property. Would you
17 think that there is a significant difference
18 having looked at buildings 32 through 38, a
19 significant difference between building 38 say and
20 building 36 and its alterations?

21 SIMEON BANKOFF: Well, my brains
22 have been accused of being pickled at times, so
23 yes, I actually do, although we disagreed. We
24 felt that 38 should also be-

25 COUNCIL MEMBER HALLORAN:

1 [Interposing] Designated.

2
3 SIMEON BANKOFF: --designated, but
4 38 as Ms. Daly had referenced was lacking a lot of
5 the materials. It had the form, but the brickwork
6 was not there. The sills, the lintels were
7 compromised. In a perfect world, I understand
8 from the point of view of the agency how they
9 don't want to make this into a historic district,
10 but except for a few issues involving heir rights
11 [phonetic], which by the way individual landmarks
12 get a greater capacity to move their rights than
13 they do within historic districts. We are
14 regarding this as a small historic district
15 because we do feel that there is a distinct sense
16 of a streetscape and a place that were it to be
17 interrupted by a large moderate intervention in
18 the middle would be a great loss to the city.

19 COUNCIL MEMBER HALLORAN: Agreed
20 that where we find these pockets we should try to
21 preserve them and please continue to pressure them
22 to do that in my district, which still never gets
23 done.

24 SIMEON BANKOFF: Presently we are
25 in touch with the folks in Broadway/Flushing and

1
2 we feel that that is a very worthy, meritorious
3 district.

4 COUNCIL MEMBER HALLORAN: I
5 appreciate that. Let me ask you this, do you
6 think maybe there is room here for us to start
7 talking about a third option—something that
8 acknowledges the historicity [phonetic] of a
9 building, but understands that some alterations
10 have been made and maybe creates a modified form
11 of designation with more flexibility, the ability
12 of an owner perhaps to continue to maintain the
13 adapted style that has occurred in some of these
14 federal buildings? 'Cause you agreed, Mr. Bankoff,
15 that the third floor is an add on. Correct?

16 SIMEON BANKOFF: Yes, it is a
17 historic add on - - historic - - .

18 COUNCIL MEMBER HALLORAN: Okay, so
19 that particular layer for example is not part in
20 parcel of the dormer system that would have been
21 there naturally, and creates a different look, and
22 as a result of that, there were trellises added in
23 some cases, there were other forms of artistic
24 adaptations that occurred, alterations to the
25 windows, alterations to the doors. Do you think

1
2 maybe we should be talking about the LPC
3 designating buildings with modification of some
4 kind and allowing those owners to maintain the
5 current modifications in some historic context of
6 course--I understand your need to preserve--so we
7 don't have them going to the Commission in the
8 same way as the testimony came out when I asked
9 the question specifically about the alterations
10 that are already there. Do you think maybe that
11 would help solve some of these problems?

12 SIMEON BANKOFF: I think a lot of
13 the concerns that the owners were bringing up and
14 other owners have brought up in the past is a
15 little bit a sort of not having an awareness of
16 how the landmark oversight process works. As part
17 of what we do, we go down to the Landmarks
18 Commission every Tuesday and listen to people
19 presenting before the LPC. The Landmarks
20 Commission is incredibly flexible with regard to
21 how they regulate their properties. Of late, they
22 also have been being much more careful to look to
23 delineate within the designation reports what are
24 significant historic alterations and significant
25 intact historical elements and are very flexible

1
2 in their willingness to sort of allow changes when
3 they're not significant to the historicity of the
4 appearance. I really think that and we've seen
5 LPC permit things that I think probably even you
6 or other members of the panel would be sort of
7 surprised at—God knows I am—but they are allowed
8 by the Commission, and so I think there is a lot
9 of flexibility and a lot of understanding that
10 you're dealing with buildings that are close to
11 200 years old and yeah, they're going to change.

12 COUNCIL MEMBER HALLORAN: Mr.

13 Chair, I'm going to yield back. I would just
14 suggest that the one thing that is continuing to
15 bother me about the testimony of the LPC here
16 today is the difference between a staff level
17 approval and having to appear before the
18 Commission. Now look. You and I have testified
19 at a lot of places I'm sure in our history.
20 You're far more comfortable than the average
21 person would be. I'm sure it was a great
22 challenge in some ways to have these two gentlemen
23 come here to defend their own building—the place
24 where they were born and raised and grew up and
25 have spent so much time, so I appreciate that they

1 did it, but I'm sure going in front of the
2 Commission is an even more daunting task than
3 being in this little room in 250 Broadway in some
4 respects for them. I just wonder that the staff
5 level approvals if maybe the flexibility which you
6 claim exists—and I don't know one way or the
7 other—at the hearing level came a little bit more
8 in the upfront portion of the show rather than the
9 hearing portion of the show might just solve some
10 of the concerns that are being raised and the fact
11 that when I say to a member of the LPC who
12 testifies here, "Well, you're designating it with
13 these changes already in place. You're telling me
14 they can't even keep the changes if they need to
15 fix them." I have a problem with that, and maybe
16 think that that belongs at the staff level of
17 approval since you're designating it with those
18 features there and that is kind of where I'm
19 coming from. I understand the need to preserve
20 it, and believe me, I'm with you 85-90% of the
21 time, but there is a good 10% of the time that we
22 have to start looking at some of these other
23 issues if for no other reason and in the sake of
24 the men and women who will come before us and say,

1
2 "What am I supposed to do?" Thank you. I
3 appreciate your testimony though.

4 CHAIRPERSON LANDER: Hang on one
5 second 'cause I have one more question. First I
6 want to acknowledge we've been joined by Council
7 Member James Sanders from Queens. Oh yeah, yeah,
8 yeah. Congratulations to Jenny Fernandez on your
9 daughter's graduation - - want some cake, but... I
10 do think it's worth just—I think just first I will
11 say I think this has been one of our more sort of
12 productive conversations about understanding
13 really what the decisions are we're making and how
14 they get made and why, so I want to appreciate the
15 other members of the Committee, the LPC staff, the
16 owners and the advocates. I do think it is worth
17 also remembering as we kind of look into more
18 detail at these buildings what the protection is
19 and isn't, and so if you could just remind us 38
20 is not going to be protected in any case because
21 it's not being calendared here, so—

22 SIMEON BANKOFF: 38 is not a
23 landmark. It is possible to develop as of right
24 [phonetic] on that property within whatever the
25 zoning is.

1
2 CHAIRPERSON LANDER: So there is a
3 protection obviously that is being—that we'll
4 consider. There is I think an important set of
5 questions that were presented does this meet the
6 tests of federal style to be worthy of
7 preservation that even the Commission decided 38
8 did not, and I think that it looks - - like 32
9 does and 34 and 36 are in the middle, and we're
10 going to have to weigh it. It's not only
11 obviously a question of does it and where do we
12 fall on those criteria, but what is the
13 protection? What is possible? - - 38 very
14 substantial alterations within the zoning will be
15 allowed over time, and that's where the question
16 for us on 34 and 36—

17 [crosstalk]

18 CHAIRPERSON LANDER: --where do we
19 come down on this sort of federal style definition
20 and how do we feel about applying or not applying
21 the protections that will be afforded those
22 buildings? It sounds from the owners that we've
23 heard like they're stewards of the building and
24 have been for a long time, but this is for
25 generations to come as well and the future owner

1
2 if we don't designate them would be able to throw
3 in whatever--tear it down, put up a different
4 façade, make it steel and glass, a wide range of
5 things.

6 SIMEON BANKOFF: And if I may,
7 there is a similar analogy on Greenwich Street, 94
8 and 94 and a half and 96, which were all federal
9 era row houses. 94 and 94 and a half were
10 designated recently. 96, which was the home of
11 the Pussycat Lounge, was not, and if you go down
12 just walk over there at the moment, you will
13 notice a quite out of scale fourth story addition
14 on top of the building, and you're like, all of
15 those buildings were as a row, and not three years
16 ago.

17 CHAIRPERSON LANDER: So I think
18 what we're going to do actually, and we might as
19 well just put all four of them together because I
20 think because they're - - and they raise these
21 federal style questions, rather than pull one of
22 them out, let's keep these four as group. We have
23 some follow up and some homework to do to really
24 drill down some of these criteria. We may want to
25 have additional conversations with the owners as

1 well as with the LPC and the advocates. I think
2 that's likely to be too rushed for us to even try
3 to do by Thursday when the Land Use Committee is
4 meeting, so we will lay these four items over to
5 our next scheduled meeting, which I think is two
6 weeks from today.
7

8 [background conversation]

9 CHAIRPERSON LANDER: July 23-
10 they're all within the timeframe - - . Okay, so
11 we're going to lay these over until July 23rd to
12 give us more than enough time to drill down, do
13 some homework and make decisions - - .

14 COUNCIL MEMBER WILLIAMS: I just
15 want to say congratulations to Jenny as well. I
16 hope we didn't scare Ms. Daly. We love Jenny.
17 She does a wonderful job.

18 KATE DALY: - - her. She's a rock
19 star, so I was very impressed.

20 CHAIRPERSON LANDER: Alright, so
21 just we're laying over Land Use Items Nos. 622,
22 623, 624 and 625 until our next meeting with
23 thanks to everyone who attended. This committee
24 meeting is adjourned. We'll close. There is no
25 vote required and so we'll close the hearing.

1

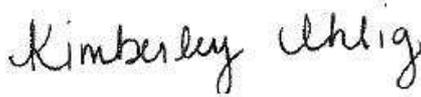
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[gavel]

C E R T I F I C A T E

I, Kimberley Uhlig 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

Handwritten signature of Kimberley Uhlig in cursive script, written over a horizontal line.Date 7/13/12