

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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October 3, 2012
Start: 11:18 a.m.
Recess: 12:48 p.m.

HELD AT: Council Chambers
City Hall

B E F O R E:

BRAD S. LANDER
Chairperson

COUNCIL MEMBERS:
Council Member Maria del Carmen Arroyo
Council Member Gale A. Brewer
Council Member Daniel J. Halloran III
Council Member Rosie Mendez
Council Member Annabel Palma
Council Member Jumaane D. Williams

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

Jennifer Fernandez
Director, Intergovernmental and Community Relations
Landmarks Preservation Commission

Jerrold Nadler
Congressman, 8th District
United States Congress

Ben Schachter
Representative
New York State Senator Adriano Espaillat

Jessica Silver
Representative
Manhattan Borough President Scott Stringer

Tom Duane
State Senator
New York State Senate

Linda Rosenthal
Assembly Member
New York State Assembly

Mark Diller
Chair
Community Board 7

Mark Landis
Former member; resident
Community Board y

Richard Emery
Resident, supporter
Proposed Landmark Historical District

John Hunter
Resident, member
Landmark West

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

Andrew Goldwyn
Director of Public Policy
New York Landmarks Conservancy

Simeon Bankoff
Executive Director
Historic Districts Council

Cristiana Pena
Director
Landmark West

Batya Lewton
Founder
Coalition for a Livable West Side

Betty Lind
Resident
West End Avenue

[pause, gavel]

CHAIRPERSON LANDER: Good morning.

Welcome to all of you. I am New York City Council Member Brad Lander, I'm pleased to Chair the Landmarks, Public Siting and Maritime Uses Subcommittee of the City Council's Land Use Committee. I'm very pleased to be joined this morning by my colleagues, Council Members Annabel Palma of The Bronx, Maria del Carmen Arroyo of The Bronx, Jumaane Williams from Brooklyn, and especially to be joined by Council Member Gale Brewer, who's not a member of the Committee, but here with us today. To discuss, we only have one item on today's calendar, which is the Riverside West End Historic District Extension. It's Land Use No. 705, application no. 20135017. We've got, wonderful to a lot of people here with us this morning, and quite a few people signed up to testify. We'll make sure everyone gets a chance to do so. We're not in our usual room, but the upside is we have windows, so that's a nice plus. And we're also pleased to be joined this morning by Congressman Nadler, who will testify in just a minute, as well as some other representatives of

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2 elected officials. But it's our custom to kick
3 off the Landmarks Public Hearings, with the
4 testimony of the Landmark Preservation Commission,
5 as they are the ones that are formally bringing
6 the action before us. So I'm pleased to invite
7 Ms. Jenny Fernandez from the Landmarks
8 Preservation Commission to present the item to us.

9 [pause, background noise]

10 JENNIFER FERNANDEZ: Thank you,
11 Chair Lander, Members of the Commission, the
12 Committee, sorry. Is that too loud? [technical]
13 Good morning, Council Members, my name is Jenny
14 Fernandez, Director of Intergovernmental and
15 Community Relations for the Landmarks Preservation
16 Commission. I'm here today to testify on the
17 Commission's designation of the Riverside West End
18 Historic District Extension I in Manhattan. On
19 March 22, 2011, the Landmarks Preservation
20 Commission held a public hearing on the proposed
21 designation of the Riverside West End Historic
22 District Extension I. 32 witnesses spoke in favor
23 of designation, including City Council Member Gale
24 Brewer; Manhattan Borough President Scott
25 Stringer; and representatives of Congressman

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2 Jerrold Nadler, State Senators Tom Duane, Adriano
3 Espaillat, and Bill Perkins; State Assembly Member
4 Linda Rosenthal; the West End Preservation
5 Society; the Historic Districts Council; Landmarks
6 West; Manhattan Community Board 7; the New York
7 Landmarks Conservancy; the West 80s Neighborhood
8 Association; the West Side Federation of
9 Neighborhood and Block Associations; as well as
10 residents and neighbors. An additional three
11 people testified in favor of the district, but
12 asked that it include additional buildings; one
13 person testified in favor of including a building
14 in the district without otherwise stating support
15 for designation; nine witnesses spoke in
16 opposition to designation, including the Real
17 Estate Board of New York and five owners and/or
18 their representatives, who were opposed to
19 including their specific properties in the
20 proposed extension. The Commission received
21 several letters in support of the proposed
22 designation, including one from the Calhoun
23 School; and one letter in opposition to
24 designation from the owners of 324 West 83rd
25 Street. On June 26, 2012, the Commission voted to

1 designate the Riverside West End Historic District
2 Extension I. The Riverside West End Historic
3 District Extension I consists of approximately 194
4 residential, institutional and commercial
5 buildings built primarily between the mid-1880s
6 and the late 1930s, these buildings represent the
7 various phases of development that transformed the
8 once rural area between West 79th and West 87th
9 Streets west of Broadway into a dense, urban
10 enclave of speculatively built, single family
11 dwellings in grand high rise apartment buildings.
12 Throughout the extension, picturesque ensembles of
13 the Neo-Grec, Romanesque revival, Renaissance
14 revival, Dutch and Flemish Renaissance revival,
15 Queen Ann and Bozart styles, were executed in
16 brownstone and brick with decorative elements of
17 terra cotta and copper. In its broad array of row
18 houses, townhouses, flats, high rise apartment
19 buildings, schools, churches and commercial
20 buildings, the Riverside West End Historic
21 District Extension I represents in microcosm the
22 development of the upper west side of New York
23 since the 1880s, designed by some of the City's
24 most prominent architects, and executed in the
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2 dominant styles of their eras, these buildings
3 form a distinct section of the City that
4 complements the previously designated Riverside
5 West End and Riverside Drive West 80th, 81st
6 Street Historic Districts. The Commission urges
7 you to affirm this designation. And on behalf of
8 the Chair, we'd like to thank Council Member
9 Brewer for her unwavering support for designation
10 and of landmarks in her district, and to the
11 Committee, of course. Thank you.

12 CHAIRPERSON LANDER: Thank you very
13 much. Council Member Brewer, would you like to--

14 COUNCIL MEMBER BREWER: I certainly
15 want to thank the Commission, and you in
16 particular, and the Commissioners, because not
17 only did you look at this and take the wonderful
18 report by Mr. Dolkart commissioned by the, by WEPS
19 [phonetic] (and I'll explain to what that
20 wonderful acronym stands for) but you also took
21 your own staff and went door-to-door and building-
22 to-building to look at some of the side streets
23 and other avenues. So, there are no words to
24 describe your input and how much we appreciate
25 your professionalism in all of this. My question

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2 would be, this is obviously an extension of a
3 current historic district. I live in the part
4 that's being extended, and my district office is
5 in another, or in the same, actually, historic
6 district. So, I renovated my building and I
7 renovated my office, according to landmarks and I
8 want everyone to know it is not a big burden. And
9 you can talk to Peg Breen, Landmarks Conservancy,
10 same situation, lives in the building, was
11 renovated according to LPC standards, not a
12 burden. So my question is, how--because I want to
13 deal with anybody who might be opposed, 'cause
14 most of in the room are supportive--what are the
15 steps, if one is in a historic district, to be
16 able to renovate, fix the windows, the air
17 conditioners, - - etc., if one is part of a
18 historic district?

19 JENNIFER FERNANDEZ: Sure. Thank
20 you for that question. The Commission has a
21 pretty simple application process, and we are
22 guided by as set of rules that have been adopted
23 over time, that dictate what the staff can
24 approve. Basically, if you meet certain criteria
25 and you submit certain materials, that work that

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2 you're proposing is approvable and you're entitled
3 to receive a permit. There are, the smaller,
4 rarer cases which is about five percent of the
5 applications that we receive per year, that would
6 require a public hearing, but that's a very small
7 percentage of the applications that we deal with.
8 And so, a homeowner, a co-op owner, would just
9 have to apply to the Commission, with the work
10 that they are proposing to do. They should
11 familiarize themselves with the rules, you know,
12 and we are actually in the process of publishing a
13 technical guide, that's going to be very helpful
14 to all property owners, so that they know what
15 exactly they need to submit with their
16 applications in order to expedite them, and so
17 that we can get through the process fairly
18 quickly. In addition, we encourage, specifically
19 in this district, because there are a lot of
20 buildings and cooperatives, we do encourage co-op
21 boards to--and condo owners--to explore master
22 plans. Those are pretty invaluable. And that is,
23 you take the time, right at the beginning, to
24 determine what type of work or changes you would
25 like to make to the building--for example, window

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2 replacement, thru-wall air conditioner units,
3 things like that. And so, you would propose that
4 to the Commission, you'd go one time to a hearing,
5 get that master plan adopted, and then going
6 forward anytime a co-op owner or a condo owner
7 wants to make those changes, all they have to do
8 is fill out an application that says it will
9 conform to the master plan, and they will receive
10 an authorization to proceed.

11 COUNCIL MEMBER BREWER: Well, do
12 you think there's an extra cost? Obviously, my
13 feeling is that if you do it according to the
14 master plan, then there is an advantage,
15 particularly to homeowners, condo and co-ops,
16 because I think it increases the value, should you
17 want to leave your apartment. But is there, we
18 often get the refrain that this is an extra cost
19 to the owner of the co-op or condo. How do you
20 answer that question?

21 JENNIFER FERNANDEZ: It is possible
22 that, you know, when you're trying to do extensive
23 work to a building, you may incur additional costs
24 of hiring an architect or other professionals, but
25 that would be true with most work you'd be doing

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2 to a building, regardless of whether it's a
3 landmark, especially if you have to file at the
4 Department of Buildings. We do recognize of
5 course that there are work types that are not
6 regulated by the Department of Buildings, that the
7 Commission does regulate, such as certain façade
8 changes. But if you do approach it from a master
9 plan perspective, some of those upfront costs will
10 save a lot of money in the end, because these
11 property owners, or the condo or co-op owners,
12 wouldn't have to really, they wouldn't have to
13 hire anyone, they would just have to literally
14 fill out an application, sign it, that says that
15 they're going to conform to that plan that as
16 already filed and approved, you know, however many
17 months or years ago, and they can just get an
18 authorization to proceed and go about their
19 business with that. So, they wouldn't have to
20 necessarily incur any additional costs at that
21 time.

22 COUNCIL MEMBER BREWER: But I just
23 want to thank, this is a large process, this is
24 the first step in a three step process, and there
25 are so many people to thank, but certainly the

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2 West End Preservation Society, Richard Emery,
3 Erica Peterson, Josette Amato and many others. I
4 mentioned Mr. Dolkart's report, I mentioned Peg
5 Breen, who lives in the district, previously
6 designated, and who was able to answer questions,
7 not just as part of Landmarks Conservancy, but as
8 a resident in a historic district. All the staff
9 from Landmark West, the Historic District Council,
10 and the very, very active Community Board 7. I
11 know Mark Diller is here, former Chair Mel Wymore
12 [phonetic], Gabby Palitz [phonetic] and the very
13 wonderful Lenore Norman. And I will also thank
14 Paula Cresswell [phonetic] from Brad Lander's
15 Pratt Institute, because she was able to produce
16 some maps that were very helpful. So, this is a
17 village, this would not have happened without a
18 lot of people having input, and I have to say,
19 thank you Landmarks Preservation Commission.
20 Thank you, Mr. Chair.

21 JENNIFER FERNANDEZ: [off mic]

22 Thank you.

23 CHAIRPERSON LANDER: Thank you very
24 much, Council Member Brewer. One thing I'll just
25 add, that the LPC has done to make it even a

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2 little bit easier for folks recently, was to
3 promulgate rules around storefronts. I note that
4 there's a few buildings in the district that I
5 assume happen to have storefronts on Broadway in
6 particular, and that more, you can bring more
7 things to the staff now if you comply with the
8 storefront rules that have been promulgated. So,
9 thanks for that, as well. Any questions from
10 other Council Members for Ms. Fernandez? Council
11 Member Williams?

12 COUNCIL MEMBER WILLIAMS: Hello.

13 Thank you, Jenny.

14 JENNIFER FERNANDEZ: Hi.

15 COUNCIL MEMBER WILLIAMS: You spoke
16 about the simple process of applying. Can you
17 talk about that process a little bit more? And
18 how often do owners get assistance in some of the
19 costs that may be extra? I know that you can
20 apply for some grants, as well?

21 JENNIFER FERNANDEZ: Yes, that's
22 correct. There are certain financial incentives
23 that owners can take advantage of. For example,
24 and I won't elaborate on them right now, but we
25 can certainly provide more information. There are

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2 some tax credits, especially if they overlap with
3 national historic districts, a register of
4 historic properties. They can certainly take
5 advantage of federal tax credits and such. We
6 also have a small grant program that is available
7 to property owners, specifically in this district
8 would apply to a lot of the row houses on the side
9 streets and such, but we have given grants to
10 large co-op buildings. There are income
11 requirements, so you would have--and those are set
12 by, those are federal income guidelines. And so
13 if you meet certain requirements, you can
14 certainly qualify for that. So there are some
15 financial incentives, and assistance that are
16 available. Also, the Landmarks Conservancy has a
17 loan program that is really helpful and a lot of
18 people have taken advantage of that, as well.

19 COUNCIL MEMBER WILLIAMS: If it's,
20 you said it's income based, so do you
21 automatically get it, or no?

22 JENNIFER FERNANDEZ: No, you don't
23 automatically get it. For that particular grant
24 program, the one that we run, the historic
25 properties grant program, we actually, we follow

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2 federal income guidelines, you would have to apply
3 to the grant. We have a finite amount of money
4 allocated every year. And this is through
5 community development block grants. And so these
6 funds are available year-after-year, and sometimes
7 applicants would apply and not necessarily be
8 chosen or the application--even if they qualify,
9 but we always encourage them to apply again. So,
10 we, you know, we keep those, you know, basically
11 in the queue. There are applicants who will apply
12 and don't necessarily meet those guidelines, the
13 income eligibility, or their project isn't a
14 restorative project, or something that affects the
15 exterior. So there are certain guidelines that
16 need to be followed in order for you to be
17 approved for a grant.

18 COUNCIL MEMBER WILLIAMS: Do you
19 know the percentage of applicants who meet the
20 income guidelines that don't get approved, or vice
21 versa?

22 JENNIFER FERNANDEZ: I don't have
23 that exact number, but I do know that we weed a
24 lot of that out in the beginning because we give a
25 lot of information up front, and let applicants

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2 know exactly what it is that these guidelines are
3 and how, you know, they can determine whether or
4 not they would meet those guidelines before they
5 take the time to actually, you know, apply for
6 something that they wouldn't be eligible for. So
7 we do a lot of that information and outreach up
8 front, so that we do attract people who are mostly
9 eligible. And that's why, how they would apply to
10 begin with. But the vast majority of our
11 applicants, once we've determined eligibility,
12 like I said, would qualify for a grant, and
13 because we have a finite amount of money and we
14 can't give everyone a grant, we, that doesn't mean
15 that they're not eligible, we always encourage
16 them to apply in the next cycle. And that has
17 happened, as well.

18 COUNCIL MEMBER WILLIAMS: Can I
19 also ask the Chair, I think this question has
20 happened before, I'd like to see the statistics on
21 the people who are applying for this, and who meet
22 the guidelines and don't get it or do get it. So,
23 if I can ask you to follow up.

24 JENNIFER FERNANDEZ: Sure.

25 COUNCIL MEMBER WILLIAMS: Also, it

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2 says five owners are going to be testifying, or
3 have testified, to be in opposition. Have they
4 reached out to you?

5 JENNIFER FERNANDEZ: Yes. We have
6 had numerous conversations, we've received
7 correspondence from owners that are opposed, and
8 the Commission has, it's general practice, we
9 always do outreach to every individual property
10 owners, are willing to meet with them as many
11 times as they want to meet with us, many times
12 they have issues surrounding work, or things that
13 they would like to do to their buildings, or such.
14 And so we provide technical assistance and we have
15 these conversations with them leading up to
16 designation. So, certainly those lines of
17 communications are open right at the beginning,
18 and we would continue even after designation to
19 have those conversations with them, and help them
20 along with the process, or try to address any of
21 the concerns that they may have.

22 COUNCIL MEMBER WILLIAMS: And you
23 felt that you did what you could do to meet the
24 concerns? Do you know what their concerns were?

25 JENNIFER FERNANDEZ: They vary.

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2 Sometime--I don't know specifically for these
3 properties.

4 COUNCIL MEMBER WILLIAMS: I just
5 want to know these specific--

6 JENNIFER FERNANDEZ: I don't have
7 that information in front of me right now. Most
8 of the concerns are just opposed to designation
9 because of either cost or they don't want to be
10 included. Sometimes they don't necessarily
11 enumerate what exactly the reasons are, they just,
12 they're just opposed to designation, and that may
13 be the case here.

14 COUNCIL MEMBER WILLIAMS: Thank
15 you.

16 JENNIFER FERNANDEZ: You're
17 welcome.

18 CHAIRPERSON LANDER: Thank you.
19 And let me just point--so it's 194 buildings, I
20 think you said, in your testimony?

21 JENNIFER FERNANDEZ: Yes.

22 CHAIRPERSON LANDER: And you heard
23 from six - - that were opposed.

24 JENNIFER FERNANDEZ: In opposition.

25 CHAIRPERSON LANDER: Five at the

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testifying, and one that sent a letter.

JENNIFER FERNANDEZ: Five and then there was--yes.

CHAIRPERSON LANDER: I don't know if it was the same five or six. Let me do this, in deference to--

COUNCIL MEMBER BREWER: And we had a hearing.

CHAIRPERSON LANDER: Yeah.

JENNIFER FERNANDEZ: Yes, absolutely.

CHAIRPERSON LANDER: So, let me do this, in def--we have a, I don't think in my tenure on the Committee we've had a Congress, a member of Congress come and testify [laughter] before the Landmarks Subcommittee, so what I'd like to do in deference to Congressman Nadler is, you'll stay here--

JENNIFER FERNANDEZ: Yes, I'll be right here.

CHAIRPERSON LANDER: --and listen, and if other members of the Committee have questions, we'll ask you to come back up and answer them afterwards. It's my pleasure to call

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2 Congressman Jerry Nadler up to present his
3 testimony. [applause]

4 JERROLD NADLER: Well, thank you
5 very much. Good morning. Let me start by
6 thanking Chairman Lander and the Members of the
7 Landmarks Committee for the opportunity to testify
8 in support of the proposed Riverside West End
9 Historic District Extension I. And let me express
10 my thanks to all the community organizations and
11 the community board, who've contributed to
12 bringing us to where we are now. The proposed
13 district, which is generally bounded by 79th and
14 87th Streets, and includes portions of West End
15 Avenue, Riverside Drive and Broadway, is the next
16 step in our efforts to protect the unique
17 architectural and historical character of this
18 stretch of the Upper West Side. As a member of
19 Congress who's represented the area of the
20 proposed extension and the surrounding
21 neighborhood for 20 years, and I might add in the
22 Assembly for 16 years before that, so 36 years in
23 this area, I know well how long and how hard
24 preservationists, community advocates, and my
25 fellow elected officials have worked to preserve

1 this important stretch of the Upper West Side.
2 Stakeholders in this area have come together over
3 many years, to prevent the destruction of these
4 architecturally significant buildings. A leading
5 architectural historian in the field, of whom
6 you've heard already this morning, Andrew Dolkart,
7 has done extensive research on the significance of
8 this area. The research makes it clear that the
9 development of this section of West End Avenue and
10 Riverside Drive captures a critical period in New
11 York City's socioeconomic and architectural
12 history. The redevelopment of West End Avenue and
13 Riverside Drive during the late 19th and early
14 20th Centuries, from low rise row houses to the
15 grand apartment buildings we now know, was due in
16 large part to the economic and social forces
17 created by introduction of service on the
18 interborough rapid transit company subway line
19 between, beneath Broadway in 1904. The extension
20 of rail and subway transit to the Upper West Side
21 and the rise of the apartment buildings as housing
22 for the middle class contributed to the
23 establishment of the Upper West Side as a strong
24 residential community we know today and have for
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2 many years. The proposed historic district
3 captures a significant period in late 19th and
4 early 20th Century architecture, and is marked by
5 some of the finest examples of New York's early
6 20th Century multifamily dwellings. Designed by
7 some of the country's most prominent architects at
8 the time, these buildings create a unique sense of
9 place, with consistent height, cladding materials,
10 and build-out to the lot line. And I must add to
11 my prepared testimony at this point. A personal
12 note that I've on a number of occasions stood at
13 various places on West End Avenue, looked down the
14 Avenue and just thought of, it just seemed that
15 these buildings were marching together, down the
16 Avenue, looking similarly, the same design, same
17 height, something that really ought to be
18 preserved. We must protect this critical portion
19 of New York's architectural, social and economic
20 history. I urge the City Council to approve the
21 Riverside West End Historic District Extension in
22 its entirety. I want to thank all the advocates
23 that have worked so hard on this issue over the
24 past decades, and thank you again for the
25 opportunity to testify today.

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2 CHAIRPERSON LANDER: Thank you very
3 much, Congressman, it really does mean a lot to us
4 to have, you know, I think what it speaks to when
5 a member of Congress comes and says the sense of
6 place in this neighborhood is important, the
7 history's important, shows, you know, both
8 personal feeling and knowledge of it, makes a big
9 difference. As I said, I don't think in my tenure
10 we've had a member of Congress come and, you know,
11 we've done a lot of wonderful districts. But it
12 means a lot to have you here.

13 JERROLD NADLER: Thank you.

14 CHAIRPERSON LANDER: Any questions?
15 Let me acknowledge, we've been joined by Council
16 Member Dan Halloran from Queens, and Council
17 Member Rosie Mendez from Manhattan. Any questions
18 for the Congressman? Thank you very much for--

19 JERROLD NADLER: Thank you.

20 CHAIRPERSON LANDER: --taking the
21 time to come and testify. Did members, I kind of,
22 were there additional questions that members
23 wanted to ask of LPC. Yes? That's yes? Okay,
24 great, so let me, before we proceed with other
25 testimony, ask Ms. Fernandez to come back.

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Council Member Halloran.

COUNCIL MEMBER HALLORAN: Thank you, Mr. Chairman. I'm looking at the LPC's submission to us, on this historic district extension. And what I'm noticing, unlike every other presentation of the historic district that you've given us, there are absolutely no samplings of pictures in here. Normally, you give me a packet that contains dozens of pictures of the different types of architecture in the area. [background comment] No, I'm going to make a point, Gale, but I, but what I would like to ask you about is the specific types of architecture here, because obviously there are six owners and I understand five owners that are opposed, two of which have religious institutions that are behind the--and I'd like to talk about those two particular buildings, which aren't referenced in the smaller version of this. Do you have the data on that to look at? Would you be able to?

JENNIFER FERNANDEZ: I don't have the data in front of me, but--

COUNCIL MEMBER HALLORAN: You don't have the data.

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CHAIRPERSON LANDER: So, let me just point out that the preparation--we have one copy here of the full district extension proposal, and the sampling that's provided is a, is provided by the Committee the Commission provides. So we didn't Xerox because it happens to be a bigger one, the neither thing. So, the choice of what to put in, on our table today was made by the Committee and not by--

COUNCIL MEMBER HALLORAN:
Committee, okay.

CHAIRPERSON LANDER: So I apologize--

COUNCIL MEMBER HALLORAN: Okay.

CHAIRPERSON LANDER: --if we didn't, for not having a full package.

COUNCIL MEMBER HALLORAN: Do you know, Ms. Fernandez, off the top of your head, whether the designated buildings, which are at issue, are indicated by photographs in the submission LPC is making--

JENNIFER FERNANDEZ: Every, yes, every single building in the district is photographed and documented for the report.

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2 COUNCIL MEMBER HALLORAN: All
3 right, so, one of the buildings is the First
4 Baptist Church of the City of New York, which is,
5 I guess, the picture I'm looking at now, that
6 Councilwoman Brewer pointed out to me, at 265 West
7 79th Street. Did they, do you know what they
8 indicted their major concerns were in landmarking
9 in this particular instance?

10 JENNIFER FERNANDEZ: I don't
11 recall, 'cause I didn't have those conversations
12 directly with them. I know our staff, our senior
13 staff, that does the owner outreach did have
14 conversations with them. I think they just wanted
15 to be out of the district, but their location
16 within the district just puts them in a place,
17 they're certainly a significant building within
18 the historic district, and contribute to the
19 historic district, and that was basically my
20 understanding of why they just didn't want to be
21 in the historic district.

22 COUNCIL MEMBER HALLORAN: Okay.
23 And there was a boys--St. Agnes Boys High School,
24 as well. Do you know if, what the reasons, the
25 rationale or the thinking on the owners of that

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was?

JENNIFER FERNANDEZ: Again, I don't have the specifics, but I am happy to get that information for you and certainly let you know if they elaborated and actually told us exactly what they were concerned about.

COUNCIL MEMBER HALLORAN: Council Member Williams had asked you some questions about statistics and I know this is not the first time we've asked for those statistics. And while I appreciate you are very, very busy at LPC, and I know you guys are doing a lot of work. I believe these requests go back now months, not, maybe even years, at this point, to the first, to our first tenure in the Council, in 2010 and early 2011. At this point, it seems to me that you just don't either, haven't gotten around to it or don't want to get around to it, and that kind of bothers me because more than one Council Member, including the Chair, has asked you to provide that information, and perhaps we haven't followed up in writing, and I'm going to ask Committee Counsel to make sure there is a document in writing with a date on it, in which we ask these questions and

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2 that we get an answer. As you're aware, the LPC
3 received a letter from my offices eight months
4 ago, requesting you to review a smaller section of
5 landmark designations in my district, and I
6 believe to this point I still haven't gotten an
7 answer to that letter. It just seems to be that
8 there is a systemic failure to respond to
9 questions, which makes it very difficult for us to
10 have informed decisions, which is what we're
11 supposed to do here at the City Council. I'm
12 looking at the St. Agnes Boys High School, which
13 is a beautiful corner property. Again, it looks
14 to me to be a significant piece of architecture.
15 But it's very difficult for us, if only six people
16 in a group have testified previously and have
17 given you opposition, for you to come here and not
18 tell us what the opposition was, in substance. I
19 know they'll be here to testify, but obviously
20 they've testified previously, in a designation as
21 large as this, it would seem to me, if I were
22 coming to testify at a hearing, that I would have
23 facts at my command, that specifically detail why
24 specific people objected to a project of this
25 scale. I am in no way opposed to landmarking, in

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2 fact I've been begging it for areas in my
3 district; however, I also have an obligation to
4 the citizens in the City of New York to actually
5 conduct the hearing and not be a rubber stamp for
6 a mayoral agency. And so, it offends me, as an
7 elected official, to have a member of the
8 Administration come here, without answers, after
9 two year of us asking them, and then not have
10 information pertinent to the very application
11 which you're submitting to us. So, Ms. Fernandez,
12 will the LPC be responding? And can you tell me
13 the timeframe for which the LPC will respond, to
14 the letter that Counsel for this Committee will
15 send, requesting the information that Council
16 Member Williams, Lander and I have previously
17 asked for on other occasions with regards to these
18 grants and how often they're granted, denied,
19 criteria, etc., and so forth? Can you give me a
20 time table?

21 JENNIFER FERNANDEZ: If Counsel
22 Committee's going to send a letter, we would use
23 our regular guidelines, which would be a response
24 within ten business days. And this information, I
25 know we have provided it orally in the past, and

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2 we've given some information in our testimony as
3 well. But I am more than happy to of course put
4 together, in conjunction with our director, our
5 grants program director, to get more specific
6 information and analytics and certainly provide
7 the Counsel Committee with that information.

8 COUNCIL MEMBER HALLORAN: And I
9 appreciate your telling me that it's a ten day
10 turnaround, so I would ask you then, why have my
11 letters gone unanswered for months rather than the
12 ten day turnaround period that you talked about?

13 JENNIFER FERNANDEZ: Well, the,
14 your specific request, which is for a historic
15 district designation, those types of requests, we
16 consider them RFEs, so requests for validation--

17 COUNCIL MEMBER HALLORAN: So you
18 don't acknowledge the letter first, and then worry
19 about gathering the data? You don't at least say,
20 "Hey, Council Member, I got your letter, we'll
21 look into it"?

22 JENNIFER FERNANDEZ: I don't recall
23 necessarily having talked about acknowledging the
24 letter. I know I personally did speak to you
25 about it, and certainly acknowledged that we had

1
2 received the letter and that it was under
3 consideration. So, I'm happy of course to go back
4 again and share that information with the Chair.

5 COUNCIL MEMBER HALLORAN: Okay.

6 Mr. Chairman, again, I appreciate your indulgence.
7 I would ask that you follow up with our Committee
8 Counsel. There's a point at which it just becomes
9 absurd for us to continue to ask for things, and
10 not get them, and I think that that shows an
11 incredible disconnect between, communication
12 between Administration and the City Council.

13 CHAIRPERSON LANDER: Thank you,
14 Council Member Halloran. We will, I'll work with
15 Committee Counsel, you know, the, I haven't, I
16 confess, I haven't yet looked at the new Mayor's
17 Manage--you know, the new Mayor's Management
18 Report for the agency is up, usually we wind up
19 asking them about it at the budget hearing, which
20 doesn't come up, but this would be a good time
21 now. So, I'll commit that, I and my staff will
22 work with Committee Counsel, we'll take a look at
23 the Mayor's Management Report for LPC and then put
24 the follow up questions that we have in writing
25 within the next two week, week or two, and get

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that and then get a response from the--

COUNCIL MEMBER HALLORAN: Thanks.

CHAIRPERSON LANDER: --from the agency. So, all right, thank you. Other questions? Oh, and I guess just for, why don't you just remind us what the outreach procedure is? 'Cause I do just want to reflect that there are nearly 200 building owners, and that many of these buildings are co-ops and condos, so in total, hundreds more owners and residents in these buildings. So just remind us, you know, of what notices people in the community got of their opportunity to come testify before the Commission when you held your hearing.

JENNIFER FERNANDEZ: Sure. Our process is pretty long, as Council Member Brewer acknowledged earlier, and it includes our initial--once we make an initial determination of eligibility and the Commission is ready to move forward, we hold a meeting and owner information session in the district. And, at which time, we invite every single property owner in writing to attend this information session, so that they can ask questions and receive information. Once we've

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2 concluded that, at that meeting, we also offer
3 individual meetings, so anyone who would like to
4 meet individually with our staff can certainly
5 reach out to us and set something up. So we'll do
6 that as well. And in the interim, those meetings
7 do happen until the next Commission action, which
8 is a calendaring. So prior to calendaring, we
9 then reach out once again in writing, we send to
10 every single property owner of record, that the
11 Commission is planning to hold a calendaring vote,
12 on such and such a date, and they're invited to
13 come to the Commission to observe the proceedings,
14 although it's very short and there's not testimony
15 taken at that time. Again, we allow some space in
16 between the calendaring and our public hearing, to
17 have further meetings and do more outreach, and
18 anyone who would like to contact us, we can have
19 those meetings and respond to correspondence and
20 such. Once we have that public hearing, when
21 we're ready to have that public hearing, we also
22 reach out, once again, in writing, to every
23 property of record, to let them know that the
24 public hearing is going to happen. And so we have
25 mandated, of course, timelines that we need to

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2 publish it in the City Record, we know that no one
3 reads that, but that's part of the notification
4 procedure. But at the same time, we notify
5 everyone personally in writing. And also, we
6 notify our advocacy groups and neighborhood
7 groups, and our Council Members and other elected
8 officials, so that they also know this information
9 and they also disseminate it. Once a public
10 hearing is held, and it's closed, we continue to
11 receive correspondence and such, and then the
12 final process or step in the process for us, is
13 the designation vote, and once again we write to
14 every single property owner, in writing we tell
15 them that the designation vote, when it's going to
16 be held and at what time. And so, that's our
17 notification procedure. Prior to a designation
18 vote, when we write to the property owners, we
19 send them a draft designation report, and we give
20 them time to respond to us. And that includes the
21 detailed information about their particular
22 building, so that if they have any issues with
23 what we've actually come up with in our research,
24 they can dispute it or correct us, or if there's
25 an omission, they can let us know. Or if we've,

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2 you know, erroneously included something, they can
3 also let us know. And so we'll correct those,
4 that designation report, make sure that that is as
5 accurate as possible. And then, we would hold a
6 designation vote. And so that's basically our
7 notification process up until the final vote.

8 CHAIRPERSON LANDER: Thank you. I
9 just think it's helpful for us to--Now, I guess
10 one question I do have, is do you, for people who
11 do testify at the hearing on designation, is there
12 either a transcript prepared or copies of people's
13 testimony in some format, made available? You
14 generally come before us and tell us how many
15 people testified and whether in favor or against.
16 But I don't know that I have looked. And
17 obviously everyone's then welcome again to come
18 testify at the Committee public hearing. But I
19 wonder whether it would be possible for us to, on
20 a regular basis, just access the testimony of
21 people who come to your public hearing. So, if
22 they don't come out twice, you know, we still have
23 the sense of - -

24 JENNIFER FERNANDEZ: [interposing]
25 That can be obtained in one of two ways. Of

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2 course, we don't have the resources to transcribe
3 our hearings, but we do record them. We do have
4 audio recordings of every single one of our
5 hearings. And so, if you wanted to listen to the
6 testimony, we can certainly, we'd transfer that
7 over to, you know, like a, some sort of portable
8 media, and we, and a lot of people do get that
9 from the Commission, specifically for a particular
10 hearing on an item. At the same time, though,
11 most people who testify do submit written
12 testimony, which we ask and encourage people to
13 do, because that becomes part of the record. And
14 we have that available. So, if you ever want to
15 see something--

16 CHAIRPERSON LANDER: Can I ask that
17 actually in the future--

18 JENNIFER FERNANDEZ: Sure.

19 CHAIRPERSON LANDER: --I mean, I
20 guess that, you know, the providing us the
21 designation report is a formal, you know, law
22 directed process, but I think it might actually be
23 helpful if you would just refer, you know,
24 generally not volumes, if you would just make
25 copies of the testimony from the designation

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2 hearing, and transmit it to us when you transmit
3 us the designation report.

4 COUNCIL MEMBER BREWER: I just want
5 to put a plug in for my webcasting bill, thank you
6 very much. [laughter]

7 JENNIFER FERNANDEZ: Certainly,
8 Chair Lander, we've gotten requests before from
9 the Council Committee, asking us for, especially
10 when they're more complicated or more contentious
11 designations, they've asked us for testimony. And
12 I'm always happy to provide that. So, and we--

13 CHAIRPERSON LANDER: Seems like it
14 might just be helpful as a matter of course. It's
15 not that much, it's not that many pages.

16 JENNIFER FERNANDEZ: It shouldn't
17 be that much, yeah.

18 CHAIRPERSON LANDER: And I mean, if
19 someone comes in and gives a whole tome, we can
20 talk about it, but to the extent that it's a pay
21 [background comment]--I suppose the webcasting
22 bill, if I'm not already on it, as a cosponsor I'd
23 like to be added. [laughter] But it would, you
24 know, I just think for us to be able to have easy
25 access to that in a standard--

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JENNIFER FERNANDEZ: Sure, you certainly can have--

CHAIRPERSON LANDER: --simple way, would help address some of the questions.

JENNIFER FERNANDEZ: Yes, absolutely.

CHAIRPERSON LANDER: Because I, Council Member Halloran, I don't actually see anyone signed up to testify in opposition today, and you know, so you know, if we had at least the opportunity to see their testimony. So, all right. Let's, we got a lot of people signed up to testify, so in deference to everyone in the room's time, I'd like to move forward and call them. So, unless there's anyone that objects to Ms. Fernandez, thank you. We have representatives of a few elected officials who are here today, so let me call up Ben Schachter from State Senator Adriano Espaillat's office; Jessica Silver from Borough President Scott Stringer's office; and it's, I guess we have a representative from Assembly Member Linda Rosenthal here, as well.

MALE VOICE: She's on her way.

CHAIRPERSON LANDER: The Assembly

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Member is.

MALE VOICE: Yes.

CHAIRPERSON LANDER: Oh, okay,
right, so we'll hold that, and she can testify
when she gets here.

[pause, background noise,
technical]

BEN SCHACHTER: Good morning, my
name's Ben Schachter, I'm here speaking on behalf
of State Senator Adriano Espallat. He wishes he
could be here today. "I want to thank Councilman
Lander and the members of this Committee for the
opportunity to testify before you this morning, on
the Riverside West End Avenue Historic District.
I also want to thank Council Member Brewer for her
leadership on this issue. As the State Senator of
the 31st District, a district which encompasses a
significant portion of the West Side Historic
District, I am proud to state my support for this
project and encourage the members of this
Committee to support the decision of the Landmarks
Preservation Commission in approving this project.
When a Landmarks Preservation Commission
unanimously approved this proposed extension

1
2 earlier this year, they were agreeing that this
3 beautiful strip of Manhattan contains
4 architectural, historical and cultural
5 significance, and a sense of place. These
6 buildings, erected at the turn of the 20th
7 Century, were designed by the greatest architects
8 of their day, and absorbed the energy of a rapidly
9 developing and expanding City. What we have today
10 is a wonderful glimpse of our great City one
11 century ago. By granting approval of this
12 process, you'll be providing the West Side
13 community a series of valuable tools. First,
14 you'll be providing the ability to maintain the
15 continuity of a beautiful neighborhood. You'll be
16 creating a valuable avenue for community planning,
17 and you'll be providing the neighborhood and its
18 residents a voice to speak for themselves.

19 Establishing landmark status does not eliminate
20 the ability to further develop or alter buildings
21 within the district. Such opportunities will
22 certainly exist while maintaining the quality and
23 integrity of the neighborhoods and its aesthetic.
24 The LPC and other partnering organizations provide
25 a plethora of resources to provide much technical

1 assistance and financial assistance to make fixes,
2 alterations and/or additions within established
3 guidelines. Not only will supporting the LPC's
4 position provide the protection to this district,
5 as we've seen in previous instances, it will make
6 the community even more desirable and can increase
7 property value. In my experience, newcomers to
8 our neighborhoods want to enjoy a piece of our
9 rich history. It is also important to know that
10 the neighborhood groups which have organized
11 around this issue, and worked tirelessly over
12 several years to bring this to consideration, have
13 enjoyed widespread community support. Today, I
14 join community leaders and residents in fully
15 supporting the Riverside West End Historic
16 District Extension 1 and I encourage all of you
17 here today to uphold the decision of the Landmarks
18 Preservation Commission in approving this project.
19 Such preservation is the responsible and visionary
20 course to take in protecting our City. Thank
21 you."
22

23 CHAIRPERSON LANDER: Thank you very
24 much for your testimony, it's very much
25 appreciated.

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2 JESSICA SILVER: Hello. Is this--
3 Hello? [technical] Oh, great. Hi, everyone, I'm
4 Jessica Silver, I'm here on behalf of Manhattan
5 Borough President Scott Stringer. And first, I'd
6 like to thank Chairman Brad Lander and the Members
7 of the Committee, and Council Member Brewer, for
8 her leadership, and also the members of WEPS in
9 Community Board 7 and other community leaders who
10 are here today. Borough President Stringer has
11 been a strong supporter of the proposed historic
12 district since it was first conceived. The
13 designation will preserve the historic buildings
14 of West End Avenue, and maintain and aesthetic
15 continuity that is particular to the Upper West
16 Side neighborhood. The buildings within the
17 proposed historic district reflect the history of
18 the Upper West Side, they were built in
19 architectural style significant to the expansion
20 of the neighborhood as a successful residential
21 community. West End Avenue consists of
22 townhouses, several singular churches and
23 synagogues, and twelve story resident buildings
24 which are some of the finest and oldest examples
25 of prewar, multiple dwelling unit structures in

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2 Manhattan. These stately apartment buildings were
3 built out to their lot lines, which created a
4 contextual built form. As a result, an undeniable
5 sense of place is created along the avenue. This
6 collection of buildings also reveals a part of the
7 City's housing and social history. The extension
8 of rail and subway lines to the Upper West Side,
9 that began during the late 19th Century, spurred
10 residential development on West End Avenue, and
11 apartment buildings became respectable living
12 quarters for the middle class. Consequently, the
13 building, the new building stock created a
14 significant residential population that has since
15 evolved into the exceptional communities we
16 identify with the Upper West Side today. Further,
17 the proposed historic district strongly aligns
18 with the City's planning policies in the
19 neighborhood. These are reflected in the
20 contextual rezoning districts prescribed to the
21 Upper West Side, in keeping with the
22 neighborhood's existing scale and density.
23 Therefore, Borough President Stringer strongly
24 urges the City Council to support the designation
25 of the proposed West End Historic District

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2 Extension. Thank you for the opportunity to
3 testify.

4 CHAIRPERSON LANDER: Thank you very
5 much for your testimony. Seeing no questions,
6 well, thank you. I see we've been joined by State
7 Senator Tom Duane, and we're, yes, we're pleased
8 to ask you to come present your testimony. We've
9 definitely never had both a Member of Congress and
10 a State Senator come and testify in my tenure on
11 this Committee, so--

12 TOM DUANE: Yes, but you only have
13 me to kick around for a few more months.
14 [laughter] It's okay.

15 CHAIRPERSON LANDER: This
16 Subcommittee's well known for its grilling of
17 elected officials, so--

18 TOM DUANE: Especially Gale Brewer,
19 I know that. Vicious. [laughter] I will ask how
20 Broadway Flushing's historic district is doing, is
21 it being well protected?

22 CHAIRPERSON LANDER: Well, now
23 you've guaranteed that there'll be some grilling.

24 TOM DUANE: There you go, see that?
25 [laughter] Well, you know who I a-- [background

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2 noise] No, I grew up there. St. Andrews. It's
3 my parish, if you're a Catholic. Oh, yeah, she
4 married a nice girl from St. Kevin's. Okay.

5 [laughter] All right, thank you, I won't, you
6 know, I love you, thank you. I represent the
7 district. [laughter] I want to thank the

8 Landmarks Preservation Commission, and okay, let
9 me skip, 'cause you don't want to hear the whole

10 thing. Okay, as you know, the extension is a

11 crucial part of this larger stretch of West End

12 Avenue, from West 70th Street to West 109th

13 Street, for which preservationists, community

14 activists, elected officials, have long sought the

15 protections afforded by historic district

16 designation. A study of this area conducted by

17 Andrew Dolkart, a leading architectural historian,

18 director of Columbia University's historic

19 preservation program, found that its buildings

20 have unique architectural and historical merit.

21 The proposed historic district captures a

22 relatively short but significant window of time in

23 the late 19th Century and early 20th Century, and

24 represents well their architecture. And during

25 this period, economic and social forces largely

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2 result in the introduction of service on the
3 revolutionary IRT, I remember straps, beneath
4 Broadway in 1904, contributed to the redevelopment
5 of West End Avenue and Riverside Drive, from low
6 rise row houses amidst rural landscapes, as is
7 Broadway/Flushing, to an enduring chain of grand
8 apartment buildings, designed by prominent
9 architects like George Pelham, Schwartz and Gross
10 and Clinton Russell. The buildings are among the
11 finest examples of New York City's early 20th
12 Century multifamily dwellings, and form a cohesive
13 and uniquely New York model for upper middle class
14 living. As Dolkart describes, the buildings on
15 the avenues create tremendous sense of place, with
16 consistent height, cladding materials, and built
17 out to the lot line. And nestled between these
18 are the neogothic, St. Ignatius Protestant St.
19 Ignatius Protestant Episcopal Church--I stumbled
20 'cause it's Episcopal not Roman Catholic
21 [laughter] and the stunning and unique Church of
22 St. Paul and St. Andrew. Dolkart's findings make
23 a compelling case for the extension's designation.
24 Unfortunately, the voracious New York real estate
25 market, if left unchecked, poses a serious threat

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2 to this cohesive plan of historic architecture.
3 Already, neo-renaissance row houses at the 732 and
4 734 West End Avenue, located in the proposed
5 Riverside West End Historical District II, have
6 been demolished and the site's owners begun to
7 construct a tall residential building. And that
8 will not conform to the area's aesthetic
9 character. While the City has a legitimate
10 interest in facilitating new development, of
11 course, such growth must not come at the expense
12 of marring our most significant and cherished
13 historic neighborhoods. Given the opposition to
14 the extension among certain interests [laughter]--
15 why not be nice? I'm on my way out [laughter]--it
16 is essential that the Subcommittee acts now and
17 approves the expanded historic district of its
18 entirety, and thank you for your consideration,
19 and I would've lost much of this in the new
20 district, but the approval of the designation
21 would be a really nice way to go gracefully into
22 the sunset. [laughter] So, I hope you will take
23 that into consideration as a personal pre-thank
24 you very much, Madam Councilmember for saying
25 that, it would be a lovely and fitting--enough

1 already, enough already. Okay? Questions?

2 [applause] It really was a lot of work by a lot
3 of people, many of whom are here, really hard on
4 it, and it's really beautiful, and please save it.
5

6 CHAIRPERSON LANDER: Thank you so
7 much for being here, it remains a lot, when the
8 electeds comment.

9 TOM DUANE: And by the way, you
10 don't Thomas and Duane, 'cause I already have
11 streets. [laughter]

12 CHAIRPERSON LANDER: Two, already.

13 TOM DUANE: Thomas Duane, yes, I'm
14 done. Thank you. [laughter]

15 CHAIRPERSON LANDER: Thank you very
16 much, Senator, and [applause] I'm hoping you'll,
17 you know, you will be back before the end of the
18 year, but if this is your last testimony before
19 the New York City Council, then let me just say,
20 thank you very much for your tremendous service
21 for our City.

22 TOM DUANE: South Village Historic
23 District Extension - -

24 CHAIRPERSON LANDER: [interposing]
25 Well, you'll be welcome for sure, so thank you

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2 very much. All right, completing our elected
3 officials trifecta of testimony of support for the
4 West End Extension, I see we've been joined by
5 Assembly Member Linda Rosenthal, and it's my
6 pleasure to ask her to come and--

7 LINDA ROSENTHAL: Thank you.

8 [pause, background noise] Hello. I'm Assembly
9 Member Linda B. Rosenthal, I represent the 67th
10 Assembly District, which is the Upper West Side,
11 parts of Hell's Kitchen, Clinton, and I'm a proud
12 member of the West End Preservation Society (WEPS)
13 and I'm a lifelong resident of the Upper West
14 Side. And I fully support the Landmarks
15 Preservation Commission's designation of the
16 Riverside West End Historic District Extension I.
17 Today, the portion stretching from West 79th
18 Street to West 87th Street is under consideration,
19 and I believe approval of the proposal is critical
20 to preserving the aesthetic charm and historic
21 importance of this area. I am proud to have been
22 among the earliest supporter of the efforts of the
23 West End Preservation Society, which grew out of
24 concern for the need to preserve the distinguished
25 architecture on West End Avenue, at a time when

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2 some of the structures were being threatened with
3 demolition. It all began in July 2007 in the
4 living room of one of WEPS' founders, Richard
5 Emery, and cofounder Erica Peterson, a
6 neighborhood resident, and a handful of others.
7 WEPS has since flourished into a force to be
8 reckoned with in the preservation world. For
9 several years, WEPS has worked to develop
10 community and governmental support to have West
11 End Avenue, the almost 40 block boulevard
12 comprising architecturally and historically
13 significant buildings, designated a historic
14 district. While some parts of West End Avenue are
15 already protected, WEPS' founders realized that
16 without official designation of the entire
17 stretch, from 70th to 107th Streets, the Avenue's
18 charming prewar buildings might not exist for
19 future generations to enjoy. The Landmarks
20 Preservation Commission wisely decided to augment
21 that, the area that was documented by Andrew
22 Dolkart of Columbia University for WEPS by
23 studying the significance of buildings on side
24 streets, and then adding them as borders to the
25 proposed historic district. I support including

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2 these additions to the district. The proposed
3 Riverside West End Historic District Extension I
4 is a living monument to late 19th and Early 20th
5 Century New York City, particularly in its
6 incredibly long stretch of prewar apartment
7 buildings unseen anywhere else in the five
8 boroughs. Indeed, not only is the West End Avenue
9 thoroughfare renowned for the complimentary
10 architecture styles of these buildings, but the
11 building's uniform height creates a largely
12 unbroken street wall which is itself historically
13 and aesthetically significant. The height of the
14 buildings, many of which were built in the 1920s
15 and earlier, hearkens back to a time when building
16 codes encouraged uniformity and building height to
17 account for neighborhood aesthetics, rather than
18 focusing solely on the building's capacity, as so
19 many are solely concerned with today. The past,
20 developers paid close attention to architectural
21 detail, even during the rush of apartment building
22 construction, and this attention is readily
23 apparent in buildings throughout the area, which
24 frequently feature a smooth limestone base for the
25 first one to three floors, topped by other

1 materials and unique features. The historic
2 buildings on Broadway, Riverside Drive and West
3 End Avenue have been unofficial New York landmarks
4 long before being calendared for landmarking.
5 Their architectural beauty, the consistency of
6 their façades and even their heights, tell stories
7 of the neighborhoods history, and these stories
8 warrant protection. This is a neighborhood where
9 architects or contractors, like the Paterno
10 Brothers, once signed their buildings, much like a
11 painter, a sculptor, would sign a masterpiece.
12 Leaving the neighborhood open to projects that do
13 not complement its character and charm would be
14 especially egregious in the neighborhood with this
15 history. When I last testified on this proposal,
16 I spoke of my childhood memories, of the awe I
17 felt at admiring the buildings of my neighborhood
18 and learning as I grew into adulthood of the
19 different techniques employed. I cannot stress
20 enough what a tragedy it would be in the current
21 vista we enjoy every day were to be diminished or
22 destroyed by unsympathetic and incongruous sheets
23 of glass and cement. The recent construction of
24 buildings, many of which are as-of-right, with
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2 little opportunity for oversight or community
3 input during development, and which disregard the
4 aesthetics of the neighborhood, compels me to work
5 to protect our neighborhood for future
6 generations. Tomorrow's children deserve to feel
7 the same sense of wonder and marvel that I had as
8 a child, and still experience today when looking
9 at West End Avenue and Riverside Drive. Beyond
10 the dangers of new, inappropriate construction and
11 development on West End Avenue, the entire
12 landmarking process has been threatened by a
13 coalition of organizations led by the real estate
14 Board of New York. In a letter to the New York
15 City Landmarks Preservation Commission, the real
16 estate board attempted to argue that the LPC's
17 designation process for this district, months of
18 meetings with the community and presentations at
19 public hearings, lacked sufficient notice and
20 information for property owners. In a last ditch
21 attempt to derail a critical designation that has
22 been years in the making, REBNY alleged that
23 despite the public meetings, the hearings, the
24 countless community meetings by preservation
25 advocates and community organizations, numerous

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2 articles on the proposed district, and even
3 articles in REBNY's own newsletter, owners
4 allegedly somehow still not, did not know what
5 landmarking means, or were unaware that they were
6 included in the proposed district. I was
7 heartened to see both LPC and the City Planning
8 Commission affirm the landmarking process in their
9 approvals of the district, and hope for a similar
10 outcome at today's hearing. A historic
11 designation for this unique stretch of West End
12 Avenue is a means by which to ensure smart and
13 contextualized development here on the Upper West
14 Side. Preserving the architectural integrity of
15 this area for future generations, will help to
16 preserve the very things that attracted families
17 here in the first place. Designating this stretch
18 of West End Avenue as a historic district
19 complements our greater vision for the City and
20 will preserve the unique beauty of this area for
21 years to come. I offer my complete support of the
22 Riverside West End Historic District, and I ask
23 that this City Council Subcommittee on Landmarks,
24 Public Siting and Maritime Uses approve the
25 proposed blocks for landmark designation. And

1 that is my official testimony. I would also like
 2 to say on the record, but it's not written, how
 3 wonderful it was to work with elected officials on
 4 all levels of government in this area, to come to
 5 today's hearing, especially our Council Member
 6 Gale Brewer, who has worked tirelessly on this,
 7 has walked every block in this design--in proposed
 8 designated area, and who really =deserves a full
 9 vote of support [applause] from the entire City
 10 Council, for this designation. Thank you.

12 CHAIRPERSON LANDER: Thank you very
 13 much, and as I've said a couple of times, to have
 14 the Assembly Member, the State Senator, the
 15 Congressman, and of course the City Council Member
 16 has been a champion, you know, talked very
 17 personally about how important this district is,
 18 and the sense of place, and what it means for the
 19 Upper West Side, is very much appreciated. So,
 20 thank you, for your--

21 LINDA ROSENTHAL: Thank you.

22 CHAIRPERSON LANDER: --for your
 23 time.

24 LINDA ROSENTHAL: Thank you for
 25 listening.

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2 CHAIRPERSON LANDER: We do have one
3 more level of government represented in the room
4 [laughter], the closest to the ground, of course,
5 the community board, and I think we have four
6 people from the community board, two official and
7 two longtime members, so let me ask Mark Diller,
8 Gabrielle Palitz, Mel Wymore and Mark Landis, to
9 come up, if we could just add a fourth chair, and
10 then the four of you can all give your testimony,
11 that would be great. [pause, background noise]
12 And let me, I'll guess I'll just say this, we have
13 quite a few people signed up to testify, we love
14 that people come out and testify and express
15 enthusiasm. I don't think there's anyone signed
16 up to testify in opposition. So if you want to
17 express your enthusiasm but not necessarily
18 rearticulate the boundaries and every detail of
19 the district, we--

20 MARK DILLER: So, I'll delete the
21 second [crosstalk]

22 [background comment]

23 CHAIRPERSON LANDER: We do, I
24 apologize, Council Member Brewer corrects me
25 appropriately, we do have one person submitted

1
2 testimony, the, that I'll refer to in a minute,
3 the Co-op Association of New York City.

4 MARK DILLER: Great, so. [pause,
5 background noise]

6 CHAIRPERSON LANDER: So, let me
7 just, you know, we don't have a clock in here
8 today, we, you know, generally we would do two
9 minutes. If people can just express that.
10 Anyway, go ahead.

11 MARK DILLER: Very good, thank you.
12 My name is Mark Diller, I'm the, I have the
13 privilege of being the Chair of Community Board 7.
14 And I'm here to express Community Board 7's
15 unwavering and complete support for the proposal.
16 We've already submitted our resolution to you, it
17 was almost unanimous, it's the Upper West Side,
18 nothing is actually unanimous there [laughter] so,
19 at every committee, at every board meeting, on
20 this topic of the support for this proposal was
21 resounding and overwhelming, both within our Board
22 and within the community that we engaged. The
23 process at the community board level was robust,
24 and it had a good turnout. So, I think we can
25 fairly say that this has strong community support.

1
2 You've heard a lot already today, and I'm sure in
3 the written submissions, as well, about a sense of
4 place. It's very real, you've heard virtual,
5 visceral testimony about it, so I search for
6 something new to say about that, and found it from
7 my son, who reminds me that Sergei Rachmaninoff,
8 the great composer, actually composed one of the
9 signature pieces for piano students, the
10 Rachmaninoff Piano Concerto No. 3, known as Rach
11 3, right on this stretch of buildings when he
12 lived there in the early part of the 20th Century.
13 I'm not sure if that alone gets it landmark
14 designation [laughter] but it certainly
15 contributes to the fabric of what we're talking
16 about here. You've heard some testimony about the
17 costs of compliance. And I want to say a couple
18 of things about that if I may. The first is that
19 you have to balance cost with value. Cost in the
20 abstract is not really a real concept here. So,
21 the preservation of the sense of place that you've
22 heard talked about today, increases property
23 values, and just like the little red hen, nobody
24 wanted to help bake the bread, but everybody wants
25 to eat it. We have to have a balancing, and that

1
2 is something that is very much to the benefit of
3 property owners throughout the district, to be
4 part of it, to be next to it, to be included in
5 it. So it's good business and it's good
6 government, because it's the kind of thing that
7 people won't do for themselves, but it is a
8 collective benefit that we can make sure as
9 government that it happens. The other is, and you
10 heard a little bit, heard this averted to a little
11 bit this morning, is that on the community board
12 we have been involved in a process of rulemaking
13 by which the LPC has been revising its rules to
14 allow staff to approve more and more applications
15 at staff level. I think you mentioned the
16 storefront ones, there are also ones about rear
17 yards, and about rooftop additions. There are
18 appropriately limited in that if there is a wide
19 amount of discretion required for that kind of an
20 approval, that it would go to a hearing, but
21 routine matters, things like windows, things like
22 repainting your front door, are things that can be
23 handled at the staff level, with maybe a modest
24 filing fee. This is not the monumental burden
25 that some folks would have you believe it is.

1
2 I'll stop there, but I thank you for the
3 opportunity to testify, the community is behind
4 you on this, and we hope to see this through.

5 CHAIRPERSON LANDER: Thank you very
6 much.

7 GABRIELLE PALITZ: Hi. I'm
8 Gabrielle Palitz, I'm Co-Chair of the Preservation
9 Committee of Community Board 7, Manhattan, and I'm
10 speaking on behalf of myself and my Co-Chair,
11 Lenore Norman, both of us are longtime residents
12 of the Upper West Side. We both live on Riverside
13 and walk across West End many, many times every
14 day. Many words have been written and spoken
15 about the significance of this entire proposed
16 district. I am only reiterating a few of them.
17 West End Avenue presents a unique blend of urban,
18 neighborhood, domestic architecture, consisting
19 almost entirely of classic apartment buildings,
20 dating from the turn of the century, to shortly
21 prior to World War II, and interspersed with
22 pockets of largely intact individual row houses,
23 and a few notable institutional buildings. The
24 side streets for the most part continue the
25 pattern of row houses, many of which are being

1 converted back to one family homes, reinforcing
2 the unique sense of place. The majority of these
3 buildings along the avenue and down the streets
4 are unprotected, giving rise to opportunities for
5 out of scale and out of character development, and
6 inappropriate alterations. Some demolition of row
7 houses have already taken place on West End Avenue
8 and there's been much concern for the fate of the
9 four row houses within this district, this
10 proposed district, designed by C.P.H. Gilbert on
11 West 86th Street. Designation of this area and
12 the others proposed for public hearing not only
13 protects their architecture, but continues our
14 City's heritage and not insignificantly increases
15 property values in and around the designated area.
16 For these reasons, Community Board 7 Manhattan
17 enthusiastically supports this proposed
18 designation and urges the City Council
19 Subcommittee on Landmarks to support the
20 designation, as well. And I also submitted a copy
21 of this Community Board's resolution. Supporting
22 it.
23

24 CHAIRPERSON LANDER: Thank you.

25 GABRIELLE PALITZ: Thank you.

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2 MEL WYMORE: Hi, thank you for the
3 opportunity to testify, my name is Mel Wymore, I'm
4 the former Chair of Community Board 7, when a lot
5 of the work on WEPS went forward. Just a few,
6 first of all, I want to echo the thought that this
7 was an incredible exercise in community
8 engagement, and also self-determination. Very
9 unanimous and broad support for this effort.
10 Secondly, just from a personal perspective, I want
11 to address some of the issues as a co-op owner. I
12 have sat on the board of five different co-ops and
13 condos, all on the west side, two of them over the
14 last eighteen years I've served as President and
15 Vice Chair of co-ops within a historic district.
16 So, very, very familiar with what it means to
17 manage a building that has historic significance
18 within the context of a historic district. In
19 both cases, we've done very large capital
20 projects, we're about to embark on a replacement
21 of all the windows of our 30 unit co-op on the
22 Upper West Side, in a historic district. It does
23 imply a little more effort on the, on behalf of
24 the co-op to work through some of the landmarking
25 issues; however, the payoff is so huge. One, in

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2 terms of planning and really thinking forward in
3 terms of the financial sustainability of your
4 building. So like it makes buildings responsible
5 for their future. And really think through what
6 the building's going to look like. Secondly, it
7 is something that I've never heard in all of those
8 years and all of those different boards, I've
9 never once heard someone say, "Gee whiz, I wish we
10 weren't in a historic district," because they know
11 how valuable it is to preserve the fabric of our
12 community. And lastly, I would just say that the
13 Upper West Side is the attractive community that
14 it has been largely because of the landmarking
15 that happened with Arlene Simon who's in the room,
16 to landmark the beginning, the lower part of our
17 district, and this is a very valid extension of
18 that. And I want to thank all of the activists
19 and WEPS for their hard work on this issue. Thank
20 you again for the opportunity.

21 CHAIRPERSON LANDER: Thank you very
22 much.

23 MARK LANDIS: Thank you. My name
24 is Mark Landis, and I also serve as, I'm a former
25 member of Community Board 7, but I'm also an

1
2 elected democratic party district leader from the
3 67th Assembly District, and the proposed Extension
4 I falls almost exactly within my leadership part.
5 I live in the heart of the proposed extension, in
6 a Romanesque revival Queen Ann cooperative, at
7 329-337 West 85th Street, which is an individually
8 designated landmark already. I also serve as
9 president, our co-op is called Townsend Mews,
10 names for its famed architect, Ralph Townsend. We
11 are conscious of property values in my building as
12 well, and have gone through the challenges of
13 working with landmarks through a façade
14 renovation. We are pleased about the efforts that
15 have been made since then to simplify the process
16 for renovations that are more routine. But we
17 also believe that the characteristics of the
18 neighborhood warrant not simply the designation of
19 individuals buildings as landmarks, but to, in
20 order to protect the historic preservation and
21 character that the entire neighborhood must be
22 protected in this fashion. Our neighborhood is
23 truly a residential neighborhood, there are no
24 commercial enterprises along West End Avenue or
25 Riverside Drive, in this area. The only

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2 nonresidential structures are community resources,
3 synagogues, churches and schools, which generally
4 are contextual in light of the residential
5 properties that are surrounding. And my
6 constituents and I are particularly concerned
7 about the townhouse preservation along the side
8 streets and along West 86th Street, and West End
9 Avenue, which has been a priority of WEPS. We are
10 very pleased that we can stand with the West End
11 Preservation Society and Landmarks West, Community
12 Board 7, and Council Member Brewer and our other
13 elected officials in supporting this designation.
14 Thank you very much.

15 CHAIRPERSON LANDER: Thanks very
16 much to all four of you. Seeing no questions,
17 thank you very much for your testimony. We've
18 heard referred to quite a few times today the good
19 work of the West End Preservation Society, in
20 doing the work to advocate for this. So let me
21 ask them to come up next. Richard Emery and John
22 Hunter. [pause, background noise, laughter]
23 Careful, yes, exactly. [laughs] [pause,
24 background noise] Great.

25 [pause, background noise]

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2 RICHARD EMERY: We are submitting
3 some written testimony and also some materials in
4 support of the designation and the Council's
5 approval. And therefore I'm not going to repeat
6 what you have before you. In listening--[pause,
7 background noise] towards me, or what? Oh, sorry.
8 I think that while it's extremely hard to follow
9 Tom Duane, Linda Rosenthal did an amazing job and
10 I want to reiterate in some ways, and reaffirm the
11 things that she said, because her testimony, and I
12 hope you will review it in writing, was very
13 balanced, thoughtful and captured a great deal of
14 what WEPS has been about from 2007. This is the
15 five year culmination of the WEPS process. And it
16 has been rewarding in many respects because of the
17 huge support we got, not only at the very
18 grassroots level, but among elected officials we
19 never expected, necessarily, to support us, all of
20 whom have lots of, each of whom has lots of
21 pressure on him or her to bend to real estate
22 interests and development interests, and interests
23 to capitalize on opportunities in this district,
24 for development and profit. Jerry Nadler, Tom
25 Duane, Scott Stringer, Linda Rosenthal, Adriano

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2 Espaillat, and especially Gale Brewer, have been
3 unbelievable and stalwart. And actually, as a
4 point of personal privilege, I want to point out
5 that this process, both at the grassroots level
6 and at the level of public and elected officials,
7 is incredibly reaffirming, and I think Councilman
8 Halloran would probably agree with me on this,
9 that prior to the existence of the Council in its
10 current form, with the powers that it now has in
11 these areas, the Board of Estimate would've been a
12 nontransparent forum in which this would've taken
13 place and probably the real estate interests and
14 the development interests and the profitmaking
15 interests would've gone over the grassroots and
16 elected official interests at stake here, like a
17 bulldozer. And we would've never seen the kind of
18 response and care and thoughtfulness and
19 sensitivity that this Council has shown, that the
20 Landmarks Preservation Commission has shown. And
21 in the sense that Councilman Halloran said before,
22 you absolutely have an incredibly important role.
23 And of course, the Administration should cooperate
24 with you and I'm sure they will. They've been
25 very wonderful with us, and I assume they will be

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2 likewise, because they support this with you. And
3 your role is of utmost importance in my view. And
4 we come here with all respect and all appreciation
5 for your attention and care in this matter, and
6 provide for you what we hope will be any support
7 you need to make this process go forward, because
8 the grassroots should predominate here. We have a
9 community that cherishes this area, cherishes it
10 in every sense, for our children, and for
11 ourselves, and for our business community, and for
12 our religious community, and all the rest. And
13 this project was born of that instinct, and has
14 followed that instinct from day one, and can be
15 recognized by the Council as such. And I thank
16 you very much for the opportunity to contribute.

17 CHAIRPERSON LANDER: Thank you very
18 much. And I want appreciate your also being here
19 and your long service, you know, not just to the
20 neighborhood but to the City and the State. And
21 it's nice to have such a eloquent affirmation, not
22 only of the landmark preservation worthiness of
23 the neighborhood, but of the value of the
24 democratic process that we do it through.

25 MARK LANDIS: All good politics is

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local.

CHAIRPERSON LANDER: Amen.

JOHN HUNTER: Good afternoon.

Could you put me on? Thank you. Good afternoon, my name is John Hunter, and my wife and I are members of WEPS and Landmark West. And I'm not here, we're here to support this. And prior to moving to 310 West 79th Street, 27 years ago we spent 20 years in Brooklyn. And while we were there, in Brooklyn Heights, it was designated, it was the first community to be designated a historic district. Then we moved to Marks, to Park Slope, and that became the largest district. Now we're doing one better. [laughter] And--

CHAIRPERSON LANDER: Council Member Halloran's going to try to get you to come out to live in Broadway/Flushing [laughter] so that he can bring designation out with you.

JOHN HUNTER: Anyway, that being said, for 23 of our 27 years there, I have been on the board, the building board. Unfortunately, we don't have term limits like you people now do. [laughter] But in that time, we, the members of the board, have, and the board, has always treated

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2 our building as a landmark, because we love it so
3 much. And we have scrutinized every application,
4 certainly for a front façade as well as the back.
5 And rejected some, approved some, and it--and we,
6 since we joined WEPS four years ago, Richard, I
7 guess, suggested, when we heard about it, we said,
8 "This is something we want to support even though
9 we're not in the district." And in the proc--and
10 then thanks to the Landmark Preservation
11 Commission, they extended the original application
12 and we're part of that, and we actively support
13 it. Now, in the past four years, through this
14 process, we have discussed it with the board, and
15 every annual meeting, and at a fundraiser we had
16 for WEPS, inviting everybody. And they, the
17 residents of our building now completely
18 understand it, they are not afraid of it, and they
19 support it. I would say that we've got three-
20 quarters of the shareholders, we are a 32 unit
21 building with 30 shareholders. And I'd say three
22 quarters by my calculation strongly support it,
23 some could go either way, and 85 percent of the
24 shares. And as far as the economics go here, it's
25 not that big a deal. We just signed off yesterday

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2 on an application that was submitted to the
3 building's board for permitting, immediately
4 transferred to the LPC, and it's, believe me, it's
5 been scrutinized here. So, as a building owner, a
6 resident, need I say more? [laughter] I've taken
7 too much time. Thank you.

8 CHAIRPERSON LANDER: Thank you so
9 much. Council Member Brewer has a question.

10 COUNCIL MEMBER BREWER: I have a
11 quick question. I thank you, you know, I live in
12 that historic district, my district office is in
13 the historic district, and I've renovated both.
14 So, I know exactly what you're coming from. But I
15 have an individual building, and so your co-op
16 experience is helpful. Because my question is,
17 and maybe Richard could also add on this: What
18 did you do to convince your shareholders the
19 importance? Was it the fact that they believe in
20 it? Was there a fiduciary? Was it the work of
21 the staff of the Landmarks Preservation
22 Commission? Because I think the more we say this,
23 is the more we make it clear that this is not a,
24 the challenge that is made out by the individuals
25 from REBNY or some of the co-ops who are

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2 contacting me. What did you do to convince your
3 fellow shareholders that this is a good idea?

4 JOHN HUNTER: I made a similar
5 argument, but it was more of an information, we--
6 every process, I said, "It's coming, it's going to
7 be great for the neighborhood, and here's what it
8 involves." And even before that, we had rejected,
9 actually removed, somebody's grillwork on the
10 front. And ... it's just been getting them to
11 live with it and be informed and that it's going
12 to be great for the building, and no great changes
13 taking place.

14 RICHARD EMERY: I think there are a
15 couple things to say to that, Gale. And the first
16 is money. People see the values of their
17 apartments going up in these districts, it's very,
18 it's been well documented. The second is, the
19 deterioration of the neighborhood which becomes
20 palpable when you see what can be developed along
21 West End Avenue, it's 95th and 96th Street, at 732
22 and 734, which is an abomination. And was a very
23 big watershed for the group. And I think finally
24 there's just a sense of the caring of the
25 community for itself, that is very contagious and

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2 very real and people love to be part of something
3 bigger than just their own life and being in this
4 community feels that way very strongly.

5 CHAIRPERSON LANDER: Thank you both
6 very much, and I will just encourage folks to take
7 a look at the document you prepared, because I
8 think by highlighting some of the demolitions and
9 what's gone up in their place, and a somewhat more
10 advocacy oriented way than the LPC can do, I think
11 it really makes the case strongly for the
12 importance, so--

13 RICHARD EMERY: We can thank - -
14 for that, and Erica Peterson, who are the backbone
15 of WEPS.

16 CHAIRPERSON LANDER: Thank you very
17 much. [applause] Because we had the conversation
18 about cooperatives, I will use this as a moment to
19 reflect that Marianne Rothman from the Council of
20 New York Cooperatives and Condominiums did submit
21 testimony for the record, which is the one piece
22 of testimony in opposition to the designation,
23 really more relating to some broader issues around
24 J51 and the process than specifically this
25 district. All right, it's an embarrassment of

1
2 riches, we have so many wonderful people, and I
3 feel bad about everyone who's--but it's, we have
4 five more people signed up to testify, so let me
5 just ask you to come up three and then two, on the
6 first panel, I'll ask Andrea Goldwyn from the New
7 York Landmark Conservancy; Simeon Bankoff from the
8 Historic Districts Council, and Christiana Peña
9 from Landmark West; and then our final panel will
10 be Batya Lewten from the Coalition for a Livable
11 West Side and Betty Lin [phonetic] from 565 West
12 End Avenue. And I really just want to say thanks
13 to everyone for being here and for your patience.

14 [pause, background noise]

15 ANDREA GOLDWYN: Okay? All right.
16 Good day, Chair Lander, and Council Members, I'm
17 Andrea Goldwyn, speaking on behalf of the New York
18 Landmarks Conservancy. Back in 1987, the
19 conservancy enthusiastically testified in favor of
20 the Riverside West End Historic District. 25
21 years later, we do so again for an extension that
22 flows so naturally from the original, it's almost
23 impossible to see the boundary. Like the original
24 district, the extension is composed of structures
25 representing several phases of development, from

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2 the late 19th and early 20th Centuries, designed
3 by prominent architects of those eras. With
4 cohesive avenues of stately apartment buildings,
5 and an eclectic mix of forms, materials and
6 details on the side streets, these intact blocks
7 create the same vibrant sense of place
8 characterizing the original district. In addition
9 to recognition of these fine buildings, we'd like
10 to remind owners of the advantages of landmarking.
11 The City's Independent Budget Office study states
12 that historic district designation stabilizes and
13 improves property values. And just as designation
14 has benefited other parts of the Upper West Side,
15 this extension will enhance the neighborhood,
16 ensuring that any alterations are guided by the
17 landmarks law. This district clearly has
18 overwhelming support from the community, and we're
19 happy to join with neighbors, public officials and
20 preservationists to speak in favor of the
21 designation. In particular, we're grateful to the
22 West End Preservation Society for initiating the
23 effort to extend the district, to the Landmarks
24 Commission for significantly expanding the scope,
25 acting with speed, and to Council Member Brewer

1
2 for her leadership. As always, we're happy to
3 offer the assistance of the Conservancy's historic
4 properties fund, sacred sites program, and
5 technical services staff to the owners and users
6 of buildings in the extension. Thank you for the
7 opportunity to present the Conservancy's views.

8 CHAIRPERSON LANDER: Thank you very
9 much, as always, and as was noted, it's great that
10 Peg Breen is a resident of the Upper West Side--

11 ANDREA GOLDWYN: Yes, and--

12 CHAIRPERSON LANDER: --historic
13 district area.

14 ANDREA GOLDWYN: Peg appreciates
15 whenever Council Member Brewer mentions that, she
16 is happy to answer questions from any owners.

17 CHAIRPERSON LANDER: Yeah, you were
18 here, you heard the earlier exchange around the
19 LPC's programs--

20 ANDREA GOLDWYN: Yes.

21 CHAIRPERSON LANDER: --but I think
22 maybe, and we don't have any here, and it's not as
23 a public agency, but I know you do it in your
24 annual reports anyway. So I think if you guys
25 wouldn't mind just sending to the Committee the

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2 numbers on applications and awards in the various
3 programs, just so that we can answer Council
4 Member William's questions--

5 ANDREA GOLDWYN: Of course.

6 CHAIRPERSON LANDER: --that would
7 be very helpful.

8 ANDREA GOLDWYN: We'd be happy to.

9 CHAIRPERSON LANDER: Thank you so
10 much.

11 SIMEON BANKOFF: Good afternoon,
12 Council Members, Simeon Bankoff, Historic
13 Districts Council. This is a wonderful district
14 and you should, I hope that you approve it. I
15 would like to take, you know, just a few moments
16 to thank everybody who's really made this happen:
17 the West End Preservation Society, Landmark West,
18 Community Board 7, the many different block
19 associations and neighbor associations of the
20 Upper West Side, this has truly been a remarkable
21 outpouring of community effort and activism. The
22 strong and remarkable work of Council Member
23 Brewer is to be lauded and hopefully replicated
24 throughout New York City. She has been just a
25 wonderful champion, giving up her Sundays right

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2 before the Emmys for--the Tonys, excuse me, for
3 meetings. It's just been wonderful, the elected
4 officials, I've rarely seen such strong, steady
5 support, and really active support, that's a very
6 thoughtful discussion of the issues, and a way of
7 really talking and reaching out to the community
8 and always possible, it's been wonderful to be an
9 experience of this. Again, the West End
10 Preservation Society we were happy to give an
11 award for their work, just last June, and I have
12 been pointing all sorts of people throughout the
13 City to look at their example. So, they have done
14 great, great work. I am a homeowner, not in a
15 historic district, but across the street from one.
16 And I've had to replace my windows and whatnot,
17 but more importantly, my mother is a homeowner
18 with a co-op in a historic district, and I've
19 talked to the windows committee of the co-op
20 board, discussing about changing the windows, and
21 when I sat down with them and looked at the actual
22 numbers of replacing windows versus actually
23 getting them fixed, it was cheaper to get them
24 just fixed, in the long run. So, that's my own
25 personal experience. Happy to answer any

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questions.

CHAIRPERSON LANDER: [off mic]

Thank you very much.

CRISTIANA PENA: Good afternoon, members of the Subcommittee, my name is Cristiana Peña, and I'll be here today presenting on behalf of Landmark West. Landmark West was founded 27 years ago in 1985, at a time when only a handful of buildings on the Upper West Side were officially landmarked. It's astonishing to look back now and realize that places like the Normandy Apartments on Riverside Drive and the iconic skyline of Central Park West were then still unprotected. The loss and near loss of buildings like the Second, now First, Church of Christ Scientist, on West 68th Street and Central Park West, served as powerful wakeup calls that nothing less than the soul of the Upper West Side was at stake. A realization paralleled today by the destruction of historic row houses on West End Avenue, and side street mid-blocks, where out of character, excuse me, towers now rise. Then, as now, the community and local leaders mobilize in strong support of historic district designations.

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2 The message was delivered loud and clear on March
3 22nd of last year, when West Siders and fellow
4 landmarking advocates from across the five
5 boroughs flooded the hearing room of the Landmarks
6 Preservation Commission to speak out and stand up
7 in support of the proposed Riverside West End
8 Historic District Extension I. Our calls to
9 action were answered on June 26th of this year
10 when the LPC voted unanimously to designate the
11 extension. The Upper West Side community applauds
12 the staff and members of the Commission of the LPC
13 for recognizing that in our neighborhood there is
14 still more to be done. For paying close attention
15 to the extensive research and vigorous endorsement
16 of expanding the existing West End Avenue
17 Districts by Andrew Scott Dolkart, who's been
18 cited several times today, and for going even
19 further to include side streets, major cross
20 streets and much of Riverside Drive, and Broadway,
21 from 70th to 109th Streets. This area contains
22 close to a dozen individual sites that have been
23 on Landmark West's wish list of landmark
24 priorities for over 20 years. Together, this
25 diverse collection of buildings tells a resident

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2 story of how the Upper West Side became what it is
3 today: one of the most appealing and alluring
4 neighborhoods in the City. And it will continue
5 to evolve as one of the Landmarks Commissioners
6 emphasized, at the June 26th vote, when he said,
7 and I quote, "Landmark districts in no way freeze
8 communities from moving forward, they just move
9 forward in a very careful way, with the knowledge
10 that the historic artifacts, in terms of the
11 district and in terms of the individual elements
12 of individual buildings, are to be respected even
13 as change occurs. Landmark West strongly supports
14 the proposed Riverside West End Historic District
15 Extension I, and we urge the Members of the City
16 Council's Subcommittee to support the expert
17 findings of the Landmarks Commission and the City
18 Planning Commission. Thank you

19 CHAIRPERSON LANDER: Thank you so
20 much, and thanks to all three of you for your very
21 important and longstanding work in these efforts.
22 And last but definitely not least, very
23 enthusiastic to invite Batya Lewton from the
24 Coalition for a Livable West Side and Betty Lind
25 from 565 West End Avenue. [pause, background

1
2 noise] Can I get you all, yes [laughs] We're not
3 in such a rush that we [laughter] want to have to
4 have people testify while standing. [pause]
5 Thank you. Okay, go ahead and start by stating
6 your name for the record, please.

7 BATYA LEWTON: My name is Batya
8 Lewton, I represent the Coalition of a Livable
9 West Side. [technical] My name is, my name is
10 Batya Lewton, I represent the Coalition for a
11 Livable West Side. First, I want to thank Council
12 Member Brewer for her outstanding leadership, not
13 only on this issue, but every quality of life
14 issue on the West Side, thank you, thank you,
15 thank you. [applause] Coalition is in awe of the
16 West End Preservation Society, Richard Emery,
17 Joseph Amato, and Erica Peterson, for their
18 outstanding work on creating this historic
19 district effort. I'm not going to take much
20 longer. But I want to end on a rather amusing
21 note. I've lived in the area for 81 years,
22 including during World War II, and I really regret
23 there is a building on the northwest corner of
24 80th Street that belongs to Zabar's, very sweet
25 little building, that is not part of the historic

1
2 district, but it should be, because during World
3 War II it was a cathouse. [laughter, background
4 comment] Okay. I'm sitting.

5 CHAIRPERSON LANDER: Thanks--

6 COUNCIL MEMBER BREWER: [off mic]
7 But I have one question.

8 BATYA LEWTON: Oh, okay [laughs]
9 about the cathouse, I don't know. [laughter]

10 BETTY LIND: [off mic] Hi, my name
11 of Betty Lind. [technical] Okay. Hi. My name
12 is Betty Lind, I'm a resident of 565 West End
13 Avenue. [background comment] Gary Blyberg
14 [phonetic], the President of the Co-op Board at
15 565 West End Avenue, has authorized me to speak on
16 behalf of our building's board today. Our board
17 is in support of the original boundary description
18 of the proposed Riverside Drive/West End Avenue
19 Historic District Extension I, as created by the
20 LPC. Mr. Blyberg and the Board strongly oppose
21 any carve outs or exclusions to the boundaries in
22 order to maintain the unique character and
23 historical significance of the proposed historic
24 district. 565 West End Avenue is itself a
25 designated historic building. We have not found

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2 this designation burdensome at all. On the
3 contrary, our building has had record sales prices
4 with new buyers who find the historic designation
5 a big incentive to purchasing apartments in our
6 building. Real estate agents use the historic
7 designation of 565 in their brochures, advertising
8 apartments in our building, realizing the historic
9 designation has only increased the value of the
10 apartments. Additionally, the historic
11 designation of our building helps us regularly
12 support various businesses that specialize in
13 maintaining historic buildings. A larger historic
14 district would only increase the employment
15 opportunities in historic building maintenance.
16 These businesses have long term relationships with
17 historic buildings like ours. The economics of
18 this relationship, these relationships, which
19 provide stable employment within historic
20 districts should be recognized, appreciated, and
21 supported. Our building appreciates the hard work
22 of the LPC in creating the proposed Riverside West
23 End Historic District Extension I, as well as all
24 the tireless support of our elected officials, and
25 hopes that the Subcommittee will support this

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2 proposal. Thank you on behalf of 565. I also
3 have a letter here that was written by the
4 Secretary supporting the organization called West
5 80s Neighborhood Association, she was unable to
6 speak today, she had to leave to go to work. So
7 I'm going to read the letter that she is
8 submitting.

9 CHAIRPERSON LANDER: I'm sorry,
10 that could just be submitted for the record.

11 BETTY LIND: Submitted, okay, okay.

12 CHAIRPERSON LANDER: Thank you very
13 much for your time. And one more thing from Ms.
14 Lewton.

15 BATYA LEWTON: Yeah, one more
16 thing, the document that I gave you is an analysis
17 of why the four buildings on West 86th Street
18 should never be carved out. It's, lists its
19 historic significance and please read it. Thank
20 you.

21 CHAIRPERSON LANDER: Thank you both
22 very much for your time and testimony, thanks to
23 everyone who came out, this was a very persuasive
24 case making for the, just how important the West
25 End Historic District is to a very wide range of

1
2 people on the Upper West Side, and we really
3 appreciate everyone's coming out to say so and to
4 make so clear. With that, we'll close the public
5 hearing on this item and move forward to vote.
6 Again, we're voting on Land Use No. 705,
7 application 20135017, the Riverside/West End
8 Historic District Extension I, and the Chair
9 enthusiastically recommends an aye vote on the
10 matter.

11 COUNSEL: Ann McCoy, counsel
12 Committee. Chair Lander?

13 CHAIRPERSON LANDER: Aye.

14 COUNSEL: Council Member Palma.

15 COUNCIL MEMBER PALMA: Aye.

16 COUNSEL: Council Member Arroyo.

17 COUNCIL MEMBER ARROYO: I didn't
18 hear enough support for this. [laughter]

19 COUNSEL: Council Member Mendez.

20 COUNCIL MEMBER MENDEZ: Permission
21 to explain my vote?

22 CHAIRPERSON LANDER: Of course.

23 COUNCIL MEMBER MENDEZ: I vote aye,
24 but I just wanted to congratulate Gale Brewer and
25 everyone from the West Side, just looking at all

1
2 the documents, this is a very beautiful
3 neighborhood. And it certainly merits a
4 designation. I vote aye.

5 COUNSEL: Council Member Williams.

6 FEMALE VOICE: Say yes. [laughter,
7 background comments]

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

10 CHAIRPERSON LANDER: Of course.

11 COUNCIL MEMBER WILLIAMS: I vote
12 aye, although I do have concerns, and always have
13 concerns about people who are opposing this and
14 don't seem to have much of a voice in the process.
15 I would've been a little bit more on the other
16 side if there were singles, but since it's a
17 district, I know a lot of energy and a lot of
18 effort went into getting the district declared,
19 and it seemed like the vast, vast majority of the
20 district want it, so I'm going to vote aye. But I
21 still would like to see those statistics that were
22 spoken about early on, and hopefully you can move
23 forward in giving people who don't want to be
24 landmarked a better voice in the process. Thank
25 you.

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2 COUNCIL MEMBER BREWER: Thank you,
3 Jumaane.

4 COUNSEL: Council Member Halloran.

5 COUNCIL MEMBER HALLORAN: May I be
6 excused to explain my vote? I'm going to defer to
7 the Council Member who's district it's in. It's
8 her baby, as they say, and she should be able to
9 do what she needs to do for her district. She
10 knows it far better than any of us. I will
11 reiterate Council Member William's concerns, with
12 regards to the lack of information coming out of
13 LPC, and I would hope that those who naively
14 believe that this, that things go along the way
15 they do because everyone swims in unison should
16 realize that's not necessarily the case. Justice
17 doesn't always prevail, and I would think a First
18 Amendment attorney would know that. However,
19 nonetheless, I will vote with the Council Member's
20 request and say aye to this, although I do have a
21 habit of voting no, because the City has ignored
22 my district. [background comments]

23 CHAIRPERSON LANDER: The Hudson
24 River current I believe is very strong along the
25 Upper West Side, and that helps in moving people

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2 in one direction, I think, so--[background
3 comments]

4 COUNSEL: By a vote of six in the
5 affirmative, none in the negative, Land Use Item
6 704 is approved and referred to the full Land Use
7 Committee. Closing - - [gavel]

8 CHAIRPERSON LANDER: This meeting
9 of the Committee is adjourned.

10 COUNCIL MEMBER BREWER: Thank you,
11 thank you, Jessie Bodine. [cheers, applause]

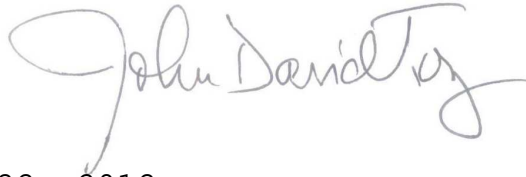
12 CHAIRPERSON LANDER: Land Use is
13 tomorrow at 10:00, signed tomorrow.

14 [pause, background noise]

C E R T I F I C A T E

I, JOHN DAVID TONG 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

A handwritten signature in cursive script that reads "John David Tong". The signature is written in black ink and is positioned to the right of the printed word "Signature".

Date October 22, 2012