

REGULATORY CAPTURE: WATCHING A CITY COMMISSION LOSE ITS WAY

**THE NEW YORK CITY LANDMARKS PRESERVATION COMMISSION
UNDER MAYOR DE BLASIO, 2014 – 2021**

**A REPORT FROM THE SOCIETY FOR THE ARCHITECTURE OF THE CITY
COMPILED BY CHRISTABEL GOUGH**

WITH THE INVALUABLE ASSISTANCE OF

**MICHAEL HENRY ADAMS, SIMEON BANKOFF, THEODORE GRUNEWALD,
RONALD J. KOPNICKI, MATT MCGHEE AND JEREMY WOODOFF**



Still there in 2023, 18 Christopher Street, in a photo by Berenice Abbott. Landmarked, but is it in fact protected? In the same Historic District, two similar buildings on Gay Street were recently destroyed, as described below in Item 49, “Losing 14 Gay Street.” Under the same ownership, the fragile buildings shown above are in danger of similar reckless modernization leading to collapse.

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FOREWORD

This inventory of recent actions and inactions that make up what bureaucrats know as “precedent” suggests that historic preservation will not play a large role in the future of New York City. The Landmarks Preservation Commission no longer functions as it once did.

Because many have been devoted to the cause, or drawn to the vision of an ideal city that builds on its own history, the record should show what failure looks like, a modern city disfiguring and demolishing its own landmark architecture, and so systematically obliterating the common memory of what New York once was, and will never be again.



One instance: the Dangler House demolition, in a screen shot as it appeared on Brownstoner in a video by Anna Bradley-Smith. In response to public demand, the Landmarks Preservation Commission held a designation hearing, but then allowed the statutory time limit to run out before scheduling any action. Ownership obtained and executed a valid demolition permit, and the Dangler House no longer exists.

CONTENTS

REGULATORY CAPTURE: WATCHING A CITY COMMISSION LOSE ITS WAY	1
<i>1. The Alliance to Save the McGraw-Hill Lobby v The Landmarks Preservation Commission</i>	<i>11</i>
<i>2. An Unprecedented Approval: A Skyscraper in the South Street Seaport</i>	<i>17</i>
<i>3. Orpheus and Apollo lost: “Architectural Suicide” at Lincoln Center</i>	<i>22</i>
<i>4. The Frick Collection: modernized.</i>	<i>26</i>
<i>5. Another Lawsuit: Preserve BAM’s Historic District v Landmarks Preservation Commission</i>	<i>29</i>
<i>6. 14-16 Fifth Avenue, Demolition in the Greenwich Village Historic District.</i>	<i>31</i>
<i>7. The Vanderbilt Building by McKim, Mead & White, demolished.</i>	<i>34</i>
<i>8. Arson Time. The Bowne Storehouse</i>	<i>37</i>
<i>9. Strange bedfellows at 9 DeKalb Avenue</i>	<i>39</i>
<i>10. The Sasaki Fountain disappears into a bureaucratic no man’s land</i>	<i>40</i>
<i>11. Change at 196 Broadway, the lobby of the American Telephone and Telegraph Building</i>	<i>43</i>
<i>12. 857 Riverside Drive, historic but dilapidated, rejected</i>	<i>45</i>
<i>13. The demolition of the Demarest Building</i>	<i>46</i>
<i>14. 404 West 20th Street, Once the Oldest House in the Chelsea Historic District</i>	<i>48</i>
<i>15. The Statement of Regulatory Intent, a novel declaration adopted without public review.</i>	<i>50</i>
<i>16. The Pepsi-Cola Sign lights up Long Island, but can it be regulated?</i>	<i>52</i>
<i>17. Bergdorf Goodman, more or less a landmark, at last</i>	<i>53</i>
<i>18. Destruction in the Gansevoort Market Historic District: 44-54 Ninth Avenue</i>	<i>55</i>
<i>19. In Manhattan, The Aalto Rooms, still unprotected</i>	<i>58</i>
<i>20. Another landmark lost; 28 West 130th Street, part of Astor Row</i>	<i>59</i>
<i>21. 67 Greenwich Street, a Federal mansion built in 1810 for Robert Dickey, eviscerated</i>	<i>62</i>
<i>22. Gough v. The City of New York, et al. Regulatory Issues at Grand Central</i>	<i>65</i>
<i>23. Central Park, Ambiguities at the Kinderberg Chess and Checkers House</i>	<i>67</i>
<i>24. In the Greenwich Village, a huge new dwelling behind two historic district street fronts</i>	<i>70</i>
<i>25 Demolition of a “Protected” Building: 200 Montague Street, near Brooklyn Borough Hall</i>	<i>71</i>
<i>26 The New Rules initiative of 2018</i>	<i>73</i>
<i>27. The “Heard but not designated” controversy</i>	<i>74</i>
<i>28. An Adaptive Re-Use Puzzle: The Crystalline Structure of Sugar</i>	<i>77</i>
<i>29. 70 Willow Street, Brooklyn Heights Historic District</i>	<i>80</i>
<i>30. The Clocktower Fiasco: dismantling the historic action of a giant mechanical clock</i>	<i>83</i>
<i>31. Strange Confections: the Domino conversion</i>	<i>85</i>
<i>32. Sins of Omission: The Union Carbide Building and Natalie de Blois</i>	<i>87</i>
<i>33. “At what point is a landmark lost?”</i>	<i>91</i>
<i>34. A Novel Rationale for Designation in the Sullivan /Thompson Historic District</i>	<i>92</i>
<i>35. Historic Preservation turns cute with the Storybook Style</i>	<i>92</i>
<i>36. Preserving New York in the 20th Century: Once, a Civic Consensus</i>	<i>93</i>

37. <i>Grand Prospect Hall “Loses Its Integrity” and Disappears without a Trace</i>	95
38. <i>The Janta-Polczynska House, now lost</i>	96
39. <i>50 West 13th Street, Greenwich Village, out of bounds</i>	97
40. <i>LPC’s ethereal contribution to Black History Month, the “Interactive Story Map”</i>	99
41. <i>The Sad Case of 227 Duffield Street in Brooklyn and the Death of Joy Chatel</i>	101
42. <i>The Middle Collegiate Church, burning</i>	102
43. <i>The Sunshine Theatre, rejected, demolished and replaced</i>	105
44. <i>Still Trying to “Save Gansevoort”—good luck with that one</i>	107
45. <i>New York loses sculptural decorations by Noguchi at 666 Fifth Avenue</i>	109
46. <i>The Penn Station Service Building, by McKim, Mead & White; still there, for now</i>	111
47. <i>The Waldorf Astoria, an individual landmark evolves, without its Starlight Roof</i>	113
48. <i>The Four Seasons in the Seagram Building by Philip Johnson 1959</i>	117
49. <i>Losing 14 Gay Street in the Greenwich Village Historic District</i>	119
50. <i>Counting the New York City landmark demolitions since 2014</i>	122
51. <i>The Gimbels traverse, a Skybridge—an unusual structure by Shreve and Lamb,</i>	124
52. <i>Demolition: Councilmember Chi Ossé sees a Lack of “Common Decency and Respect”</i>	125
53. <i>A Harlem Perspective from Michael Henry Adams</i>	127
54. <i>At 21 East 65th Street, approved demolition work leads to structural failure</i>	129
55. <i>Are there others? Many more, and from earlier administrations also</i>	130
<i>EPILOGUE: THE DECLINE OF HISTORIC PRESERVATION IN NEW YORK CITY 2014-2022</i>	132
<i>SOME OBITUARIES: LOST VOICES FOR PRESERVATION</i>	138
<i>Joseph Mitchell</i>	
<i>Elliot Willensky</i>	
<i>Dorothy Miner</i>	
<i>Norman Marcus</i>	
<i>Bronson Binger</i>	
<i>Harmon Goldstone</i>	
<i>Adolf Placzek</i>	
<i>David F. M. Todd</i>	
<i>Jan Hird Pokorny</i>	
<i>H. Michael Brown</i>	
<i>Gene Norman</i>	
<i>Donald H. Elliot</i>	
<i>Geoffrey Platt</i>	



REGULATORY CAPTURE: WATCHING A CITY COMMISSION LOSE ITS WAY

THE NEW YORK CITY LANDMARKS PRESERVATION COMMISSION UNDER MAYOR DE BLASIO, 2014 – 2021 AND IN THE AFTERMATH

Today in Washington, formerly established legal precedents—decisions that once anchored policy and guided lives—have proved ephemeral under new and different judicial scrutiny. And similarly, in New York City, under other political pressures, even an old legal institution like our Landmarks Preservation Commission faces doubts: is it slipping as well? Are advocates losing traction, losing hope, even losing memory of the hopes they once had, at the outset, in 1965, when a New York City landmarks law with teeth was first enacted?

Lacking the political support that once existed for its mission, our local landmarks agency seems more tentative now, a civil service enmeshed in its own arcane directives. Many civilian advocates are newly dispassionate also, preoccupied with awards ceremonies, lectures and walking tours, unaware of danger, oblivious of loss, asleep at the wheel.

Is the agency weakened internally by a seemingly objective professionalism, cautiously built around academic formulas, rules and regulations? Or has the New York City Landmarks Preservation

Commission now become a captured agency, overshadowed politically by the power of the regulated industry—real estate.

Averse to risk-taking, yet undaunted by a gathering intellectual fog that seems to obscure the original founders' civic passion, agency leadership hesitates now to force preservation issues. Bending to celebrity homeowners, repeatedly seeking accommodation with the business plans of investors, skirting the spotlight of publicity, designating more while protecting less, and sometimes drifting away from its function as curator of the city's history, the agency seems to be moving toward a new and perhaps darker role as an obliging custodian.

In 2007, Anthony C. Wood finished chronicling the foundation and earliest history of the Landmarks Preservation Commission, and published *Preserving New York*, the only serious narrative of that achievement on our bookshelves. At that time, it was still possible to celebrate the achievements of the past without nostalgia, and view the future without concern. Already then, however, foundations were being laid for a changed historic preservation movement, with different, more modest expectations.

REBNY, the Real Estate Board of New York began to reassert civic dominance in 1994, with the election of Rudolph Giuliani, who immediately acceded to their longstanding demand to fire Dorothy Miner. It was a strategic move of great destructive brilliance.

Miner was an idealist, a young Portia with both the foresight and the ability to advocate in court for enforcement of the landmarks law as it was originally scripted in 1965. Without denigrating other important advocates, we should recall her vital role as landmarks counsel strategizing the Commission's decisive *Penn Central* victory in 1978. The lower courts ruled that landmark designation was not a taking of property. When developers attempted a final appeal to the U. S. Supreme Court, it was denied. So acknowledging that the draconian solution was now unavailable, the industry apparently developed a more realistic strategy, which might be characterized as death by a thousand blows, a myriad of small victories in the regulatory field.

Enumerating such victories, which are also our preservation failures, may bring on nostalgia for what has been lost, a recurrent regret that perhaps is nothing new among urban chroniclers of the past, worldwide. "Longtemps, je me couchais de bonne heure," were the words of the young Marcel Proust beginning his long dive into the past of his lost world, dramas enacted in settings that no longer exist today but are preserved in his descriptions. Parisians are more comfortable with their place in history than we are, judging from the difficulty of translating common phrases, natural in the old world, that tend to sound odd to New York ears: translators struggle with *le temps perdu*, which on the other side of the ocean seems as natural as *pain perdu*, a dish known to us as French toast. Scott Moncrieff turned to Shakespeare's words, "Remembrance of Things Past," which, with all due respect, has a different, less urgent tone that sets the past comfortably apart, enjoying a certain golden glow. But a New York rendition, "In Search of Lost Time" is puzzling too. How the new world responds to the past, linguistically and otherwise, can be a study, and when in the 1960s a few New Yorkers instigated historic preservation legislation, New York was at least a hundred years behind Paris and London, and we had lost our great railway station at 34th Street.



Lost: Pennsylvania Station. Photo: Cervin Robinson, Historic American Buildings Survey

But now in New York, unfortunately, historic preservation is no longer quite what it was: regulation and enforcement are changing, and old standards are in question. New aims are ambiguous. Witness an unprecedented number of lawsuits filed recently against the New York City Landmarks Preservation Commission, not by the regulated industry, as was more often the case in the past, but by preservationists, some challenging unprecedented approvals that have been granted, often with the slimmest majority, and involving demolition and development on ostensibly protected sites.

A few such decisions arguably violated or at least misinterpreted established standards; others were more clearly within the commission's discretion to allow, though still remaining totally unacceptable to many among the interested public. Other controversies have involved failure to designate, leading to the destruction of eligible properties. One was an unpublicized staff-level authorization to demolish an unprotected but eligible interior, the beautiful lobby of McGraw-Hill, an individual landmark designed by Raymond Hood.

As an elderly preservationist living alone in the country for fear of the pandemic, one morning I walked out into my back yard to find a falcon eating a dove it had struck down. Seeing me, it took off with what was left of its prey, leaving soft white breast feathers blowing around in the dead leaves on the ground. Only a very small pool of blood remained.

So keeping that image in mind, examine the administrative record of the New York City Landmarks Preservation Commission under Mayor de Blasio and the new policies that evolved during his term of office. Some fifty controversial occurrences are itemized below.

For historic preservation, this was a time of loss and backsliding under political pressure. Still, it was

also marked by diligent attempts on the part of a minority of Landmarks commissioners and certain staffers who were still trying to retain or revive older preservation ideals.

In contrast to the publicity that attended many landmarks decisions in the past, recently, there has been little media attention paid to this aspect of land use in the city. Since the partial retirement of David Dunlap in 2018, the *New York Times* seems to have moved away from serving as the local newspaper of record for historic preservation, seldom finding specifically historic preservation stories “fit to print” as news. One remaining voice, John Freeman Gill, is banished to an intermittent appearance as a remote sub-head in the Sunday Real Estate section, if you know when to search for his column, *Streetscapes*. Ada Louise Huxtable is gone, and at other papers, star reporters like Owen Moritz or Joan Shepard at the *Daily News*, or Sydney Schanberg earlier at *New York Newsday*, have died or disappeared. To a degree, publishing online, *The Architect’s Newspaper*, *New York Magazine/Curbed*, *Gothamist*, *Daytonianinmanhattan*, *DNA Info*, *EV Grieve*, and others have moved to fill the gap. *The New Yorker* still chimes in occasionally, as does the *Manchester Guardian*, but still, coverage is scattered, and the reports from civic groups lack urgency. Sometimes inexperienced and trusting readers may imagine that there is no news to report, when that is not so.



Mayor de Blasio and his Landmarks Chairs, Meenakshi Srinivasan (2014-2018) and Sarah Carroll (2018-)
Photos: Chair Srinivasan and Chair Carroll, Landmarks Preservation Commission.

Under former Mayor de Blasio, the citywide assault on historic preservation was intensive, but not widely recognized. It included attempts to subvert the landmarks law by amendment, by revising and weakening administrative rules, by manipulating the statutory appointments process to leave all commissioners serving without tenure at the pleasure of the mayor, and by overseeing a regrettable turnover of experienced and dedicated civil service staff. All the while, the agency issued public relations initiatives, such as so-called “Interactive Story Map” online, while celebrating an appearance of inclusivity by championing the designation of certain sites of no possible interest to the real estate industry, like the Kimlau memorial arch, located on a traffic island.



Preserved: The Kimlau Memorial Arch, located on a traffic island at Chatham Square. Designated a New York City landmark, June 20, 2021. Photo: NYC Department of Parks. The arch, built 1962, is dedicated to Chinese American soldiers who lost their lives in military service.

Meanwhile, other structures that could be monuments of historic civil rights activity remain endangered and unprotected, like 50 West 13th Street, Item 38 of this inventory, the Greek Revival house that belonged to prominent Black abolitionist, Jacob Day, later becoming more familiar as a

celebrated off-off Broadway playhouse, or again like 857 Riverside Drive, abolitionist magnet at the time of the Civil War, its original architecture made memorable in a 1930s photograph by Berenice Abbott.



857 Riverside Drive photographed by Berenice Abbot for the Works in Progress Administration. Today, the facade has been covered with a synthetic siding and the porch and cupola removed –not a difficult renovation to reverse. Situated on a rise, the back porch overlooks the Hudson River.

Despite the pleas of the Upper Riverside Residents Alliance, Borough resident Gale A. Brewer, Councilmember Mark Levine, Public Advocate Jumaane Williams, State Senator Robert Jackson, and the attention of John Freeman Gill in the *New York Times, Streetscapes*, January 4, 2021, the LPC research department has announced that it is engaged in its notorious “further study,” which based on past performance can be expected to continue indefinitely, world without end, until the issue of 857 Riverside Drive is resolved by other players.

The procedures and protocols of regulation are unappealing as a topic, and when things are going well, they hardly matter to the public. But in times of adversity, opportunities for the agency to use regulatory policies to turn the statutory knife on historic preservation can become an issue. Take the CNE—the Certificate of No Effect—that is, no effect on the protected exterior features of a landmark. When, as in New York City, landmark designation of the exterior of a building is a separate action from designation of its interior, work permitted under a CNE can be absolutely harmless. On the other hand, it can be used to destroy a potential interior landmark, gutting a remarkable historic space that might be independently eligible for landmark designation but has not yet been heard by the Commission. No public notice is required; the staff-level certificate is signed by the commission chair. But the chair does have the power to delay its issuance for forty days; that is the bright side. A chair, seeing damaging work proposed for a potential interior landmark, can calendar the item for public hearing immediately, and with the approval of six commissioners, preliminary protection can be granted in time to preserve it. The dark side is that a chair unconcerned with the public interest can just sign the certificate, and demolition is assured, even if later someone in the street learns of it and tries to protest.

When the law was being negotiated in the 1960s, there was perhaps too much optimism. Did the advocates assume that the Chair would always be a person dedicated to executing the mandates of the law? In the original statute, the position of Chair was unpaid, so some dedication to the cause could perhaps be assumed. But now, the Chair is paid some \$220,000 a year, and after retirement, contacts established, and the related experience might be of even greater value in the real estate world. Mayor de Blasio’s first landmarks chair, Meenakshi Srinivasan, now works at the influential law firm, Kramer Levin, Naftalis and Franklin, together with Mayor Giuliani’s choice for the position of landmarks counsel, Valerie Campbell. Appointed by the mayor, the chair serves at the pleasure of the mayor. There is no fixed term. Eight years in office, the maximum possible under one mayor, might be expected to yield close to \$2,000,000 over time.

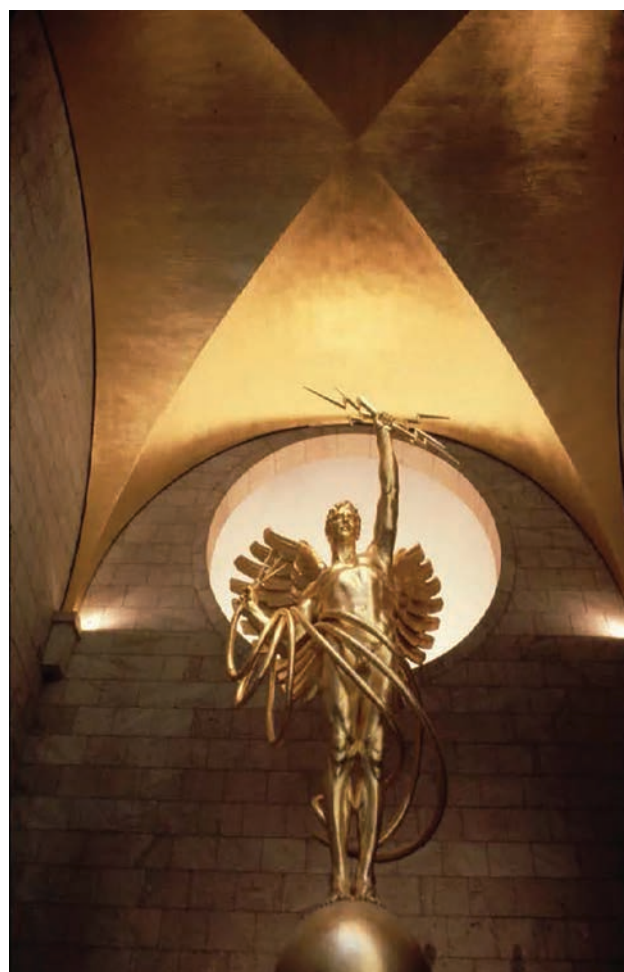
When Geoffrey Platt, the first Chair, was leaving, he engineered the change to make landmarks chair a salaried position: his successor, Harmon Goldstone had been his trusted comrade in arms in the creation of the law. Indeed, chair is a full-time job, and few could afford to take it as a volunteer. But after that initial salary change was made, among other things, no one had the foresight to require public notice for Certificates of No Effect, all of which, indiscriminately, are still reviewed behind closed doors, and issued at the pleasure of the chair, without public notice, even when they permit demolition of a glorious interior public space in a major individual landmark.

So recently, thanks to the de Blasio administration, two of the most remarkable 20th century skyscraper lobbies in New York have been lost. Those were at the McGraw Hill Building, a victim of the above-described CNE loophole in 2020, and at the AT&T Building, 550 Madison Avenue, whose lobby was lost while the agency was considering exterior designation.

The AT&T building ground floor and lobby have been destructively reconfigured and re-designed. Although the original arcades were enclosed in 2002, designation was still possible for this interesting space as early as 2014, 30 years after it was completed, the interval required by law. The Commission failed to act, and in 2017 public indignation was having little effect, even though the architect Robert A. M. Stern personally joined protesters on a picket line in the street outside the beleaguered building on November 3, 2017, out of respect for the work of his late colleague, Philip Johnson.

Adverse publicity in the press and in architectural journals finally led the LPC to act on November 28, but only the exterior of the building was added to the calendar, and interior demolition of the lobby followed promptly. Eventually the public hearing took place, and the landmark was designated in July 2018, after Chair Srinivasan had resigned, and Vice Chair Bland had taken charge. But the once wonderful lobby, so visible at Madison Avenue and 57th Street, has been altered beyond recognition by the new ownership, which was principally based in Saudi Arabia.

The colossal statue, Golden Boy, the Spirit of Communication, had been relocated with the AT&T headquarters in 1992, first to New Jersey and then to Texas, but there were serious attempts to negotiate a return. Now the distinguished original lobby is lost and will probably never be recreated, an absence that will distort the general perception of a tradition of 20th century architectural design in New York.



Ada Louise Huxtable wrote “We will probably be judged not by the monuments we build, but by those we have destroyed.” Above: Golden Boy standing in the lost lobby of the AT&T Building by Philip Johnson, the lobby with associate architect Harry Simmons. Photo: Cervin Robinson, Historic American Buildings Survey.

Earlier, in the year 2000, under the leadership of former Parks Commissioner Henry Stern, New York City had been in negotiations to recover “Golden Boy,” the telephone company trademark that Philip Johnson had so brilliantly placed in his new AT&T headquarters lobby in 1984. Unfortunately, Commissioner Stern was unsuccessful in reclaiming it, and in fairness, the Landmarks Commission had no official role at that time. Nevertheless, the subsequent radical reworking of the ground floor, made possible by LPC’s reprehensible failure to intervene in 2014, effectively precluded any restoration of Philip Johnson’s magnificent original design. Though commissioned for New York and so associated with New York’s technological past, Evelyn Longman’s signature work, “Golden Boy” now stands in Texas

The passage of time sometimes clarifies our view of past events. Many found their confidence in former Mayor Giuliani severely shaken in 2020. Watching him speak so intemperately on television, attempting to overturn a presidential election that the courts found legitimate, sneering and bellowing, with sweat and melting hair dye running down his face, many questioned his judgement. Similar questions arose also, though less picturesquely, decades earlier when he fired Dorothy Miner. He was then the newly elected mayor of New York City; she had long been an outstanding counsel at the Landmarks Preservation Commission, appointed by the third Chair, Beverly Moss Spatt, and serving notably under the fourth Chair, Kent Barwick, and the fifth, Gene Norman. At the memorial service after her death, Barwick told a story. Newly appointed, he telephoned a person he would not name, a power involved with the Real Estate Board of New York, to introduce himself. This person, skeptical of the friendly advance, said, well, if you really want to work with us, I’ll tell you what you can do. What was that? Fire Dorothy Miner. At the time, Barwick said, he was baffled. Why would the honcho want that?

Dorothy Miner was an unknown young civil servant working in what was then a tiny agency whose power was not fully tested in the courts. Barwick did not fire her, and only later did it become clear that the real estate man was prescient. Hers was a major role in developing the arguments upholding the law against a dangerous constitutional challenge. In 1991, in *St. Bartholomew’s Church v. City of New York*, the Supreme Court refused to review the lower court decision holding that the Landmarks Preservation Commission had jurisdiction to prevent replacement of the landmarked parish house by a 59-story glass investment tower proposed by a major developer, Howard Ronson. His celebrated attorney, the very worldly Samuel Lindenbaum, initially advised Ronson, but did not represent the Rector and the Vestry of St. Bartholomew’s when they sued to invalidate the LPC decision. Perhaps Lindenbaum might have agreed with Barwick, who commented to the *Times*, “... when spiritual organizations step into the secular world, they are bound by the same rules as everyone else.”

Evolving from Justice Douglas’s words in *Berman v. Parker*—“It is within the power of the legislature to decree that the city shall be beautiful” —for half a century, New York City’s local landmarks law proved its worth: the agency empowered by that law has been an astute architectural guardian and a vehicle for historic continuity in a changing world. But in the long term, the Real Estate Board of New York and those it represents have had success in weakening landmarks regulation, because they never waver in their diligent opposition. They never give up, and the ink is fading on the decree that the city shall be beautiful.



In better days: Dorothy Miner, former LPC Counsel and Kent Barwick, former LPC Chair, at a reception in 2006, with Arlene Simon, and in the background, Tony Wood. Photo: courtesy of the New York Preservation Archive Project. Once elected, Mayor Giuliani immediately asked for Dorothy Miner's resignation and replaced her with Valerie Campbell, who is now with the well-known firm of Kramer Levin Naftalis & Frankel LLP.

So today, dazzling new “Super-tall” skyscrapers rise on landmark sites, shabby old markers of history are gutted or demolished, and formerly open green spaces are monetized. Such changes receive their Certificates of Appropriateness or Certificates of No Effect, and citizen protests are sidelined by procedural constraints. In one much abused protocol, radically altered applications return for review under their original docket without the impediment of a new public hearing. The public is graciously allowed to submit written comments : whether anyone ever reads them remains unknown and unknowable, nor is there any guarantee that the applicant’s presentation is not a moving target, revised after the deadline for written comments has passed.

Such procedural squabbles are so much in contrast with the romantic early days of historic preservation, when in 1969 James Hurley and Joseph Haynes flew precariously over Brooklyn in a small private plane, struggling to find some trace of the old Hunterfly Road, then unmapped and off the grid, but once a colonial thoroughfare that became the artery of the free African American settlement of Weeksville.

Weeksville became a prominent community after 1827, when New York State’s 1799 gradual emancipation law took final effect. And indeed, flying low, Hurley and Haynes found the traces of Hunterfly Road at the center of a modern Brooklyn block and found some of the early houses that had lined it still standing. Their success led, in 1970, to the first designation of a specifically African American landmark, the Hunterfly Road Houses, LP 730 and LP 731, now a museum and historic site.



The Hunterfly Road Houses, 1706-1708 Bergen Street, before restoration. Photo: Landmarks Commission.

More than 50 years ago, the landmarks law was conceived as part of a system of checks and balances, empowering local government to recognize historic sites and architectural excellence as factors in municipal land use policy. New York was not alone: municipalities, states and nations across the world have recognized a need for historic preservation legislation. No longer an innovation, today historic preservation is almost taken for granted by some, but complacency is unsafe.

THE LANDMARKS PRESERVATION COMMISSION UNDER MAYOR DE BLASIO:

A detailed inventory of some fifty unprecedented regulatory actions and some fatal inactions

The numbered list provided here is long, but probably not exhaustive. It reflects the doubts of a disaffected public, and the increasing dominance of the regulated industry. Four Chairs officiated during the de Blasio years: Robert Tierney, still there until June 2014, Meenakshi Srinivasan, from June 2014 until June 2018, Vice Chair Fred Bland serving as interim; and then Chair Sarah Carroll, from September 2018 on. Subsequently, of course, Sarah Carroll was reappointed by Mayor Adams. As of 2022, all other commissioners continued to serve at the pleasure of the mayor, their statutory terms having expired. What follows is an account of some of the mishaps of the last decade.

1. The Alliance to Save the McGraw-Hill Lobby et al v The Landmarks Preservation Commission

When ownership applied for a permit to demolish the McGraw-Hill lobby, they received it without fanfare. No outsider knew.

Subsequently, however, that obscure CNE, the Certificate of No Effect dated September 24, 2020, became a topic. At the LPC public hearing of February 9, 2021, the full commission was reviewing an application to modify the exterior of the McGraw-Hill Building. Speaking passionately and out of order, advocates demanded designation of the lobby. They were responding to a tweet that had just gone viral, raising the alarm.

Only after the hearing did it become widely known that demolition of the lobby had already been approved by the LPC in a staff level permit. The Chair could have calendared a designation hearing when the application was submitted; instead, she signed off on the demolition.

This caused considerable comment, and the Art Deco Society collected some four thousand signatures in protest.

Writing in Architectural Digest's AD PRO newsletter, March 15, 2021, David Sokol complained of the apparent indifference of the historic preservation establishment. In "*The Design Community Is Up in Arms About the Demolition of This Art Deco Wonder*," he quoted interior designer David Netto accusing the Landmarks Preservation Commission of "toadying to developers"

...This seemingly subordinate status of historic interiors was spotlighted last week, when the exuberant Art Deco lobby at midtown Manhattan's McGraw-Hill Building was demolished. While Deco Tower Associates, which owns the 35-story tower, conducted a \$40 million exterior restoration that won a Lucy G. Moses Award from the New York Landmarks Conservancy just last year, the company demolished the lobby in spite of swiftly organized protest. Speaking with neighborhood publication W42ST last Thursday, New York State Senator Brad Hoylman said that the lobby "was demolished, apparently under the cover of darkness, with no public notice." The LPC report notes that Hood's polychromatic, horizontally banded scheme extended to the tower lobby, but only the exterior received landmark designation. "There's no question the McGraw-Hill lobby was one of the strongest pieces of Art Deco design left in the city. Besides the intrinsic value of Raymond Hood's interior for its drama and chromatic boldness, this lobby in particular had a seamless relationship with the exterior of the building, now mutilated," David Netto tells AD PRO via email. The New York-raised, Los Angeles-based interior designer also remarked, "The short-sightedness of landmarking one and not both is a recent example of the kind of ignorance of heritage and toadying to developers that the 1970s was full of, and which I had thought we [had gotten past]."

SAVE THE MCGRAW-HILL LOBBY!



Please help save this stunning Art Deco lobby.

From the March 3, 2021, Art Deco Society newsletter.

Christopher Bonanos wrote for *New York Magazine/Curbed*, February 12, 2021:

And on Tuesday, the preservationist Lloyd Bergenson circulated on Twitter a rendering, and links to others, that a lot of people found distressing. A cutaway view of the building that had been posted on the MdeAS website showed a double-height space replacing the current lobby, with virtually all the polychrome detail stripped out. Only a small slice of the colorful banding by the front doors would remain. Even more alarming, one particular rendering showed a white-and-beige, mostly rectilinear and glowy room that would be unobjectionable — even pretty nice — in a boutique hotel or law office. Here, though, it seemed like sacrilege.

Advocates submitted a detailed Request for Evaluation of the lobby to the Landmarks Preservation Commission. In a letter dated February 26, 2021, Director of Research Kate Lemos McHale replied, opining that in the agency’s view the lobby had “lost its integrity.” She cited alterations to the ceiling, new lighting fixtures, a new door opening and unspecified panels, installed in the 1980s.

This opinion appears to be in conflict with the assessment of specialists at the federal level. The 1980 listing on the National Register of Historic Places featured an extensive description of the lobby decoration. While the lobby ceiling was later modified under the direction of a noted New York designer, the late Valerian Rybar, the alteration was sympathetic, and the continuing importance of the lobby was recognized and reinforced by the subsequent National Historic Landmark designation in 1989. The ceiling alteration had been undertaken to install air conditioning ducts, a minor modification that might be thought necessary for continued use as an office building in the modern world. Privately, some advocates questioned whether it was the lobby or the commission that had suffered a significant loss of integrity.

In a letter dated March 1, 2021, the Alliance to Save the McGraw Hill Lobby protested that the lobby still deserved landmark designation. The numerous signatories were:

John Arbuckle, President, DOCOMOMO US New York Tri-State Chapter
Simeon Bankoff, Executive Director, Historic Districts Council
Kent Barwick, President Emeritus, Municipal Art Society of New York
Barry Bergdoll, Meyer Schapiro Professor of Art History, Columbia University
Deborah Berke, FAIA, Dean, Yale School of Architecture
Andrew Berman, Executive Director, Village Preservation
Jay DiLorenzo, President, Preservation League of New York State
John Morris Dixon, Editor-in-Chief, *Progressive Architecture* (1972-1996)
Andrew Dolkart, Professor of Historic Preservation, GSAPP, Columbia University
Martin Filler, *New York Review of Books*
Kenneth Frampton, Ware Professor Emeritus, Columbia University
Paul Goldberger, Contributing Editor, *Vanity Fair*
Elizabeth Goldstein, President, Municipal Art Society of New York
Roberta Brandes Gratz, Former Landmarks Preservation Commissioner
Edwin Heathcote, *Financial Times* UK
Julie V. Iovine, Architectural Columnist, *Wall Street Journal*
Karrie Jacobs, Contributing Editor, *Architect Magazine*
Blair Kamin, *Chicago Tribune* Architecture Critic (1992-2021) Contributing Editor, *Architectural Record*
Professor Carol Herselle Krinsky, New York University
Jeffrey A. Kroessler, President, City Club of New York
Phyllis Lambert, Founding Director Emeritus, Canadian Center for Architecture
Alexandra Lange, Architecture and Design Critic, Historian
Christopher W. London, President, Naumburg Orchestral Concerts
Katherine Malone-France, Chief Preservation Officer, National Trust for Historic Preservation
Dietrich Neumann, Professor of the History of Modern Architecture and Urbanism, Brown University
Jorge Otero-Pailos, Professor and Director of Historic Preservation, Columbia University
Robert M. Rubin, Architectural Historian and Preservationist
Inga Saffron, Architecture Critic, *Philadelphia Inquirer*
Kate Wagner, Architecture Critic, McMansion Hell, *Curbed* Contributor
Oliver Wainwright, Architecture and Design Critic, *The Guardian*
Meghan Weatherby, Executive Director, Art Deco Society of New York
Carol Willis, Founding Director, The Skyscraper Museum
Anthony C. Wood, Founder and Chair, New York Preservation Archive Project

And finally, the organizers and authors of the Alliance letter:

Theodore Grunewald, Co-Founder, Alliance to Save the McGraw Hill Lobby

Thomas Collins, Co-Founder, Alliance to Save the McGraw Hill Lobby

The Landmarks Preservation Commission had no further comment in response to this unusual outpouring of expert support for preserving the McGraw-Hill Lobby, which came not only from respected critics, scholars and specialists, but from leaders of major civic organizations with memberships to be counted in the hundreds of thousands, locally and nationally.

Met with radio silence from the Landmarks Preservation Commission, the Alliance to Save the McGraw-Hill Lobby took the agency to court.

While the decision was pending, the judge stipulated that ownership should preserve the decorative panels that had been taken down, and preserve surviving banding *in situ*. But in September 2021, the court found against the preservationists, on technical grounds: the preservationists should have filed suit earlier. Perhaps that decision was questionable; the judge did not acknowledge a critical fact: publication of this usually insignificant type of permit is not required by law, and so did not occur, leaving it unknown and unavailable to the public. Thus, using a CNE approval was a bureaucratic move that shrouded a significant demolition in red tape until it was too late for outsiders to take effective action.

This loophole in LPC notification procedures took half a century to surface as a problem: an obscure danger inherent in the powers of the Chair that had gone unrecognized by preservationists, perhaps because they assumed the agency head would always be an ally. The real estate industry was not similarly asleep at the wheel. Demolition took place in October 2021.



*Left: The demolished lobby redesigned: proposed to be rebuilt and approved through an LPC staff level permit
Rendering: MdeAS Architects. Fortunately, a subsequent change of use may forestall the execution of these structural changes.*

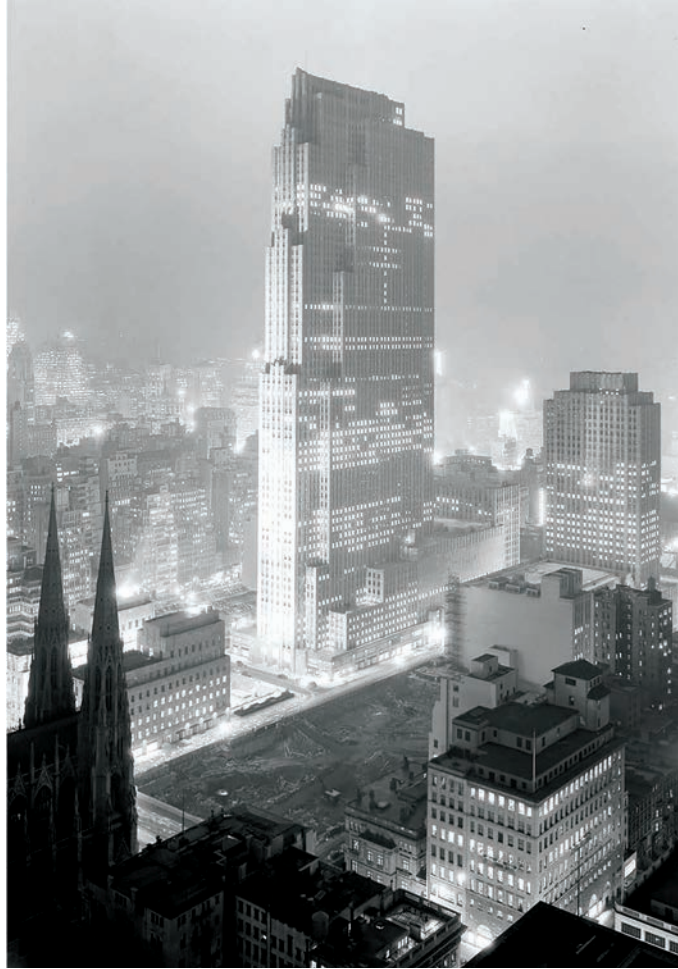


Photo credit: Lynn Farrell for the Art Deco Society of NY



Photo credit: Addison Godel

Before: the now demolished McGraw Hill Building lobby as it was. Previously proposed major structural alterations that might complicate any future restoration of Raymond Hood's design are apparently under reconsideration. Photos: Art Deco Society. The green porcelain enamel panels are said to be in storage.



*The RCA Building when new, another of Raymond Hood's New York City landmarks.
Photo: Samuel Gottscho, Library of Congress.*

Raymond Hood died young and the relatively small number of designs he left us are precious. His influence as a member of the team that created Rockefeller Center remains immense, and he is credited with envisioning the RCA Building at an early stage of the Center's design. Over the years since his death, Hood has surely gained recognition as a great American architect, and it is unfortunate that the Landmarks Preservation Commission did not keep pace with that general recognition by moving to protect the lobby of his McGraw-Hill Building with an interior landmark designation. Instead, it quietly signed off on demolition.

The federal listing of the entire McGraw-Hill building in 1980 and its additional honorific recognition as a National Historic Landmark in 1989 should have been an indicator. The pretextual objection of the Research Department, that air conditioning ducts installed in the lobby ceiling caused a loss of integrity is hard to accept at face value. Other historians have called out the unique relationship between interior and exterior finishes, the radical use of that unique emerald and brass abstracted horizontal banding, and not least, Raymond Hood's outstanding contribution to the skyscraper world of the 20th century.



The South Street Seaport Fish Market, photographed by Berenice Abbott in 1935 for the Federal Arts Project. Photo: courtesy of the New York Public Library Digital Collection. Historic Districts designation came in 1977.

2. An Unprecedented Approval: A Skyscraper in the South Street Seaport

Noteworthy recent approvals at the Landmarks Preservation Commission have been adopted by the slender margin of one vote, with 6 of the 11 commissioners in support, and these approvals have empowered significant new real estate development on landmark sites. It is becoming increasingly clear that many administrative precedents established between 1965 and 2014 are being reversed. In the case of South Street Seaport, past proposals to erect massive new residential towers within this tiny historic district were regularly found inappropriate and denied, or abandoned by the applicants on at least six occasions since the district was designated. A lesser plan for an eleven-story tower was approved in 1991 but never built. This policy of moderation, strengthened by a zoning change in 2003, was abandoned in 2021 for a very different approval at 250 Water Street. A prefabricated motion to approve, pages long, offered an unconvincing rationale, employing much obscure and ambiguous technobabble in an effort to demonstrate that a massive new 354-foot-high investment tower would be appropriate among the small vernacular buildings of a predominantly 19th century historic district.

The original 1977 designation, extended in 1989, preserved a unique group of small commercial structures, some dating back to the earliest days of maritime trade in the port of New York, creating a

small island of history next to the river. As early as the 17th century, fishing craft were docking in the vicinity of the present seaport. Now surrounded by contemporary towers, the tiny enclave is bounded on the west by Pearl Street, and on the east by the river and the piers. At one time, it had been the wholesale fish market serving the city since 1807 with fish coming straight off the boats, including the barrels of local oysters that nourished New Yorkers for more than a century.

In 2005, the Bloomberg administration, following a Giuliani policy initiative, closed the market and moved it to the Bronx to better accommodate truck traffic. Nostalgia for the old oyster bars and nocturnal breakfasts at the pre-dawn wholesale fish market still persists.

When determining the district boundaries in 1977, the commission made the decision to include a large vacant lot at 250 Water Street, and subsequently obtained a revised zoning for the area, to help preserve the surviving visually cohesive and unbroken stretch of early 19th century architectural massing. Old buildings on the 250 Water Street site had already been demolished, but in 1977, the feasibility of filling in a vacant lot with something of historic scale was already being demonstrated in other historic districts, under new preservation laws here and indeed across the world.

Unfortunately, ownership had different ambitions.

Over a period of 40 years, the commission repeatedly denied proposals for massive investment towers, calculated to exploit the magnificent river views made possible by the low rise of the protected historic buildings nearer the water. In 1991, one design that was as-of-right under zoning was proposed and accepted: eleven stories high and modest in appearance it might have provided a solution, but it was never built.

Antiquarians held the fort from 1977 until 2021, when suddenly the commission reversed itself and found that after all a 345-foot-tall investment tower would be appropriate for this site, a finding that enabled ownership to move forward with their request for the Special Permit from City Planning that their project now also required. A coalition of downtown activists decided to litigate. In a striking part of their petition, dated May 16, 2021, the attorney for the Coalition, Michael Gruen, noted that due to a mayoral failure to make timely reappointments, every member of the Landmarks Commission was now serving an expired term at the pleasure of the mayor and thus could be replaced at any time without any stated cause. The carefully staggered appointment plan outlined in the City Charter was apparently designed to make it impossible to silence a majority of the landmarks commissioners at once, but the mayor had ignored the requirement, and no one had called him to account. By now, the maneuver is difficult to counter, since any attempt could result in the strategic removal of commissioners still striving to interpret the law correctly in difficult circumstances.

When the Seaport tower project was approved, the Commission's official findings put us in mind of one of S. J. Perelman's satires exploiting the terminology of a seed catalog: "There never has been a year like this for the giant double-flowering fatuity and the gorgeous variegated drivell."

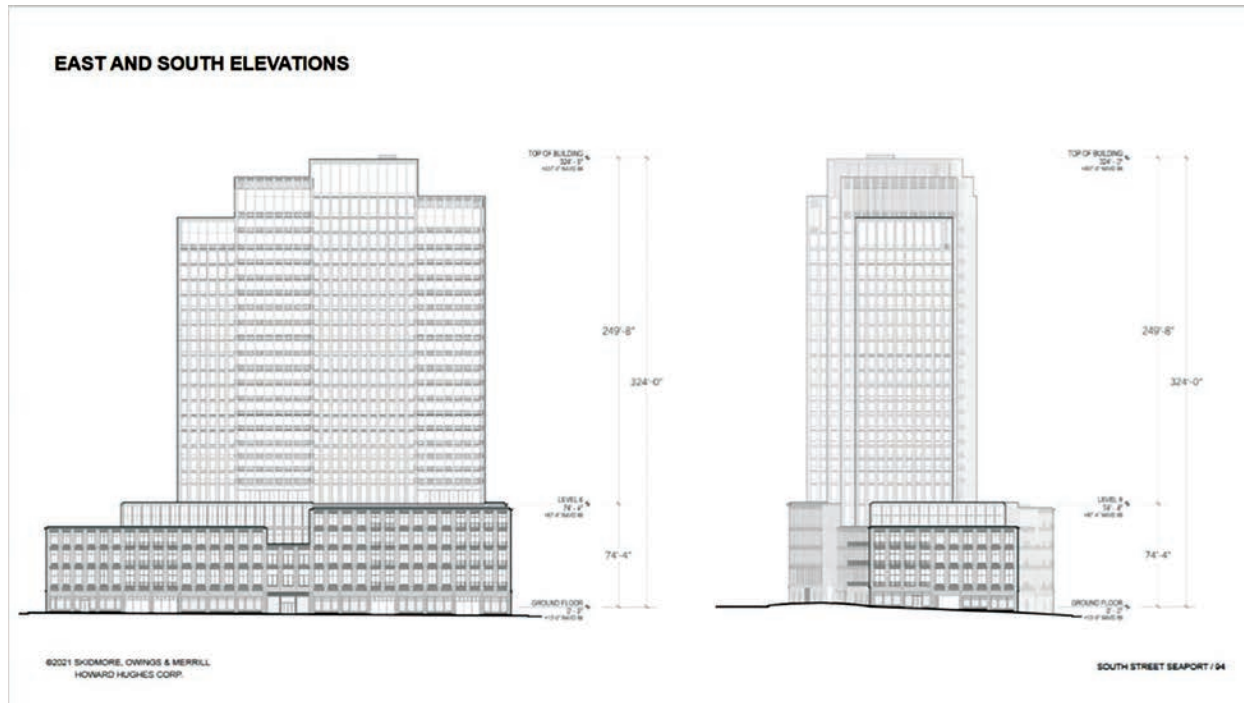
The agency had opined

That the two part massing of the proposed building will establish a solid, lower-scale base that is relatively simple in form and massing and is consistent with the built volume of many blocks found in the historic district, while the abstracted form of the taller, undulating bar rising from the northwest portion of the site will read as an independent form that differentiates itself while being compatible with the base...

This “taller, undulating bar” is actually a 345-foot-high rectilinear brick apartment tower, as illustrated in the submission, and reproduced here; perhaps fortunately, it does not undulate. If the aim here was to provide a rational basis for a governmental decision, it is questionable that the authors achieved their goal. However, with three recusals resulting in a 6-2-0 vote of commissioners led by the Chair, the project, undulating or not, moved ahead toward fruition.

Setting the bar rather low, the *New York Times* architecture critic, Michael Kimmelman observed, in *Critic's Notebook*. April 27, 2021:

“It’s better than a parking lot.”



The 250 Water Street proposal: final massing, Landmarks Preservation Commission. This small diagram can be found in the May 4, 2021, application, buried in the Appendix. The full view shown in this diagram does not appear anywhere among the rather beautiful colored renderings presented at the Public Meeting. Instead, the angled color rendering reproduced below served to minimize the perception of bulk.



In an interesting move, the final application, shown on the LPC website, does not feature the customary rendered elevation of the entire building, but instead shows divided renderings of the base and the tower separately, accompanied by an unprecedented oblique view, reproduced above. This appears to be in keeping with the odd wording of the motion to approve, which asserts that the tower is “an independent form which differentiates itself.” Remembering Galileo, who, accused of heresy for saying that the planet earth moves around the sun, recanted, muttering, “Nevertheless, it moves,” the 345-foot tower will nevertheless stand upright on its base.

South Street Seaport Coalition v. City of New York, dismissed in 2021, was found ripe for judicial review in 2022, but denied in August by Justice Arthur Engoron, who found, “As nature abhors a vacuum, cities abhor unproductive land. After more than half a century and several false starts, housing and other desideratum [sic] will occupy 250 Water Street.” But diligent advocates persisted, and obtained a construction stay, pending the resolution of a new suit to invalidate the Certificate of Appropriateness, *South Street Seaport Coalition v. Landmarks Preservation Commission*.

During the LPC review, in discussion, Commissioner Goldblum had called the district “a clearly delineated precinct,” saying,

...the experience of preservation starts with scale. The fact that the district remains a consistently low-rise enclave bounded by and defined by its context, the contrast in scale with the taller surrounding structures is in my view as relevant to the historic quality as its red brick facades or its cobblestone streets. It is the clarity of the volumetric definition of the district that is threatened by this proposal. The surrounding city which had framed it now crosses Pearl Street and is now part of the district, and the definition of the district as a low-rise enclave is now obscured, despite the care and craft displayed in the design. Every experience of preservation starts with scale, and this proposal is out of scale with this district.

I think that the earlier commission decisions support that.

Led by Chair Carroll, the majority did not concur with Commissioner Goldblum, and the project moved forward. The decision was immediately challenged in court by the South Street Seaport Coalition. Initially the case was dismissed. But once the courts found the case ripe for adjudication and heard it, the Seaport Coalition won, initially and on appeal. The Certificate of Appropriateness stands annulled and vacated. The petition begins:

SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF NEW YORK

In the Matter of the Application of SOUTH STREET SEAPORT COALITION, INC. LINDA HELLSTROM, JOHN HELLSTROM, ZETTE EMMONS, and COLLEEN ROBERTSON, Petitioners,
For Judgment Pursuant to Article 78 and a Declaratory Judgment Pursuant to Section 3001 of the CPLR,-
against LANDMARKS PRESERVATION COMMISSION OF THE CITY OF NEW YORK and 250 SEAPORT DISTRICT, LLC, Respondents

VERIFIED PETITION

Petitioners South Street Seaport Coalition, Inc., Linda Hellstrom, John Hellstrom, Zette Emmons, and Colleen Robertson, by their undersigned attorneys, for their petition under Article 78 and Section 3001 of the Civil Practice Law and Rules, allege as follows:

INTRODUCTION

1. This is a hybrid proceeding and action to invalidate a certificate of appropriateness issued by the Landmarks Preservation Commission that would permit an affiliate of the Howard Hughes Corporation (“HHC”) to build a 324-foot tower in the South Street Seaport Historic District. The Commission itself has repeatedly ruled in the past that construction on that scale on the very site at issue here is inappropriate in the Seaport under the Landmarks Preservation Law, and it has abused its discretion in reaching a contrary conclusion on the same basic facts.
2. The Landmarks Preservation Law entrusted to a politically independent city agency the responsibility to preserve historically and architecturally significant buildings and districts that are valuable and important to the City as a whole. It created the Landmarks Preservation Commission and gave its members staggered terms of definite duration to insulate them from the political pressures that wealthy real estate developers might bring to bear in support of projects that contradict the City’s interest in preservation.
3. The Landmarks statute empowers the Commission to protect historic districts as well as individual buildings like the Flatiron Building or the Louis Armstrong House. In 1977, the Commission designated the South Street Seaport Historic District, noting that the historic district created at that point along its boundary was with the Southbridge Towers apartment buildings, which stood directly across Pearl Street, just as they do today. When the Landmarks Preservation Commission expanded the South Street Seaport Historic District in 1989 to include an additional city block, it expressly noted the “clear and distinct boundaries formed by the Southbridge Towers apartment complex” in support of the extended designation.
4. Once the South Street Seaport became a designated historic district, any developer who proposed to build inside the district needed to get a certificate of appropriateness, or “COA,” from the Landmarks Preservation Commission. The statute is explicit about what this requires — a finding by the Commission that the proposed new building would be appropriate for and consistent with the effectuation of the purposes of the Landmarks Law. For historic districts in particular, the statute goes further to require that Commissioners consider the relationship that would result between the proposed construction and the “exterior architectural features of other, neighboring improvements in such district.”
5. HHC’s predecessor owners of the 250 Water Street lot, the Milstein family, tried and failed to obtain COAs on three high-rise designs on scales similar to what HHC is now proposing. The Landmarks Preservation Commission rejected each application on the ground that the proposed high-rise would relate more closely to the tall buildings outside the district and thus “visually confus[e] the present clear boundary of the district.” In 2003, following these COA denials, the City Planning Commission and City Council approved a downzoning in the Seaport in an effort to head off additional proposals for high-rise construction at 250 Water Street. The City Planning Commission noted that the “unique character of the Seaport is enhanced by the juxtaposition of its low-rise historic buildings to nearby modern skyscrapers.”

Whether this argument will ultimately prevail remains to be seen. The attorneys are Reed W. Super and Michael Gruen. The developers’ third appeal was pending at the time of writing.

3. *Orpheus and Apollo lost: “Architectural Suicide” at Lincoln Center*

Sherlock Holmes, reviewing the facts of a case, asked “What did the dog do in the night?” and, told that the dog did nothing, replied, “Precisely.” In that case, the dog did nothing because it knew the intruder. Our civic architectural watchdog, the Landmarks Preservation Commission, under the aegis of Mayor de Blasio, did nothing in 2016 when the prospect of radical change to a major public building, Philharmonic Hall at Lincoln Center, became public. The change was to be financed by a hundred million dollar gift from Mr. David Geffen.

Lincoln Center was envisioned in 1955 and built in stages in the early 1960s. From a strictly legal perspective, it was potentially eligible for landmark designation thirty years ago. The LPC is not required to account for its designation agenda, but questions have been raised about its policy—if any—for dealing with architectural modernism, and related aspects of civic design. The failure to intervene at Lincoln Center raised those issues. At Philharmonic Hall, the auditorium had been rebuilt in 1976, and more recently underwent minor modifications, but in 2016 Max Abramowitz’s immensely visible and transparent outer walls still framed a remarkable procession of visible interior spaces from 1962, characteristically served by escalators and lined with travertine, exemplary of their time and part of a major civic center “customarily” open to the public, to quote the jurisdictional definition in the landmarks law.

It would seem that our watchdog was not about to bark at a hundred million dollars, and so in 2022 we have the new, revisionist public spaces and corridors that surround the new auditorium, spaces resplendent with multi-colored splotches of upholstery, video screens and vividly patterned carpets, served by concessions for food and drink, with lounge chairs for the weary. Still standing, the original glass outer walls reveal this, transforming long views of the Hall, the Plaza and the whole Center. Some believe that the amenity of the new auditorium and its satellite concessions compensates for any architectural confusion. It is what it is. However in hindsight, questions have been raised. The apparent attempt to create a populist “welcome,” generated at a very high level of pretension, has now, too late, attracted critical comment.

Joseph Giovannini wrote in the *Hudson Review* (Winter, 2023): “Architectural Suicide”

First, the Phil got the ball rolling toward architectural suicide through design by committee. No one, from the head of Lincoln Center to the architects, seems wholly responsible for a chain reaction of decisions that started with the vandalization of the building when the masterful sculptures *Orpheus and Apollo* were removed. Max Abramovitz, architect of the hall, approached New York sculptor Richard Lippold, an early proponent of site-specific art, to reinvent in a modern language the equivalent of the crystal chandeliers of traditional buildings. Richard Kelly, famous for his lighting at the Seagram Building on Park Avenue and Saarinen’s TWA Terminal, raked light on them from above. Building and sculpture worked together closely, an aesthetic unit...

Asked why the sculptures had been removed, an architect from Tod Williams Billie Tsien, architects of the public space, conducting a press tour in November responded that they had been removed with the knowledge and approval of the Lippold Foundation. He was apparently unaware that the moribund Lippold Foundation is dysfunctional, now merely an address without an office or staff, its archives lost (probably somewhere in Italy). There is no one of authority in an essentially shuttered foundation to speak for *Orpheus and Apollo*. Cognoscenti outside Lincoln Center protecting art in the public sphere did cry foul, invoking what the French call “le droit moral,” the moral right to protect a work of art. But the morally obtuse bureaucracy collectively

ignored calls from outside, even though, rightfully, the pieces belonged to the public, and the administration is the protector of the Center's artworks.



A modern work of art designed for a specific site, lost. Here, a detail of Orpheus and Apollo as it used to hang in Philharmonic Hall. The sculpture, created by Richard Lippold for this particular location, was disassembled and removed, never to return. The design architect of Philharmonic Hall, Max Abramovitz, specified the work and caused it to be commissioned; he consulted with Lippold about its placement and character. A comparable installation is the Lippold sculpture in the former Four Seasons Restaurant, a designated interior landmark, where the sculpture, a protected feature, is an inseparable ornament of the original design, Photo: Edward Crimmins / Flickr.

Looking further back, in a long survey of Lincoln Center's history—published shortly before the opening when the new acoustics would be heard—Michael Kimmelman, writing for the *Times*, in “A Notoriously Jinxed Concert Hall is Reborn” (September 29, 2022) invokes the concept of karma.

I mentioned karma earlier. Lincoln Center rests on the rubble of a demolished community. It occupies the site of San Juan Hill, a vibrant Black neighborhood before the First World War, the home of Thelonious Monk, which during the 1940s attracted increasing numbers of Puerto Rican migrants.

That was when city housing authorities designated the area a slum and targeted it for redevelopment. Thousands of homes were destroyed, and families displaced during the late '40s and early '50s, when the city's urban planning czar, Robert Moses, struck a deal to turn it into a new cultural center, and John D. Rockefeller III enlisted the architect Wallace K. Harrison to come up with a design.

Harrison's Cold War vision involved an acropolis of the performing arts, which, to Moses, Rockefeller and their social circles, meant western classical music, musical theater, opera and ballet. The campus rested on a plinth above the neighborhood. It turned its back to the public housing developments along Amsterdam Avenue.

Kimmelman is disposed to regard the present renovation as needed and the new concert hall as potentially successful, noting “the urgency to cultivate a wider public and, at the same time, to pay off a moral and cultural debt.” As for the not yet experienced acoustics of the hall, he added, “... fingers crossed.”

In its October 31st issue, *The New Yorker* reviewed the 2022 opening. The critic, Alex Ross, had mixed feelings about the acoustics. He had fewer doubts about the decoration:

The over-all visual aesthetic is a swanky jumble of brightly striped upholstery, patterned carpeting, midnight-blue walls, silver- and gold-hued partitions, bronze railings, and frosted-glass parapets. It's a little too kitschy-cool for comfort: I felt as though I were checking into a W Hotel in the Emirates..

Ross also felt bound to address political and cultural implications:

The opening festivities also included the première of Etienne Charles's multimedia piece "San Juan Hill," a co-production of Lincoln Center's programming department and the Philharmonic. San Juan Hill was the Puerto Rican and Black neighborhood that Robert Moses obliterated to make room for Lincoln Center. The Philharmonic joined Charles's Afro-Caribbean jazz combo, Creole Soul, in a haunting evocation of that lost community, with film segments and recorded interviews supplying a live-documentary texture. As I listened, though, I registered an uncomfortable irony. Emblazoned on the walls of the auditorium were the words "Wu Tsai Theater," honoring a donation by Clara Wu Tsai and Joe Tsai. Joe Tsai is the co-founder and executive vice-chairman of the Chinese e-commerce giant Alibaba, which plays a crucial role in China's draconian regime of surveillance. Perhaps a future event at Geffen could celebrate the Uyghur people, who are being forced into concentration camps in Xinjiang.



*Brave new world: Philharmonic Hall redecoration designed by Tod Williams Billie Tsien Architects in 2022.
Photos: Dezeen.*

The lavish redecoration of a notable public space, and its relation to the larger policies of government might (if pursued) bring landmarks regulation into a new arena. A landmark designation of Lincoln Center with its original 20th century glass-fronted buildings, if it had occurred, would raise the same issues as the Manufacturers Hanover Trust building at Fifth Avenue and West 43rd Street in Manhattan. The designation there set a precedent for simultaneous interior and exterior designation in transparency cases. Unfortunately, at Manufacturers Hannover, subsequent approvals did not always keep pace with the initial conceptual thinking, and the escalator on the Fifth Avenue side was destroyed. But at Philharmonic Hall the striking disjunction between the original design and the new interior is made painful by the transparency of the external glass shell, all unregulated, of course, by our ever-inattentive Landmarks Preservation Commission.

Joseph Mitchell was not an enthusiast for change, on the old waterfront or elsewhere. Remembered for "Mr. Hunter's Grave" in *The Bottom of the Harbor*, and other evocations of an earlier New

York, his service as a member of the Landmarks Preservation Commission from 1982 to 1987 is less remarked, though it was memorable at times. Reviewing an application for a fashionable adaptive reuse in the South Street Seaport, he once commented on the record,

This is so distasteful that I can hardly stand it. Seems every old building here has to become a fancy restaurant now.

And yes, the Landmarks Commission does not regulate use, and often cheers on economic growth when seen as a factor in architectural preservation. The law was successfully drafted to withstand challenge on constitutional grounds. Consequently, there are goals it can accomplish, and others it cannot, or may not even attempt, in the face of political pressure.

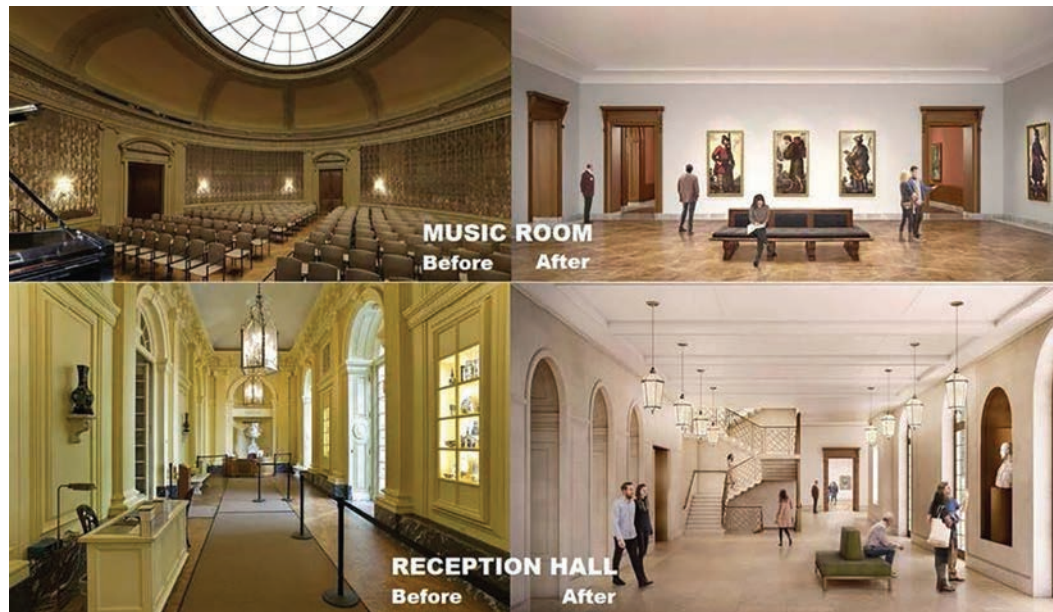
Travertine is a substance with a history of use as old as the Roman Empire. The severe integrity of design and purpose that distinguished the original Lincoln Center showed itself in the travertine floors of the glass and travertine buildings, floors that lead to and from a travertine plaza with a central travertine fountain. At the contemporaneous Seagram Building, in the designation report, “continuous travertine paving” is cited as a protected feature of the landmarked interior. But at Lincoln Center, without protection, a greater unity was lost when the fountain and its plaza were disassociated from the Hall by the installation of the boldly patterned carpet and other vividly incongruous furnishings and fabrics, promoting prominent opportunities to eat, drink and lounge, all antithetical to the architecture of Philharmonic Hall and a negation of its role in Lincoln Center. Without historic preservation, the Hall lost its distinguished original sculptures and its glassy, monochromatic presence, once part of a major center of civic life.

The dis-assembly and removal of *Orpheus and Apollo* meant the eradication of a work of art that was also so much of its time, because the architect and the artist intended it to be “site specific,” that is, uniquely related to the new architecture it decorated, and to the larger cultural enterprise that architecture was designed to house. In the mid-20th century, parallel manifestations of reverence for the arts were the ubiquitous legislation creating local and national arts councils, and the dedication of the new Kennedy Center in Washington, with its National Theater. Then, in New York, there was almost a cult of veneration for traditional arts— theater, music, architecture, sculpture, dance. Lippold’s reference to ancient gods in naming his ultra-modern creation spoke of a possible civilizing continuity. To remove Lippold’s *Orpheus and Apollo* from Philharmonic Hall was a symbolic act of cultural vandalism, committed, of course, by arts professionals and benefactors, in what still calls itself a center for the arts. Needless to say, the Landmarks Preservation Commission was nowhere to be seen.



Philharmonic Hall, as renovated, newly polychromatic behind the glass. Image: City Life Org.

4. The Frick Collection, modernized and expanded



Courtesy of Save The Frick, from materials organized by Michael Hiller of Hiller PC. The rooms under renovation (shown here as illustrated for purposes of litigation by Save the Frick) were not designated interior landmarks.

The building was of course built as a private house. When the family had departed, John Russell Pope was the architect in charge of the change to museum use. In 1931, the adaptation was conceived in terms more modest than might be expected today. Pope was a classicist at heart and allowed the use of a little ornament and subdued color in the intimate spaces he designed—now perhaps considered frivolous as well as inadequate to serve the ever-increasing pressures of accommodating and guiding the visiting crowds. The latest expansion and renovation by Annabelle Selldorf was approved by the Landmarks Commission in 2018. According to a public relations brief on its website, the Frick Collection has entered “the next phase of planning for the upgrade and enhancement of its facility.”

As well as interior change, this entails substantial extensions visible from the streets. At least the East 70th Street garden was spared in this iteration, after the Landmarks Commission did not approve plans to build the expansion there. But the ornate music room, once famous for its small concerts and its flawless acoustics, is gone.

When the Frick announced the original expansion plan in 2014, the director, Ian Wardropper, and the trustees were faced with widespread outrage. A new wing proposed to replace the East 70th Street garden shocked the civic conscience. Attempts to obtain Certificate of Appropriateness approval from the Landmarks Commission failed. In the *Times*, Michael Kimmelman wrote a paean to the existing garden

Very Zen, the garden has become one of those little New York treasures, flowering nearly year-round. Trees include late-blooming crab apple and Kentucky yellowwood. Page chose clematis and hydrangea to ornament

the trellis, wisteria to climb the wall. It's all a model of precision and proportion, a revelation and breather on the street: "a master class in restrained minimalism," as Charles Birnbaum, president of the Cultural Landscape Foundation, put it recently. It sets apart the mansion, reveals its layered additions, dapples the Frick in shade. At human scale, the garden exemplifies the sort of minor miracles New York manages to shoehorn into small spaces.

Naturally, it frustrates Frick officials no end that what was devised as a temporary amenity should now be an obstacle to its growth. But plenty of temporary works (the Eiffel Tower comes to mind) become permanent because they're admired.

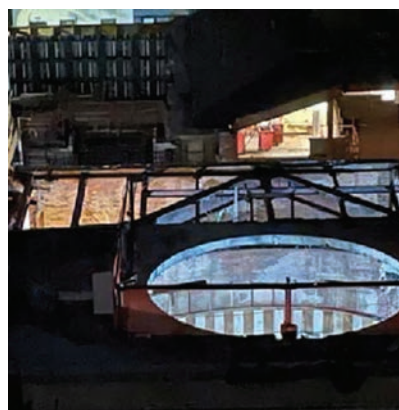


The garden on East 70th Street. The Landmarks Commission prevented its destruction, but lacked jurisdiction to save the adjacent Music Room, for decades the place for chamber music, string quartet and harpsichord recitals.



The lost Music Room in 2011. Photo: Karsten Moran for the New York Times, reproduced in the Times report, "Preservationists Protest New Frick Collection Expansion Plan" by Robin Pogrebin, June 25, 2018.

The 1973 designation report notes “that the complex has a truly monumental quality enhanced by spacious grounds.” It describes the history of Frick’s assemblage of the additional lots on 70th Street to create the side garden and the library, and the design work of the succession of American, classically trained architects—Thomas Hastings of Carrere & Hastings in 1914, John Russell Pope in 1935, and John Barrington Bayley with Harry Van Dyke and landscape architect, Russell Page in 1977—who shaped the 20th century landmark and its transition to a museum



The snapshots above, taken from a distressed neighbor’s window, show the construction site during the alterations. The circular gap in the roof formerly framed the skylight of the Music Room, to be replaced by six floors of facilities. The Sunday afternoon chamber music concerts, if any, will be relegated to a larger, modernized underground auditorium. The domestic character of the house seems lost, and Henry Clay Frick’s identity as a collector, obscured.

In 2018, citizen-initiated Requests for Evaluation of undesignated interior spaces were rejected by the Commission at staff level. The ultimate decision to calendar a designation hearing (or not) belongs to the Chair, who serves at the pleasure of the mayor, and in this case, she did not act. *Save the Frick* sued, but the court found that the trustees had the discretion to modify the undesignated spaces, and the Landmarks Commission could not be forced to act to preserve the Music Room. Henry Clay Frick himself became known for his less than exemplary relations with his workforce in the steel mills when he crushed the 1892 Homestead strike in a violent battle where blood was spilt and lives were lost. Perhaps the Frick Trustees’ apparent contempt for public opinion reflects an old tradition of intransigence. The long negotiations leading up to adoption of the landmarks law were not transparent, and while the resulting law is one of the strongest in this country, it does involve a political balance. If the Collection still serves as a memorial to Henry Clay Frick, perhaps deference to decisions of Frick Trustees, including Stephen A. Schwarzman, is understandable in terms of the continuing power of the oligarchy.

5. Another Citizen Lawsuit: Preserve BAM's Historic District v. Landmarks Preservation Commission

Suing the Commission to preserve the historic district? Yes, it has come to that. Brooklyn Heights was New York's first historic district, and Brooklyn has always been one of the more militant boroughs in terms of support for historic preservation. So, it was no surprise when many protested the proposal for a new investment vehicle that proponents hoped to insert into a modest space at 130 St. Felix Street, in the Brooklyn Academy of Music Historic District. The proposed tower would directly abut the Williamsburgh Savings Bank, an early skyscraper now known as One Hanson Place, and an individual landmark since 1977.



Above: The new development, illustrated standing beside the Williamsburgh Savings Bank, an individual landmark. Located in the Brooklyn Academy of Music Historic District, the new tower at 130 St. Felix Street is shown left as originally proposed, and right as slightly modified and approved shortly afterwards. Images: FXCollaborative submission to the Landmarks Preservation Commission.

Once, the Williamsburgh Savings Bank had been a locally unprecedented stand-alone tower looming over a neighborhood of 19th century scale, but that character was to be lost.

As well as luxurious apartments on its higher floors, their glassy walls framing unobstructed city views across the low-rise historic district, the proposal included 36 apartments of more modest cost below. It would also house the expansion of a not-for profit music school. This gesture lent gravitas to the proposal's more commercial aspects with the mention of future scholarships for deserving young people whose likely ethnicity was skillfully deployed to cast doubt on any hostile comment.

Indeed, the presentation rationale was so egregious that the LPC counsel stepped up and formally warned the commissioners that they could not consider public benefits, which were an irrelevant factor in review under the landmarks law.

Since the project stood within the boundaries of the Brooklyn Academy of Music Historic District, it was challenging to justify a 285-foot project height as compatible with the predominantly low-rise context. Another issue was the substantial obstruction the new building would create so close to the formerly freestanding individual tower it would abut. Initially, commissioners were extremely critical of the proposed location and design, although a majority subsequently capitulated. At the time, the controversial development was enthusiastically covered by YIMBY, eliciting correspondence from Juno, and an interesting reply:

Juno | June 23, 2020 at 7:43 am | Reply

Why are you publishing a verbatim PR piece written by the developer? This is an inappropriate structure in a Landmarked Historic District. It will destroy the precedent that created the district. The abutting property was not allowed to exceed the 100' height cap put on by landmarks. Your piece is pure propaganda.

Nikolai Fedak July 1, 2020 at 6:55 pm | This was actually from LPC materials and had no PR involvement.

When the project was approved, Brooklynites were outraged, and the Landmarks Preservation Commission was soon in court defending the legality of its action. Initially, the State Supreme Court dismissed the case, *Preserve BAMs Historic District, Inc. v. Landmarks Preservation Commission*, and the project moved on, receiving its zoning map amendment, special permits, and other waivers. Construction was to begin in 2023. The petition had noted “that the Commission’s turn-about vote

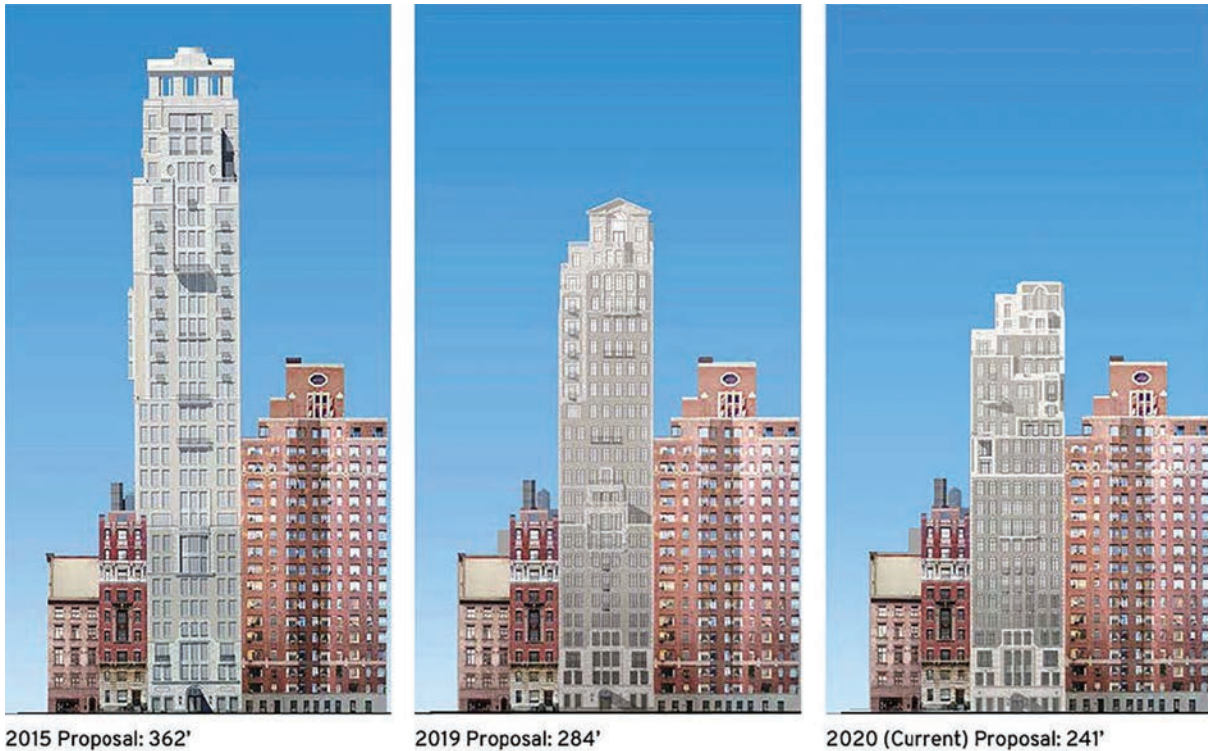


after its initial strenuous criticism of the proposed plan was not made with enthusiasm nor a sense that its outcome would serve to better the beauty and enjoyment of this site and its dedicated surroundings.” And indeed, the adjustments that preceded LPC approval had been (to say the least) minimal, a small reduction in height and a minor bulk redistribution. The preservationists persevered, and when their action was found ripe, sued and lost again, but undeterred, appealed. Consequently, *Preserve BAM’s Historic District, Inc. v. Landmarks Preservation Commission*, a significant case, albeit partially modified by the court, has yet to reach a final decision at time of writing in 2023.

The Williamsburgh Savings Bank , freestanding when it was new.

6. 14-16 Fifth Avenue, Demolition in the Greenwich Village Historic District

No one took the Commission to court over this decision, and perhaps the situation was hopeless: destruction hinged on an interpretation of history, which could be viewed as a matter of expert opinion, and subject to majority rule—at least for those able to believe that expertise was the decisive factor in the Commission’s action.



During the de Blasio administration, this towering proposal for the site at 14-16 Fifth Avenue was reduced somewhat in size. It replaces two old townhouses with altered facades that had sheltered a plethora of small studio apartments, formerly home to the impecunious artists and intellectuals who once made Greenwich Village famous. Presentation renderings: Landmarks Preservation Commission: Robert A. M. Stern, Architect.

The manipulative rationale for demolition featured that array of pseudo-technical jargon we have learned to live with in recent years: the buildings were deemed “non-contributing,” which, by the way, is not a defined term in the landmarks law, nor was it found in any rule formulated by 1969 when the Greenwich Village Historic District Designation Report was filed—noting that the Designation Report is where such a determination would be made today, thus requiring approval from the City Council and the Mayor. However, boldly ignoring such technicalities, the administration exploited new jargon and narrowly obtained approval for the demolition of 14-16 Fifth Avenue. The vote was 6-5, the majority again led by the Chair. Two now rather decrepit small historic district buildings will be replaced by a luxurious residential tower designed by the firm of Robert A. M. Stern. The buildings approved for demolition were originally part of a row of four townhouses built for Henry Brevoort in 1849 (10-16 Fifth Avenue): the one still surviving at the

corner of Fifth Avenue and 8th Street has now been damaged by repercussions from the drilling for the deep basement of the new 14-16 and has been vacated as unsafe by the Department of Buildings. It is this inadequately supervised demolition and the precedent it sets that we deplore, more than the design of the new building in itself. But the sympathetic styling of the proposed façade struggles to counterbalance the immense change in scale on the theoretically protected street, and the lost historic associations of the destroyed landmarks. As former LPC Commissioner Anthony Max Tung once pointed out—quoting Justice Sullivan’s opinion in support of LPC policy in *Society for Ethical Culture v. NYC Landmarks Commission*—the landmarks law can be seen as broad in scope:

If the preservation of landmarks were limited to only that which has extraordinary distinction, or enjoys popular appeal, much of what is rare and precious in our architectural and historical heritage would soon disappear. It is the function of the Landmarks Preservation Commission to ensure the continued existence of those landmarks which lack the widespread appeal to preserve themselves.

Commissioner Tung then commented, “I love that judge. That was a wonderful thing to say. I think that’s absolutely true,” (*Village Views*, Vol. III, No. 1, Winter, 1986. Page 15).

In 1965, the first Chairman of the LPC, Geoffrey Platt, served without pay, after fighting to create a law and an agency he thought would prevent “irreplaceable loss to the people of the city.” That was the loss of what the statute calls “improvements,” loss that might occur through demolition “without adequate consideration of the aesthetic, cultural and historic values represented by such improvements...In addition, distinct areas may be similarly uprooted or have their distinctiveness destroyed, although preservation thereof may be both feasible and desirable.”

Combined and subdivided before the First World War, the two townhouses at 14-16 Fifth Avenue had become a small, low-rise habitation of impecunious intellectuals, a surviving memento of what Greenwich Village had been in the glory years of the early 20th century: a hub for the creation of modern literature and art and a bastion of political rebels. But in the looming replacement building, a smaller number of multimillion dollar apartments will speak of a different world. Architecturally, the possibility of restoration to an earlier historic reality—the old row—will also be gone. Once, 14 and 16 Fifth Avenue were elite Gothic Revival town houses. The Department of Buildings did not exist then, so there is no public record of who designed them, but at the time, the chief proponent of the Gothic Revival in the United States, A. J. Davis, lived and worked nearby in Greenwich Village. Remembered today for his manifesto, *Rural Residences*, before the Civil War he was also active in the design of civic buildings. Davis had a large and varied practice, even offering domestic architectural plans and drawings to be executed without his supervision. At the lowest estimate, the original design of 14-16 Fifth Avenue paid homage to the Gothic Revival that Davis originated in America. The style was never much of a success in terms of return on capital in an urban context. Other small Gothic buildings have probably found oblivion right along with Davis’s grander Gothic designs, such as the old New York University Building on Washington Square, the Waddell House at Fifth Avenue and 37th Street, and the House of Mansions on Fifth Avenue at 42nd Street.

In 2021, the argument for the demolition of the landmarked 14-16, again, centered on “integrity,” which was described, once again, as “lost”—although the offending alterations that caused that

“loss” were in themselves historic and peculiarly characteristic of the social history of the Greenwich Village Historic District. To recall that history: when wealthy old families had moved uptown to more fashionable addresses at the turn of the last century, numerous empty 19th century town houses were converted for artist’s studios and other Bohemian dwellings, picturesque old premises subdivided and modernized as rentals with colorful stucco fronts, artistic embellishments, and in some cases, studio windows.

Because this particular conversion did not feature studio windows on the façade, which faced east and so could not provide the north light most desired by artists, the agency felt free to maintain that the building was not a “studio” conversion, a building type previously protected in Greenwich Village. The twenty tiny apartments, ten of which were rent regulated, were deemed to have no relevance to the *vie de Bohème* of the early 20th century that gave Greenwich Village its intellectual aura and its fame—and this although the studio apartments in 14-16 Fifth Avenue had been home to actors, artists and literary people, as was painstakingly documented by an army of volunteers led by that downtown mentor, Andrew Berman of Village Preservation.

Once again, a slim majority at the commission did not vote to prevent an irretrievable loss, in one of the oldest historic districts in the city, approving demolition and new construction on a site they deemed expendable, for an investment project sited in a neighborhood made desirable by the very history they were disregarding, and the regulatory protection they were abandoning.



As we were: photos from the LPC new building application: two of the original row of four Gothic Revival houses, photographed circa 1929, and the 2010 photo from the 2019 demolition application.

7. The Vanderbilt Building by McKim, Mead & White, demolished



15 Beekman Street. Photo by Michael Young

Preparing for the demolition of the Vanderbilt Building by McKim, Mead and White, 1892.



The new building for Pace University at 15 Beekman Street in lower Manhattan. Rendering: YIMBY.

The replacement building: Pace University, “Designed by Manish Chadha of Ismael Leyva Architects and developed by SL Green Realty, the 338-foot-tall tower will yield 213,084 square feet with classrooms, dorm rooms, a dining facility, library, and a learning center,” according to YIMBY (Yes In My Back Yard), November 21, 2021. Permits were filed in 2020.

Architect’s Newspaper protested the demolition of 15 Beekman Street in a piece by Matt Hickman, July 6, 2020:

During the worst weeks of the coronavirus pandemic in New York City, demolition permits were filed for 15–19 Beekman Street, the site of a historically significant late 19th-century Classical Revival office tower designed by McKim, Mead & White that serves as a core contributing building to Lower Manhattan’s Fulton-Nassau Historic District, which was federally designated in 2005. The April decision, which critics say was carried out with no community engagement, has roiled local residents, including members of Community Board 1, as well as architectural historians and preservationists citywide. A recent Change.org petition referred to the move as a “deeply disturbing way to proceed.”... Richard Guy Wilson, a noted architectural historian and professor at the University of Virginia, and Robert A.M Stern have both emailed the LPC in recent days to show their “support of landmarking the building, and supporting the idea of the city designating this district.” Mosette Broderick, a McKim, Mead & White scholar and director of the Urban Design and Architecture Studies Program and the Historical and Sustainable Architecture M.A. Program at New York University, has also endorsed city-bestowed landmark designation

In vain. The building no longer exists.



Above: the original 1893 design of the Vanderbilt Building. Department of Buildings Collection, Municipal Archives.



The new building for Pace replaced an early, smaller skyscraper by McKim, Mead and White, seen in the drawing, above left, and the tax photo above right. It was known as the Vanderbilt Building, after the family of its first owners. During the pandemic, with no public hearing or public notice, the Landmarks Preservation Commission Research Department opined that the Vanderbilt Building did not “rise to the level of an individual landmark,” and also declined to consider a small historic district, already federally designated, which could have preserved the character of this unique area. Federal designation being only honorific, demolition came swiftly.

Photos below: Demolition. Courtesy of Rick Stachura, notesonnewyork.net.



*In 2021, reduced to a pile of rubble.
Photo: Rick Stachura.*



Storehouse photos: Nathan Kensinger.

8. Arson Time. The Bowne Storehouse.

The S. W. Bowne Grain Storehouse, 1886 to 2019, was not a landmark, and today it no longer exists. We only have these images from documentary film maker Nathan Kensinger. In 2009, the Roebling Chapter of the Society for Industrial Archaeology submitted a request to the Landmarks Preservation Commission for designation of this Red Hook building. In vain. In 2018, a coalition of local preservationists discussed the Bowne Storehouse in the past tense:

It was a significant and noble reminder of the industrial history of the Red Hook Gowanus waterfront. The morning of June 13, 2018, a coalition ... met to discuss saving the Bowne warehouse. The next day, Councilman Carlos Menchaca's office contacted Chetrit to say that he supported landmarking the building. That night, on June 14, 2018 the roof of the longstanding warehouse was set ablaze. The New York City Fire Department determined that the fire was arson, meaning it was intentionally set, but to date, have not determined who set the fire. This presented a major problem to the coalition of citizens, organizations and elected officials who attempted to landmark the building because of a perverse aspect of NYC policy that says that the Landmarks Preservation Commission will not landmark a building with an open FDNY investigation!

It seems no one examined this assertion, not apparently supported by the Landmarks Preservation Commission's Rules, Title 63 of the Rules of the City of New York. In an assessment of eligibility for National Register listing, Hunter Research, Inc. had written:

Today the building is one of the few distinctly 19th-century structures on the canal banks. ... The former Bowne Grain Warehouse typifies the canal's role in importing bulk goods into the city, and was built just as the canal was nearing its peak. The company's fortunes followed those of the urban hay and feed trade, but today the warehouse is one of the most visually intact canalside structures linked to the canal's role in the growth of Brooklyn.



The Dime Savings Bank of Brooklyn, as it was, before the recent modernization involving the addition of a 92-story tower on and around the landmark site. Photograph from Flickr.



The white marble dome of the landmarked Dime Savings Bank, overshadowed.

9. Strange bedfellows at 9 DeKalb Avenue

The first Srinivasan Supertall, the new building at 9 DeKalb Avenue is said to be the tallest in all of Brooklyn, rising to 1066 feet. It abuts the landmarked Dime Savings Bank, standing on part of its landmark site, attached to its back wall, benefitting from its air rights. The Dime, so called in honor of the deposit required to open an account there in 1859, was once a populist institution. Thriving by 1908, its home office was opulent and ornate, neo-classical, a white marble dome rising above fluted Ionic colonnades. But a century later, the branch was closed and on the market, a landmark standing in a state of disrepair at a major intersection in downtown Brooklyn. JDS Development stepped in, bringing designer Gregg Pasquarelli of SHoP Architects. The LPC greeted their project with enthusiasm, welcoming the promised restoration of the landmarked building. And indeed, given its location, the Dime might well have been lost to hardship demolition. The tower, if it could be categorized as that staple of regulated expansion, a “rear yard addition,” would be approximately 50 times taller than any other such approval ever granted.

10. The Sasaki Fountain: once at 601 Lexington Avenue, the Citicorp Center

Perhaps this was in the tradition of a Japanese ghost story, the fourth act of a classical Noh play, where a protagonist is confronted by a mysterious wayfarer who recounts a scene of violent death and vanishes into thin air. The demolition of the Sasaki Fountain occurred in an administrative no-man's-land, similar to the one that claimed the once wonderful lobby of Philip Johnson's AT&T building with its colossal golden statue. The required thirty-year waiting period between creation and eligibility for designation has had some perhaps unintended consequences. In the case of the fountain demolition, questions about the sequence of events arose in the architectural press, with Audrey Wachs of *The Architect's Newspaper* hounding those responsible, exposing their conflicting explanations and interests, and a peculiar timetable, in "Landmarks cites nonexistent permit for iconic Citicorp Center plaza" (April 28, 2017). But still, the fountain is gone.

When built, it took the form of a small waterfall splashing over a varied sequence of rocky ledges beside a fan of stone steps leading from the street to the sunken plaza. The sound of rushing water drowned out the noise of Lexington Avenue, and the severity of the unadorned courtyard was complemented by the complex geometry of the tumbling cascade and the motion of the water in the shifting shade of the new locust trees. Landscape architecture is often a stepchild, but it is interesting that the work of so eminent a figure as Hideo Sasaki could be so easily, if furtively, trashed by big real estate in the embrace of the civic bureaucracy. Apart from the disputed timeline, there was never any plausible account offered of a need to destroy the fountain, nor of the interagency fumble that made feasible its unheralded disappearance. Those in charge obliterated a unique work of art because they could, leaving behind nothing more than a faceless hole in the ground serviced by a hotdog stand and a subway entrance.

Future generations may form their views of late 20th century New York architecture without even knowing of alterations that transformed several celebrated skyscrapers before their landmark designation. Some transformative changes were the obliteration of the Sasaki Fountain, and at the AT&T building, the loss of the monumental statue of "Golden Boy," and its setting with the unregulated conversion of Philip Johnson's open arcades to a new retail use. The next generation of observers may be left wondering what it was that Post-Modernism had to offer.

That the fountain was furtively destroyed with the blessing of city government is an especially unpleasant fact in view of Hideo Sasaki's life story. Like many American citizens of Japanese ancestry, as a young man he was incarcerated in an internment camp during World War II, where his assigned work for years was topping off bunches of beets, although he had done nothing wrong, and there was no accusation against him. Graduating from Harvard after the war, he founded a major landscape design firm. On the internet, Alexandra Lange has published an interesting long essay that illuminates Sasaki's experience and his fate:

<https://archive.curbed.com/2017/1/31/14445484/japanese-designers-wwii-internment>

In a similar vein, Thomas de Monchaux wrote in the *New Yorker*, “Let’s Not Destroy New York City’s Brutalist Masterpieces” (October 15, 2017):

Because our current historic preservation movement began, in the middle of the last century, with the loss of Beaux-Arts piles like New York City’s old Pennsylvania Station, we tend to think of the duty of conservation applying to places that look antique, rather than to places, like Sasaki’s plaza and fountain, that still look futuristic. The original Pennsylvania Station, designed to resemble the monuments of the Roman Empire, seemed ancient indeed. But at the time of its demolition, in 1963, it was only fifty years old—the same age as many of the masterpieces of the nineteen-sixties and seventies that are now subject to demolition. Perhaps there is something about the half century that creates a blind spot: too recent for reverence, too distant for love—or even understanding.



The Sasaki Fountain at Citicorp, before demolition. Charles Birnbaum, President of the Cultural Landscape Foundation said, “Who dropped the ball? How could a project like that go through Landmarks? How could a significant work of landscape architecture be destroyed and rendered tabula rasa?” The Architect’s Newspaper, June 17, 2017.

“How could a project like that go through Landmarks?” the angry Birnbaum asked. The answer is of interest, a demonstration of what bureaucratic skills can do when enlisted in the service of power. In a Designation Report dated December 6, 2016, the LPC noted a “water feature” in the Citicorp

sunken plaza, and further described that water feature as designed by the noted firm of urban planners and landscape architects, Sasaki Associates. Normally, such description would establish the fountain as a protected feature, identified by the LPC research staff and recognized by the full commission. Normally, demolition would have been subject to public review. But elsewhere in the report, negotiators had inserted a strangely worded poison pill. Public protest at the designation hearing failed to prevent its adoption.

Statement of Regulatory Intent. Prior to designation and after City Planning Commission review and approval, the owner of Citicorp Center obtained Department of Buildings' permits to modify the sunken plaza and the adjoining market building. The Landmarks Preservation Commission recognizes that the sunken plaza and other architectural elements, public benefits and amenities (and subsequent alterations of them) were designed with the approval of the City Planning Commission in connection with the granting of floor area bonuses, and that future changes to these public spaces will remain under the City Planning Commission's jurisdiction. The Landmarks Preservation Commission will review future proposed alterations to these public spaces in this context and recognizes the need to coordinate the review process.

In *The Architect's Newspaper* (April 28, 2017), Audrey Wachs reported critically on a proposed new Citicorp plaza design; she was unable to locate any DOB permit for demolition of the existing and presumably landmarked fountain, and no clarification was offered by government despite repeated requests for comment. After publication of her report, in somewhat ambiguous circumstances, a DOB demolition permit dated two days before landmark designation finally surfaced, meaning that the Commission lacked jurisdiction. And so eventually, that authorized demolition took place without public notice later in 2017, hidden behind opaque construction fencing and shielded from public view, just as the issuance of the demolition permit had been shielded from public notice. The only memento: Charles Birnbaum posted a video of the “jaws of death” descending into the wreckage of the Sasaki masterwork.

Later, Thomas de Monchaux gave us a sort of obituary for the fountain in his *New Yorker* piece:

The finest part of the new urban composition was a sunken plaza, a dozen feet below sidewalk level. Entered from the block's southwest corner and uncannily sheltered by the underbelly of the elevated skyscraper ten stories overhead, it was a consequence of the city's “plaza bonus” zoning.....It was the work of Hideo Sasaki, one of a great generation of landscape architects—Dan Kiley, Lawrence Halprin and Harriet Pattison prominent among them—who worked alongside such familiar heroes of mid-century modern design as Eero Saarinen and Louis Kahn. The plaza's main feature was a monumental sculptural fountain at the busy intersection of Lexington Avenue and East Fifty-third Street—a kind of miniature concrete mesa or butte with lively waterfalls running down its sides, extending up above the sidewalk and down to the plaza below, casting the sound of running water over the noise of the avenue....

The stepped geometry of the fountain extended seamlessly into the steps themselves: seen from above, the steps were angled, starting out parallel to Fifty-third Street and facing a church entrance on the north side of the plaza, and then bending forty-five degrees to face a tower entrance. This angle was echoed further, like a ripple in water, in another shallow set of steps that extended across the whole plaza—as if the weight of the skyscraper's monumental column had gently pressed the plaza deeper into the earth. Above that ripple of steps was a grove of trees; below it, sheltered a further five feet below the bustling sidewalk with a dozen tables and chairs, was an oasis.... amplifying the sense of place and of lively exchange between public and private, civic and sacred, hectic and calm.

This summer, it was bulldozed.

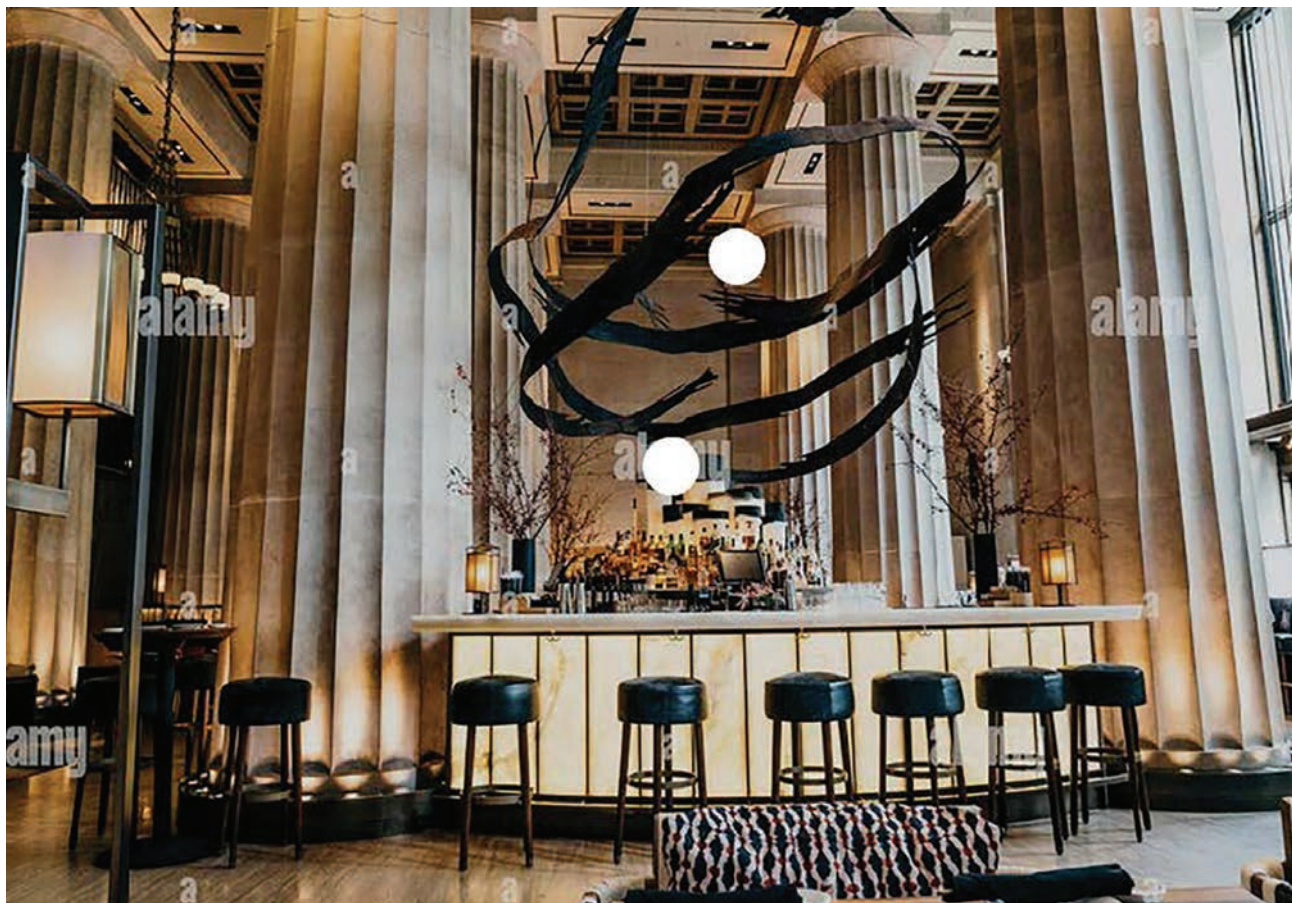
11. At 196 Broadway, the lobby of the American Telephone & Telegraph Building, built to the designs of William Wells Bosworth completed in 1916

The lobby as it once was can be seen here in an early photograph by John Barrington Bayley. The first attempt at designation failed in 1980, but a second try succeeded. This view is reproduced from the finally triumphant 2008 designation report, which describes the landmark as “one of the great monumental interiors in New York City,” citing “its forest of polished marble Doric columns” and polished marble floors, decorations by Gaston Lachaise and Paulanship, and a polychrome coffered ceiling, illuminated by bronze and alabaster chandeliers...



Photo: John Barrington Bayley, from the Landmarks Preservation Commission designation report.

Designation does not necessarily provide the expected architectural ending; while the open spaces among these columns are potentially protected, commissioners have the discretion to fill them, and unanchored furniture is not regulated at all. Nor, of course, is use.



Subsequently, the Sushi Mecca. Photo: the Rockwell Group.

And so, Brave New World in 2017: **Robert De Niro's Celebrity-Filled Sushi Mecca Gets a Gorgeous New Home**, according to an enthusiastic *Architectural Digest*, describing the new decorations:

... one of Nobu Downtown's most visible features upon entering, a swirling 350-foot sculpture carved by John Houshmand, hangs from the lounge level's 30-foot ceiling. "It's blackened scorched ash that looks a lot like calligraphy ink in water," Rockwell says of the design, which he and his team conceived. (April 3, 2017)

The Mecca was also praised and described at length in *Interior Design*, July 5, 2017:

Inspired by a Japanese calligraphy ink brushstroke, a swirling black sculpture conceived by Rockwell and fabricated by furniture designer John Houshmand is sure to be the restaurant's most Instagrammed feature. It's suspended over the round bar in the center of the lounge, between the towering columns, then extends to point down the staircase. Beneath the stairs, on the concrete floor, lies an LED screen in the oblong shape of a typical reflecting pool—showing a video of Japanese cherry blossoms.

The restaurant's extensive website offers sushi to go: lobster, yellowtail, wagyu. There are 50 branches of Nobu all over the world.

12. 857 Riverside Drive, historic but dilapidated, is rejected

Today, it is fashionable to claim to honor markers of African American history.

But even while concocting and posting its “interactive story map to bring greater awareness,” which is purely informative and has a limited circulation, the LPC has persisted in leaving 857 Riverside Drive threatened and unprotected. In a letter refusing to calendar a hearing, the LPC conceded that the house had been owned by crusading abolitionists shortly before the Civil War and was most likely a stop on the Underground Railroad. But in their view, once again, the house has lost its integrity! The original appearance is perfectly documented in a charming photograph by Berenice Abbott, who chose to photograph it as part of her series of notable views in New York City for the Works in Progress Administration in the 1930s. The photo is reproduced below. Subsequent alterations have included a permastone coating on the front and the removal of the original cupola, but reversing such changes, with this evidence, would not be a very difficult or costly project. Given the small footprint of this cottage, the investment tower waiting to replace it is not even much of a blockbuster.

The LPC declined to calendar 857 Riverside Drive as an individual landmark. During negotiations, which were followed by elected officials, the LPC informally suggested that perhaps a local historic district would provide a better administrative approach. The community, volunteering, responded with a major research effort and a submission, which the agency then coolly refused to calendar. Here, as elsewhere, photographs like the one below may prove to be the rare if not the only evidence of northern Manhattan’s abolitionist history and early architectural excellence to survive the invidious dicta of a powerful bureaucracy.

The neighborhood was up in arms. The Upper Riverside Residents Alliance/Save Riverside and heir cause The were featured on NBC, CBS and ABC News, in *The New York Times*, *The New York Post*, *Daily News*, *Gothamist*, *Untappd New York*, and more, nevertheless the Chair refused to schedule a public hearing. In 2023, the building still exists, but without civic acknowledgment.



857 Riverside Drive in its 1940 tax photo, evidence for a restoration.

13. The demolition of the Demarest Building.

In 2020, public protest began to identify and target a weakness in the landmarks law, a weakness that had not become particularly evident in fifty years of governance, perhaps because, before the de Blasio administration, the Landmarks Preservation Commission had not been controlled by elected officials and their political appointees whose attitude toward historic preservation was less than tolerant.

Scholars and advocates might disagree with government officials about the merits of potential landmarks, and had done so in the past, and attempts to designate had failed before, sometimes with fatal results. But under the de Blasio administration, serious observers began to voice concern for fair administration of the landmarks law.

De Blasio's first landmarks chair ruffled feathers within days of her appointment. Veneration for the past was not in evidence as she debated the sitting commissioners. "Does it matter that it's old?" was the famous question that she posed, arguing in favor of a request for demolition that had come to public hearing. It was unclear that she appreciated the very radical nature of her question.

How was preservation to be *historic* preservation without involving antiquity? Some proponents were momentarily speechless in amazement and disbelief, that this could even be raised as an issue. But as noted earlier, abuse of power by future leadership was not anticipated when preservationists drafted their legislation. Unfortunately, that optimism was to prove costly.

For many, public perception that the regulated industry controls the governmental watchdog can lead to nothing but despair, and an erosion of real public participation in a regulatory process that was never designed or funded to function effectively without it. And so, there have been losses.

Aaron T. Demarest, founder of A. T. Demarest & Co., was a builder of carriages and early automobiles for the luxury trade at the turn of the 19th century. When the arcaded showroom at 339 Fifth Avenue was built, the neighborhood was as fashionable as the elegant vehicles Demarest purveyed. Their showroom was designed in 1890 by architects Renwick, Aspinwall & Russell.



Left: the Demarest Building when new, and right, James Renwick, Jr. (1818-1895) the architect of St. Patrick's Cathedral, and founding partner of Renwick, Aspinwall & Russell.



Later, when Demarest moved uptown with his customers, other businesses moved in, bringing bright Coca Cola red signs and other quick-lunch paraphernalia. But the upper floors remained intact. Recently, the building changed hands. The Landmarks Preservation Commission made no move to protect it. In a guest editorial in *CityLand*, (January 30, 2020) the late Jeffrey Kroessler raised concerns:

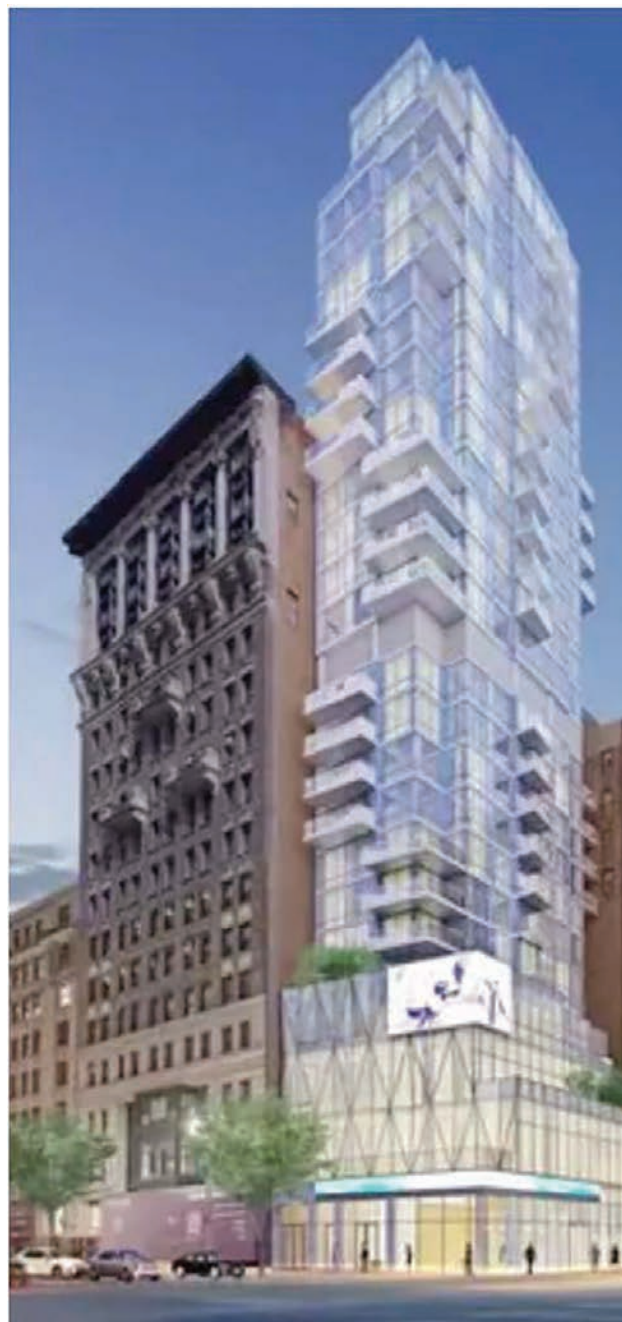
Landmarks decisions should not be made behind closed doors. Yet they are when the Landmarks Preservation Commission refuses to hold a hearing as it recently did with the Demarest Building...

This building has been sold and the new owners intend to erect a 26-story mixed-use building. Preservationists, of course, responded by petitioning the Landmarks Preservation Commission to designate the building.

The LPC said no. Manhattan Borough President Gale Brewer and Councilmember Keith Powers support designation, as do the Historic Districts Council, the Greenwich Village Society for Historic Preservation, The City Club of New York, the 29th Street Neighborhood Association, and many, many New Yorkers.

But the question now is not whether the Demarest Building is worthy of designation. The question is why the Landmarks Commission refuses to hold a public hearing. How the agency came to the determination is unclear.

Was it a staff member? The Chair?



The proposed replacement building. Rendering: Raymond Chan Architect.

A comment from the blogosphere, in *Daytonianinmanhattan*:

Marc Sell August 15, 2021 at 11:35 PM

Does the NYC Landmarks Commission even exist anymore? Have they lost their internet provider? The endless rows of similar, undistinguished, underwhelming glass boxes being put up in Manhattan, in place of so many historic buildings lately is astounding.

14. 404 West 20th Street, once the oldest house in the Chelsea Historic District. During an approved demolition that was to preserve only the façade, the façade was inadequately supported and collapsed. The house is now entirely new.

In a few downtown blocks, little had changed since the early 19th century; you could still find a narrow passageway leading to the street from the back yard of a landmarked townhouse, a rare feature known, perhaps apocryphally, as a horse walk. An example could be found at 404 West 20th Street in the Chelsea Historic District, which according to the Designation Report was the oldest house in the District, finished in 1830. But finding his newly purchased landmark too small for his needs, a new owner applied to enlarge it by building out over the horse walk and much of the back yard while excavating underground from the street to the required 20-foot boundary at the back of the lot, which reserves a remnant of earth that could support a tree, as required under ordinary agency practice, in a modest attempt to recall old townhouse gardens.

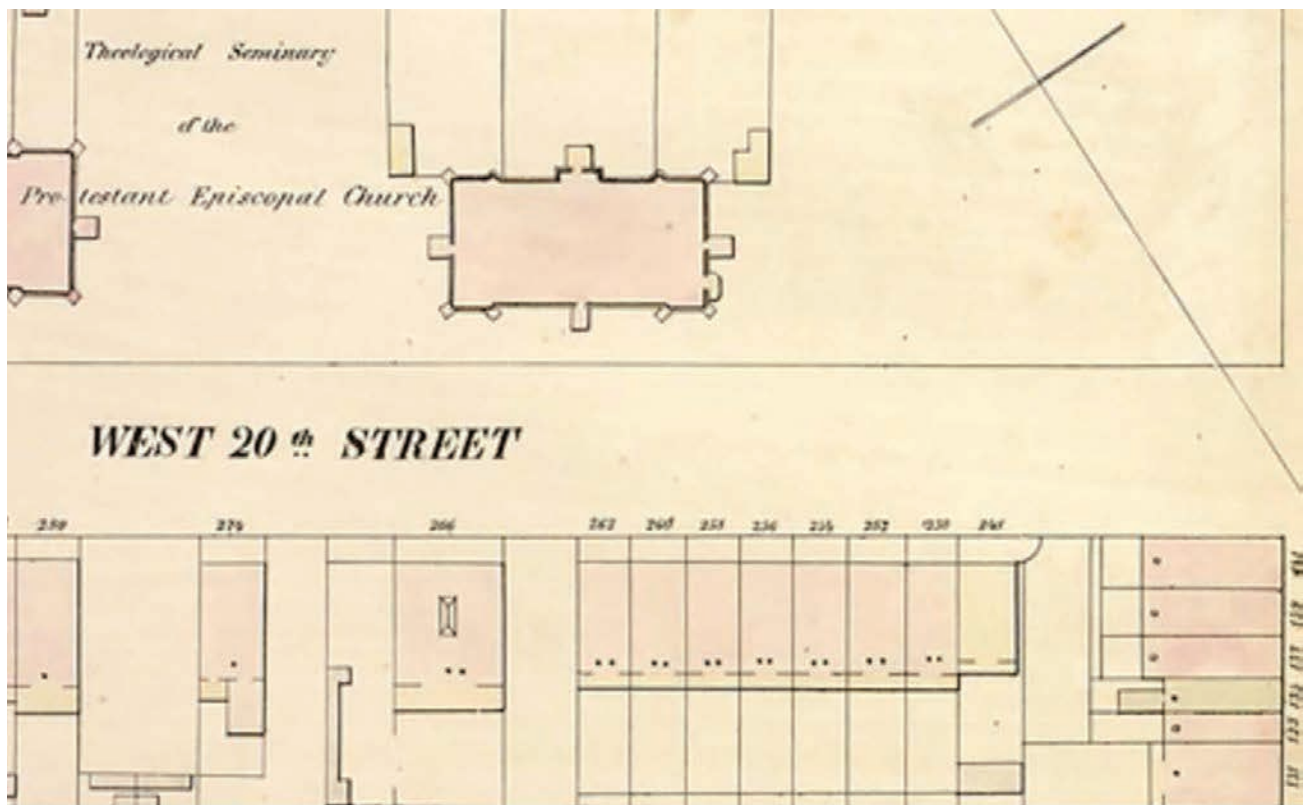
Local residents were outraged by the proposal, and turned out *en masse* to testify in opposition, but Chair Srinivasan commented on the record, “I can’t get excited about a horse walk.” Having exacted a few modest revisions during a protracted review, she steered the project through toward an approval that would preserve a fraction of the façade while extending it across the un-exciting horse walk, demolishing the entire old structure behind the now hybrid façade and replacing it with a new multi-tiered steel and glass building. *DNA Info* (April 25, 2016) reported “City OKs Megamansion Plan for Chelsea’s Oldest Home,” quoting activist David Holowka who said, “What’s the point of a landmarks commission if they will allow the demolition of the oldest house in the historic district? Aren’t they there to protect old buildings?” Later, in *Chelsea Community News*, Eileen Stukane reported (May 8, 2019)

When 404 was purchased for \$7.4 million by Ajoy Kapoor, a private equity manager and investor based in England, founder of Velocity Capital Advisors and Saffron Capital Advisors, he quickly moved to obtain LPC approval to reconstruct the property. An application was made to the LPC to turn the house into a “megamansion.” Once again, the plan was to do a complete rebuilding. Also reminiscent of 460, the “elderly parent” story reappeared, when Kapoor reportedly said his elderly mother would be living there with him, his wife, and son, and he had no plans to flip the house....The community, along with elected officials, protested in letters, and a rally was held in front of 404. Still, the LPC granted the requested changes. The oldest dwelling in Chelsea now has LPC approval to be gutted, to lose the alley, to have the back of the building demolished and rebuilt in glass-fronted tiers stretching out into what is now green space, and to have a massive lower level for entertainment.

What had happened at 460 West 22nd Street, in the historic district? “A cautionary tale” according to the same account in the *Chelsea Community News*.

Pamela Wolff was chair of CB4’s Land Use Committee at the time the house was purchased for \$4.6 million by owners Bill White and Bryn Eure in 2012... [According to Wolff] “They presented, not that they were going to totally demolish, but that they were going to do interior work and do a little extension off at the basement level to the rear. This was being done because Bryan Eure’s parents were getting older, and they needed to have a place to live...” What followed was another application to the LPC, one that did not require a public hearing, which stated that the rear wall of the building was unstable...The end result result is, while the facade of the building remained the same, there is a new house behind it, a house that White and Eure did not move into with elderly parents. Instead, they sold it for \$16 million in 2014, two years after they had purchased it.

This transaction was enthusiastically reported in the *New York Times* of December 19, 2014 as “Big Ticket: Townhouse Turnaround.”



404 West 20th Street, 1854 Perris map showing the horsewalk. Photo: David Holowka, Architakes.



The oldest house in Chelsea, dating from 1830, 404 West 20th Street is endangered by administrative actions of the LPC under Chair Srinivasan. An approval was issued allowing the demolition of the side and rear walls, the roof and the interior for an enlargement, preserving nothing but a fraction of the street façade. The house is now for sale. Photo of the original structure showing the original horsewalk at left: David Holowka, Architakes.

**“What are your intentions? “Strictly dishonorable!”
--dialogue from an old Broadway comedy, *Strictly Dishonorable* (1929)**

15. The Statement of Regulatory Intent, a novel declaration adopted by the de Blasio Administration without public review, modifying designation reports

For fifty years, from time to time it would happen that the Commission would act to designate a landmark without the consent of the building’s owners. At the next steps in the statutory process, affirmation by the City Council and the Mayor, those property owners might have the influence to prevent any further civic action. The item would then exist in a curious limbo, where apparently the Commission could sometimes continue to exercise some influence, pending further action.

When Chair Srinivasan arrived, she examined the “Heard but not Designated” list, as it was called, found it to be bad policy, and announced that it would be cancelled. The resistance to this was so vehement that she reversed the decision and announced that the items on the list would be reheard, but final action would promptly follow. A marathon of designation hearings to clear this backlog was scheduled, and negotiations took place in an attempt to reach compromises that might make

designation feasible. Apparently, the Statement of Regulatory Intent was conceived of as a tool in these circumstances.

Back in the day, when the first Chairman, Geoffrey Platt, presided over the designation of landmark LP-0001, “regulatory intent” was assumed to be clear and uniform: preserve this historic place, if preservation can be made economically feasible. Of course, alterations found appropriate by the commissioners after a public hearing were an option from the first, essential to avoid any “taking” of property. Designation could also be entirely rescinded, if hardship was found, again by the commissioners acting at a public meeting. Note the open, public nature of these procedures, a safety valve that was important to ensure public confidence in the fairness of the law, and especially so before the economic benefits of preservation were widely recognized.

So originally, designation reports were rather brief and summary, only later evolving into the elaborate and scholarly historical studies we see now. However today, when the vote to designate is taken, a designation report may not yet be generally available for comment; it may not even be in final form. Thus under the de Blasio administration, when the concept of “regulatory intent” was deployed in designation reports, there was no rule change. A rule change would have required public notice and review, and to our knowledge no one asked for that on the public record.

But flying under the radar, this little noticed weapon has on occasion modified some landmark designations, arguably to the point of rendering them more honorific than functional. Fortunately, not every designation involves a Statement of Regulatory Intent, and some (though not all) have been drafted in a way that avoids making binding concessions that undercut the efficacy of the designation they modify. It appears that these Statements are being phased out, although there is no certainty, since they were never subject to an agency rule. Two examples:

The Powerhouse. In 2017, landmark designation of the IRT Powerhouse was affirmed by the City Council after a Statement of Regulatory Intent in the designation report had been negotiated with the Powerhouse ownership. This statement does not seem to have made unacceptable concessions: rather it relied on regulatory policies already in existence, confirming the potential availability of certain alterations that the industry might require. Apparently it calmed the fears of Con Edison management, who had successfully blocked designation twice before, in 1979 and 1990, and after months of negotiation, the McKim, Mead & White masterpiece finally joined the roster. Some other Statements of Regulatory Intent presented a similar pattern.

The Boardwalk, plasticized. But by 2018, a Statement of Regulatory Intent had taken a more sinister turn. Two weeks before her departure, Meenakshi Srinivasan successfully brought the landmark designation of the Coney Island Boardwalk to a vote. In theory it is now a protected landmark. But the designation report tells a different story. First, missing from the analysis were several valuable administrative concepts, dating back perhaps to old National Register criteria, but still formative in received analytical thinking about the nature of a local landmark. Notably, there was no consideration of what might constitute “integrity,” as there was also no recognition of any “period of significance.” Despite an incredibly full and detailed account of the multiple changes made to the Boardwalk and its environs over time, the designation report apparently makes no value

judgments to prioritize one period of design or construction over another.

With the name, Boardwalk, to guide us, we might think that BOARDS were relevant to its original identity. The designation report does note a date of construction (1923) but does not suggest that the wooden material of the original structure is in any way preferable to the recycled plastic substitute our government now procures to replace it. And so, the ostensibly historic de Blasio Plasticwalk will continue to expand and modernize our once festive shoreline. Any possibility of further protest (or reconsideration of the use of the synthetic material) is ably circumvented in the Statement of Regulatory Intent, with the specific stipulation that the surface and structure of the boardwalk will be regulated at staff level and thus will never come to public hearing or be subject to public notice or commissioner review. The wording:

LPC staff will review work to repair, restore and replace the boardwalk surface material and structure, and minor changes in length, width or configuration of portions of the boardwalk. –*Designation Report, The Coney Island (Riegelmann) Boardwalk, LP-2583, page 22*)

Thus if the Boardwalk is deemed in need of repair, any original materials still surviving can be replaced with the plastic product, selected before designation by another agency, following criteria with no basis in landmarks law. Where the plastic product is already installed on the Boardwalk, it is sanctioned by the designation. This could be construed not only as precedent, but as a product endorsement.

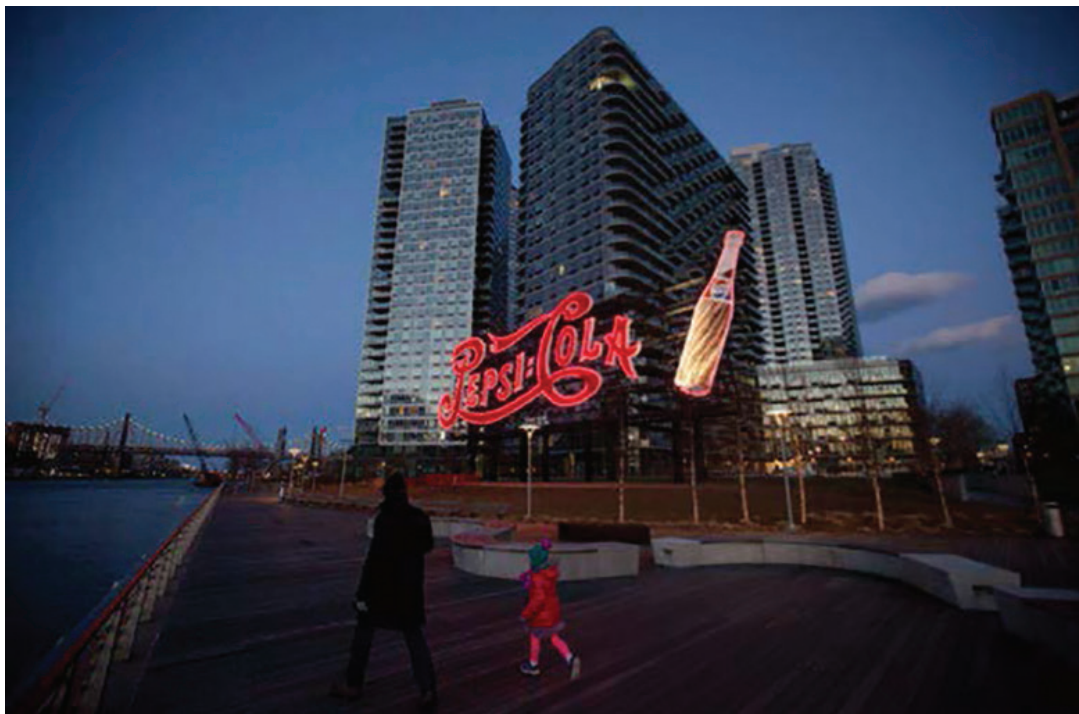
So in a paean to change, the designation report notes lyrically the Boardwalk’s “democratic spirit and the access it provides to sun, sand, surf, and sea breezes.” Can these be its “protected features”? Apart from the novelty of landmarking a breeze, from the standpoint of tradition, which sometimes favors restoration to original condition, landmarking the Boardwalk as it is today, without adverse comment on the new substitute materials in use, is not a positive move. It has instead ensured further material damage to the boardwalk, if not perhaps destruction of its “spirit.” The action has also provided an ongoing governmental market for a synthetic product whose esthetic failings may well be equaled by its negative environmental impacts, but that is of course not an issue for landmarks consideration under the law.

16. The Pepsi-Cola Sign lights up Long Island, but can it be regulated?

Pepsi was part of the Srinivasan initiative to deal with the backlog of heard but not designated items. After the original 1988 public hearing, the Commission had been unable to achieve an affirmed designation, but apparently still managed to exert some influence on a 1993 restoration and relocation. The sign was a favorite of the late LPC Vice Chair Elliot Willensky, original co-author of the *AIA Guide*. A second hearing held many years later in 2015, unlike the first, generated enthusiasm from many preservation groups, though still not from ours, and led to the 2016 designation, which was affirmed. Perhaps the long delay represents several generations of doubt about the rational basis for designating what cannot be regulated. But then designation

without regulation has long been a goal for some, who might welcome the honor, if it came without restrictions.

The 2016 designation report for the Pepsi-Cola sign, winding up a lengthy discussion of the significance of this landmark, adds a Statement of Regulatory Intent which concedes that “By law, the Commission cannot regulate the content of signs. In addition, the Commission has not regulated the brightness or duration of lighting. Consequently, regulation of the Pepsi-Cola Sign will not include regulation of the name or bottle.” Perhaps fortunately, Pepsi-Cola has graciously refrained from calling for any Solomonic decisions here, because regulating the sign without regulating the name or the bottle might present a challenge for all concerned, given that the sign’s only features are the name and the bottle. Is it in fact possible to separate the “content” from the sign without altering or removing its protected physical features?

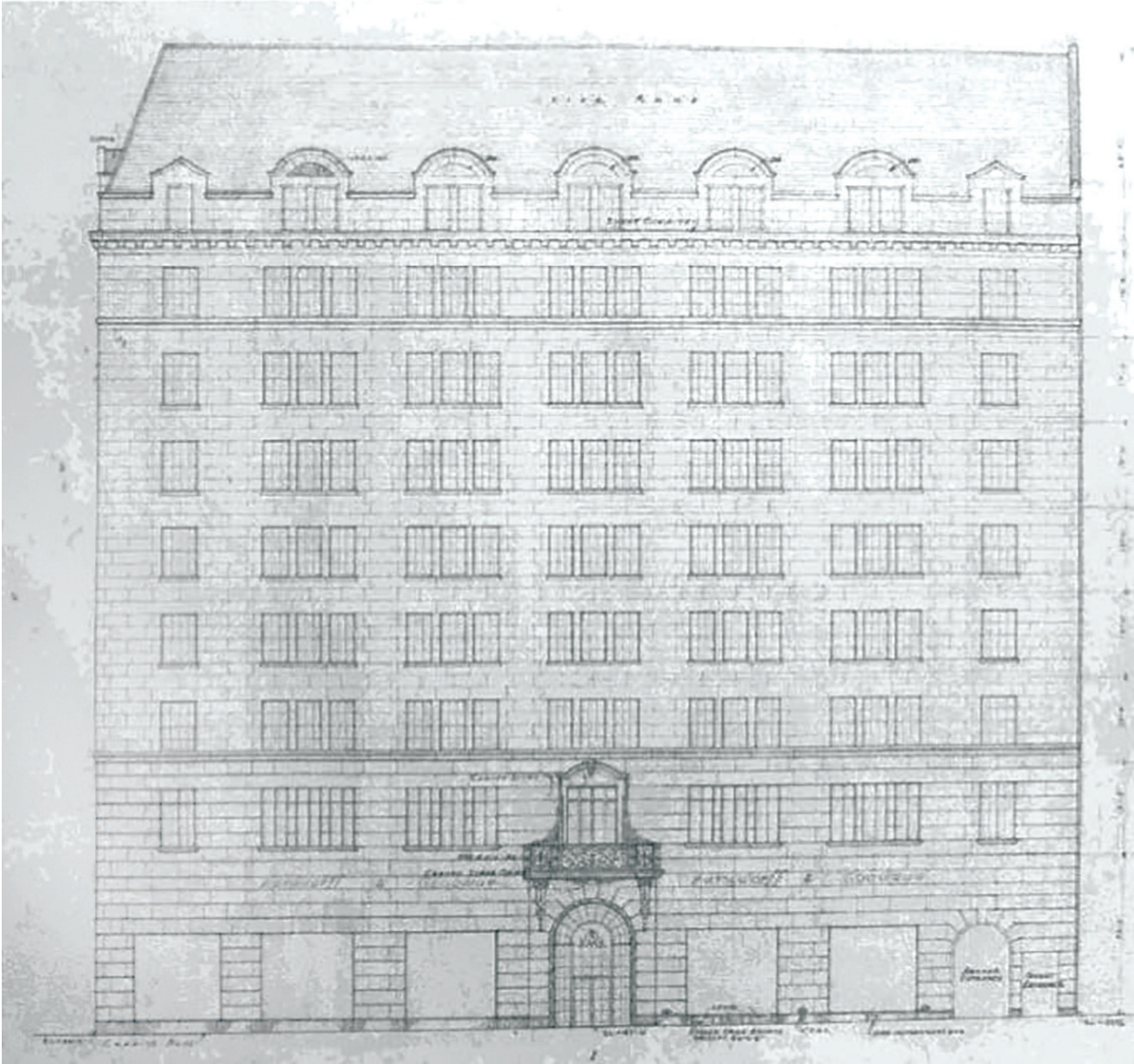


“Pepsi-Cola hits the spot: Twelve full ounces, That’s a lot!”

17. Bergdorf Goodman, more or less a landmark, at last

Heard but not designated in 1970, in 2015 Bergdorf’s returned to the table as part of the Backlog Initiative, and led the way in new negotiations. The designation was modified by a Statement of Regulatory Intent, which commits the Commission to “consider” several issues: the importance of Christmas decorations is acknowledged; it is noted that window displays have never been regulated; but as for the serious issue, expansion, the Statement hints at directions that might or might not be explored without making any unambiguous commitment. For instance, the Statement says: “The

Commission notes that the original main entrance to Bergdorf Goodman was on West 58th Street, and that the prominent views of Bergdorf Goodman are from Fifth Avenue and Grand Army Plaza, and that the building’s cubic form has always been seen in the context of much taller buildings, and will consider these factors in evaluating the appropriateness of future expansions.” Is there an implication here that perhaps a tower could rise on the West 57th Street side? An application for such a tower is of course always an option under the law, to be found appropriate or inappropriate as the case may be. But when the Designation Report was affirmed by the Council, were there recognized or unrecognized public policy implications involved? Be that as it may, in time for Christmas 2016, Bergdorf Goodman became a landmark. The future is unclear.



Bergdorf Goodman. Original design, from the Landmarks Preservation Commission designation report.

18. Destruction in the Gansevoort Market Historic District: 44-54 Ninth Avenue



Village Preservation protesting the demolition, Andrew Berman in the lead. Photo: Village Preservation.

Long ago, before the Giuliani administration began to rethink historic preservation, there was the concept that a landmark should be viewed as a whole building. This was, from the first, contested and controversial in New York. Remember the “façadism” debates, arguments for and against preserving a landmark’s visible front wall only? As some asked—was there really jurisdiction to do more? Could an historic district include streets that created an illusion, comparable to an old Hollywood stage set built of false fronts? Never finally resolved, this dilemma is no longer much of a topic, but the creeping trend is to preserve less and less of the whole structure and keep the focus on what is immediately visible to people in the street.

Perhaps the *reductio ad absurdum* for this approach finally came in August 2021 on lower Ninth Avenue, when a minor tall office building was finally approved to be shoe-horned into the center of the block that forms the northeast edge of the Gansevoort Market Historic District. Building mainly on undesignated space just beyond the district border, the plan was to use the designated buildings on Ninth Avenue as an entryway, gutting the landmarks to create a spacious lobby for a modern office building. This plan was offered as including a façade restoration of the nine small buildings, built between 1842 and 1846, that were landmarked. Stucco was to be stripped off, later dormers removed, the storefronts rationalized and made uniform, and the interior partitions removed, leaving the place barely recognizable, but “restored,” though restored to a hybrid condition that had never existed before, erasing what has been called “the mere effect of time,” the generations of changing

use and decoration that had left their mark behind. As it turned out, none of this mattered. After some deliberation, the commission approved the plan as modified, and demolition commenced. Walls were demolished. Partitions were demolished. Then suddenly, bad news! The original blockfront, it was said, was about to collapse, a hazard to human life! Demolition was imperative.

Apparently not everyone thought so: as the emergency orders were whizzing through the bureaucracy, the workmen could be seen peaceably eating their lunchtime sandwiches in the shade of the supposedly hazardous walls and continuing with their work inside the site.



Current conditions (top) and proposed (below), north east corner of 14th Street and 9th Avenue

The originally existing landmark and the first proposal for new development, from the Village Preservation website. The small office tower rises strangely from the roof of the landmark.

In “The Men Lost to 20 Bruckner Boulevard” (5/30/2022) the *New York Times* raised concerns about loss of life on construction sites. But at least in the Gansevoort case, nobody died. Only the landmark was lost. Preservationists protested in vain. The façades were demolished with emergency permits in October 2021, under the banner of a civic concern for “life-safety.”

A long pause ensued, while Village Preservation’s Freedom of Information requests moved leisurely through the system. When eventually the documents were produced, Andrew Berman was not surprised. The LPC had commissioned a structural assessment from a specialist under contract to the agency. This report opined that there was no particular danger of collapse and the façades could be

restored. However, the document was not made public by the agency, which thus collaborated in the unnecessary demolition of an ancient landmark.

In a letter of protest to the Commission, three citizen groups, Village Preservation, Historic Districts Council and Save Chelsea wrote that they saw no evidence that the LPC commissioners had been informed of the contrarian findings of the consulting engineer. If so, this may have influenced the approval of a new design, which is not for a full replacement of the lost landmark, but only for a new front wall and roof, in a configuration partially resembling some former historic conditions, and partially composed of salvaged bricks, cleansed of their old finishes.



Photo: Gansevoort Market Historic District Designation Report.

The designation report notes:

These six buildings, which form a picturesque ensemble at the wide, angled intersection of West 14th and Hudson Streets and Ninth Avenue, are rare surviving examples of 1840s pitched-roofed rowhouses in Manhattan. Erected c. 1845-46 as a speculative investment by Henry J. Sanford, they are more modest than the neighboring houses at 351-355 West 14th Street [see] that Sanford had built prior to the financial panic of 1845. Henry J. Sanford (1804-1854), with his brother John C. Stanford, began as a chemicals manufacturer through the operation of mills in Greenwich and Rye, Conn., that produced quinine from bark and other drug items, and by 1832, the processing of dyewoods.

The early date of construction is emphasized by the original investors' source of investment capital: quinine and vegetal dyes. Now where there had been a row of individual buildings built before 1846 standing in an historic district, little remains. There will be a new false front, framing a modern lobby, the whole overshadowed by a taller office building that seems to have crash landed in the old back parlors. Even on the street front, the rebuilt storefronts will be regularized and new-made, leading to a visible, alien space: a sad compromise for a rare old landmarked place.

19. In Manhattan, The Aalto Rooms, still unprotected

A rare work of Alvar Aalto, a suite of rooms often used for lectures and gatherings, the space is not an interior landmark, reportedly because some argue that it is not “really” a public space. It is not always open, and reservations are required in some circumstances. Numerous Broadway theater interiors have been designated, none of which is always or continually open to the public, and all of which require tickets. They have been landmarks since the days of Chairman Gene Norman and Director of Research Marjorie Pearson, who oversaw those important designations in the 1980s. The law, with carefully chosen wording, requires that a designated interior be “habitually” open to the public, as indeed the theaters are. There has been no serious challenge to such interior designations, yet in recent years they have become increasingly rare. In 2016, the Aalto Rooms were reconsidered by the Landmarks Commission, as reported by Audrey Wachs in *The Architect’s Newspaper* (December 13, 2016):

The Edgar J. Kaufmann conference rooms, lecture hall, and elevator lobby at 809 U.N. Plaza, designed by Finnish architect Alvar Aalto and his second wife, designer Elissa Aalto, demonstrate pure modern ingenuity. A cobalt-tiled lobby leads visitors to a 4,500-square-foot flexible space divided by an ash partition into two conference rooms and a 300-person lecture hall. The 12th-floor space commands sweeping views of the East River, but custom-designed louvers protect the interior, complete with Alvar’s custom light fixtures and furniture, from excessive glare. One particular delight of the space is an abstract, curved birchwood sculpture that evokes the forests of Finland. Completed in 1964-65, the interiors are one of only four projects by Alvar in the U.S. and his only surviving work in New York.

However, the Commission did not take an action. The LPC’s public relations officer was deputed to tell *The Architect’s Newspaper* that “legal issues around public access to the space preclude the rooms from designation.” This appears to have been an internal determination of some kind, not a judicial decision however, for now, the Aalto Rooms will not be protected.



This image of the Aalto Rooms appeared in correspondence on Twitter.

20. “Another landmark lost;” 28 West 130th Street, part of Astor Row

At the time of the fiasco noted here, John Freeman Gill wrote in the *New York Times*, November 5, 2021, “Another Landmark Lost”:

Many New Yorkers assume that a historic building, once the city designates it a landmark or includes it in a historic district, is protected from demolition. But that idealized notion of preservation has been smashed in recent weeks, as if by a wrecking ball, from Harlem to the meatpacking district. On Astor Row in Harlem—a celebrated strip comprising 28 brick homes that were individually declared landmarks—an 1883 house at 28 West 130th Street was unceremoniously razed last month. The landmark’s demise was the culmination of decades of neglect and months of missed opportunities involving an acrimonious tangle of players. And downtown, at Ninth Avenue and 14th Street, nine 1840s pitched-roof rowhouses in the Gansevoort Market Historic District are being partially demolished under an emergency order from the Department of Buildings.... “This demolition is a rare occurrence,” said Zodet Negrón, the landmarks commission spokeswoman.

A rare occurrence? Unfortunate choice of words: if such demolitions are rare, so perhaps were the historic buildings that were destroyed.



Astor Row broken. 28 West 130th Street, once an individual landmark of the city, now a demolition site. In 1981, when Astor Row was designated as 28 contiguous individual landmarks, Mrs. Brooke Astor was still alive and active in the direction of the Vincent Astor Fund which led a major restoration project through grants to the Landmarks Conservancy, sparking other support not only for preservation but for restored housing through civic and private investment, in the 1990s. Now, a quarter of a century later, New York is a different place.



Astor Row Houses. Photo: Andrew Dolkart, from an LPC Designation Report.



*A visit from Mrs. Astor. Peg Breen of the New York Landmarks Conservancy is with her. The Conservancy helped Mrs. Astor with administration and funding of a complex restoration project that created housing opportunities.
Photo: New York Times.*



*Before landmark designation, and thus before regulation provided by the de Blasio administration, the building at 67 Greenwich Street had survived for almost two centuries. It has now been radically rebuilt as part of a new development.
Photo from Ephemeral New York.*

21. 67 Greenwich Street, a Federal mansion built in 1810 for Robert Dickey

The mansion survived much; facing the harbor, it saw its owner's merchant ships sail into port loaded with tea and coffee; when that business failed it found a new owner whose name was Schermerhorn; it survived the great fire of 1845 that almost engulfed it; it saw the waterfront's slow social decline as fashionable New York moved uptown; later it was raided by the police as a house of ill repute. But then remodeled and repurposed in 1871, still by the Schermerhorns, it became apartments, the lot ringed by the innovation of elevated railways. With the automobile and the expansion of highways, the entrance to the Battery Tunnel isolated it, and all its former neighbors were demolished (though first duly recorded for the Historic American Buildings Survey). Next among these vicissitudes came the attack of 9/11. But for more than two centuries, against all odds, the house kept its walls and a roof. The elliptical bay that defined the formal parlor continued to stand; windows with fluted keystones and splayed lintels were still set deep in lower walls of Flemish bond brick dating from 1810. Described by Jay Shockley in the landmark designation report as a miraculous survivor, it was designated a landmark in 2005. Unfortunately, in our view, it was then that its destruction became more interesting to ingenious investors.

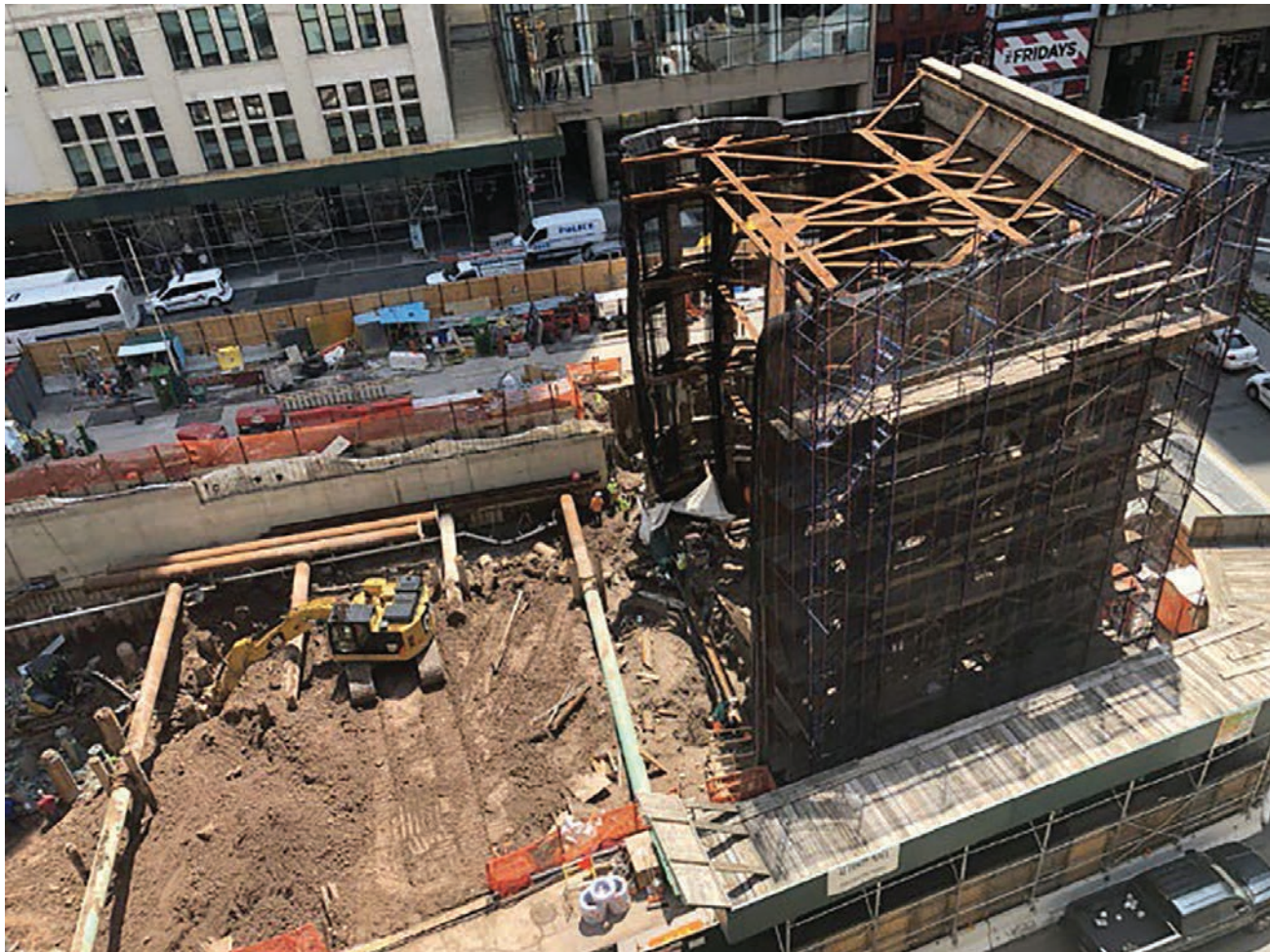
The landmark site has become part of the base of a new residential skyscraper, made more profitable by a sophisticated zoning plan involving the "public benefits" of a new school and a transfer of development rights from the landmark. What had until then been a whole building became an adjunct to this larger zoning scheme, at enormous expense, which we suppose was justifiable fiscally, as the new investment tower with its astounding harbor views rose to 42 stories, constructed of "pleated glass." In the words of John Freeman. Gill, in the *New York Times* (April 9, 2021):

The fragile shell of the house was temporarily stabilized by the installation inside it of a 150-ton spider web of structural steel, which supported the east, west and south walls. The house was gutted, and new floors of reinforced concrete were poured at new elevations that aligned with the adjacent tower's bottom three stories. What had been a four-story house became three stories, with the top story of the Dickey House left open to the sky as a rooftop play area. Finally, once the new concrete floor structures and columns were in place to brace the original brick shell, the steel spider web was cut away with blow torches.

To reiterate this incredible tale: the floor at the first story was removed, relocated vertically, and replaced with an unsuitable alien substance, the north wall was permanently removed, making the landmark an integral part of a new building. The south wall was replaced; the building was gutted, and the roof was demolished. The building was modernized leaving the attic story roofless and open to the sky as a playground for a new school—an unusually disfiguring alteration not fully visible from the street but a curiosity when seen from the surrounding tall buildings. This loss was particularly unfortunate as the former top story was a feature of alterations that had been designed for the Schermerhorn family in 1872 by the distinguished Danish architect, Detlef Lienau, a follower of Labrouste. Perhaps it might also be seen as an issue that this playground stands directly adjacent to the automobile intake for the Battery Tunnel, separated by the scant width of a sidewalk from a stream of cars slowing and waiting to enter, a unique situation that would surely expose the children to extraordinarily polluted air. That issue was raised but considered to be outside the agency's mission, though absent special pressures, retaining the roof of an individual landmark built in 1810 and altered in 1872 would hardly be so categorized.

We are sorry to report that this travesty received not only a Certificate of Appropriateness from the Landmarks Preservation Commission, but an award from the New York Landmarks Conservancy. An astonishing sum of money was devoted to the endeavor, which was made possible by advanced construction techniques, as noted by Mr. Gill in the *New York Times* account cited above. Matthew Marani also commented, in *Metropolis* (September 14, 2021): “Providing a unique approach to historic preservation, the restored landmark in the Financial District is conjoined at the podium to the FXCollaborative-designed 77 Greenwich.”

So roofless, and ready to be propped up in a sea of new concrete, the two detached and vertically dislocated original walls of the old mansion might recall the words of T.S. Eliot, “These fragments I have shored against my ruins”. (*The Waste Land*, Part V, 430).



“Providing a unique approach to historic preservation.” Above: fragments of the landmark, braced. It is lacking its roof, its interior, its floors and its north wall. This was what remained of 67 Greenwich Street as it stood beside the cleared development site for 77 Greenwich Street.



The new building at 77 Greenwich Street, known as The Jolie, shown attached to the roofless remains of the individual landmark, the former 67 Greenwich Street, dating from 1810. Rendering: Landmarks Preservation Commission.



Magnified section of the rendering, from the application to the Landmarks Preservation Commission, which approved extensive demolition and alteration at the landmark site.

22. Gough v. City of New York, et al. Regulatory Issues at Grand Central

On February 23, 2021 the LPC voted to issue favorable Advisory Reports on a project of RXR Realty and TF Cornerstone to build a strangely shaped 83 story investment tower immediately adjacent to Grand Central Terminal, affecting a portion of the Terminal’s landmark site and the landmarked Viaduct. This new architectural effort was to replace the former Commodore Hotel, now the Grand Hyatt, which although resurfaced by Donald Trump, still (in 2021) retained the massing of the original Terminal City that once surrounded Grand Central and provided a sober context for the flamboyant works of art that decorated that Beaux Arts monument and its soaring Viaduct. The LPC administration first took the position that it had no authority over this outlandish new undertaking, which was subsequently pilloried in the blogosphere in a brief video to the music of “Oh, NO! Oh, NO! Oh no, no, no, no, no!”

https://www.tiktok.com/@massengale/video/6937061165793103110?sender_device=pc&sender_web_id=7012072657069098502&is_from_webapp=v1&is_copy_url=0



Grand Central Terminal in a future context. Rendering: the NYC Department of City Planning.

Because the LPC had never landmarked Terminal City, their jurisdiction over aspects of the new project was viewed as questionable, at least by powerful governmental authorities like the MTA and major investors like RXR. However, a citizen’s attorney, Michael Hiller, reading the law from a different standpoint, pointed out that the Public Authorities Law does not claim jurisdiction over non-transportation uses on MTA properties, so that some aspects of the proposed project required review under the NYC Landmarks Law. This would require an advisory report and could entail a public hearing.

Averting further controversy, ownership filed a new application for a report relating only to the modification of the viaduct, without pursuing other aspects of the project. The LPC subsequently approved a modified version of the viaduct alteration with better materials, and asked for an investigation into the whereabouts of the original decorative lanterns, which had disappeared. In 2022, the lanterns remained absent.

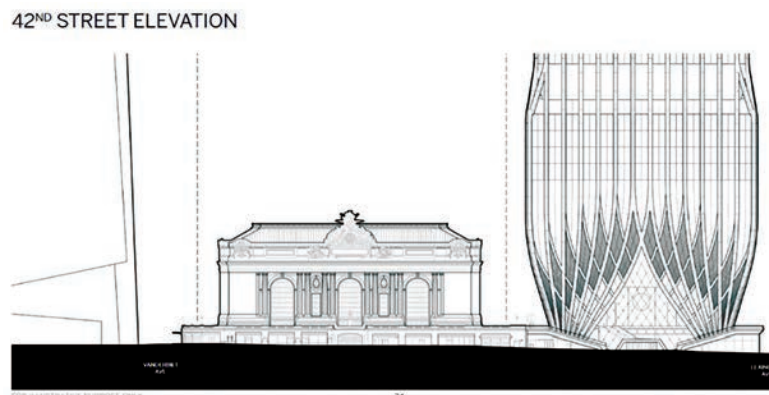
Hiller PC argued in a letter to the Landmarks Preservation Commission, September 27, 2021:

Although the proposed construction of the Mega-Tower is also not subject to the Viaduct Application, we must reiterate our objection to its construction in general. If Project Commodore were to proceed as it is currently proposed, the Mega-Tower hovering over GCT would be one of the largest buildings in New York City, and would overshadow, obscure, diminish, and alter the Landmarks. In other words, the Mega-Tower would not have a harmonious relationship with the Landmarks. In this regard, we fully agree with Commissioner Goldblum’s comments during the LPC’s February 23, 2021 Public Hearing. He explained that he reads the Landmarks Law to require the LPC to consider not only the harmonious relationship between the “streetscape” and the Landmarks, but also the harmonious relationship between the Landmarks and the Mega-Tower itself. Among other things, Commissioner Goldblum stated:

This project in my opinion is the textbook definition of the dissident relationship between a landmark and new development. Scale, massing, material, detail, historic precedent, are all, in gross terms, the way we evaluate relationships between old buildings and new ones. By every measure, in my opinion, this proposal fails to meet anything that I could conceive of as harmonious. The design is scaleless, introverted, and anonymous; I don’t think it should be built on this site. The scale reminds me of Constantine’s head in Rome. The head looks like a head, has proportion, is internally consistent, but it’s 10 feet tall, which is bigger than any head I’ve ever encountered in my life. And it’s that scale, it’s the disparity in the scale that makes the impression, and you can’t disregard that when putting that head next to my head. By the same token . . . there’s no escaping that this building is very big. Its purported relationships with Grand Central all occur at the very bottom of the very base of this design, the gathered curtains below the mostly straight banded, vertically oriented building above. The scale of the gestures is evaluated by looking at the entire building. Relative to that, the terminal is in a different universe. The proposed design totally changes the scale of its environment, resetting the metric for the landmark, making the terminal look small and out of scale.

Demolition for the new Project Commodore Supertall was set for 2023, with completion estimated for 2030. *Architectural Record* noted in “Controversial Design Unveiled” by Fred A. Bernstein (February 8, 2021):

Almost half a century ago, the U.S. Supreme Court upheld New York City’s landmarks preservation law in a case that barred building directly over Grand Central Terminal. Yet it is only because the developers bought Grand Central’s air rights that they now hope to reach almost a third of a mile into the sky. With the SOM building on one side and One Vanderbilt on the other, Grand Central may look as if it’s fallen to the bottom of a canyon.



Proposed new 83-story building: the base, illustrated here beside the terminal, standing above the 42nd Street passage at Lexington Avenue. Image from an application to the Landmarks Preservation Commission of February 23, 2021, Item #7

23. Central Park, Ambiguities at the Kinderberg Chess and Checkers House

It is unfortunate, when a ramp intended to provide universal access is designed and placed in a way that makes it unnecessarily destructive of a landmark. Once again, the Central Park Conservancy as applicant demonstrated its political clout and obtained approval for such a ramp from the Public Design Commission, with the help of a positive Advisory Report submitted by the LPC. This report was not reflective of the landmarks commissioners' extensive and detailed adverse comments at the public hearing. Also lost in the shuffle were some appropriately scathing remarks found in public testimony, especially from the Victorian Society.

Every commissioner criticized the location of the ramp, or the materials specified, or both. Their comments are recorded on YouTube, LPC Public Hearing of December 7, 2021, Items #9 & 10):

Commissioner Chapin: As some speakers suggested ... there should be some effort to rusticate the ramp, so it doesn't look as intrusive and modern.

Commissioner Goldblum: A peculiar amalgam of design elements...the ramp's location is acceptable except for its immediate abutment of the stair... I would suggest they slide it to the north, if they can get at least five feet... it would help bury the ramp into the landscape...

Commissioner Devonshire: I agree completely that stair needs to be a grand entry on its own.

Commissioner Chen: I just want to echo that some of the surfaces of the ramp that are smooth, you may want to work with the staff about alternatives.

Commissioner Lutfy: ...completely in agreement with my colleagues about the materiality of the ramp and Michael Goldblum's suggestion about possibly moving it is worth investigating, but the big issue is really the materiality and making sure that the stone is irregular on the retaining wall.

Commissioner Jefferson: I agree with Commissioner Goldblum that the ramp has to be moved, it should not touch the stair, should be a separate element, the materiality you have to be careful with that...but not touching the podium and not touching the stair.

Commissioner Gustafsson: The ramp is probably the only area of concern for me...it will always be seen so there needs to be some finish element even if there is landscaping in front of it. And disconnecting it from the stairway is important.

Commissioner Holford-Smith: Pulling the ramp away from the stair is important, and I agree with making the finish more naturalistic.

Following these comments, the motion to approve a positive report *with modifications* was made by the Chair and read into the record (provided by the YouTube recording.) The motion passed unanimously, but seems to have had little effect.

The Report LPC staff subsequently prepared for the Public Design Commission is simply "a positive report for the proposed work," as put forward by the Conservancy and "consisting of sixty-six slides, featuring photographs, color renderings, and line drawings, all of which were presented as components of the application, completed on November 11, 2021," which is described as "a digital presentation titled 'Kinderberg/Chess and Checkers' dated December 7, 2021, prepared by the Central Park Conservancy."

This Report was an approval of the original Conservancy proposal, the very submission that was

so roundly criticized by the commissioners. The presentation, preserved online, and not amended, shows the wall of the historic stair as finished in stone but the new ramp walls as smooth and bright white—perhaps in keeping with the applicant’s originally stated intention to keep the new design clearly differentiated from the historic landscape. The Report contradicts itself, first stating “The proposal consists of constructing a barrier free access ramp featuring bluestone clad retaining walls,” although the only bluestone clad retaining wall illustrated in the documentation is a small part of the sidewall of the existing adjacent stair, while hundreds of feet of ramp walls are shown clad in a bright white material with a smooth surface. The Report inaccurately concludes “...the Commission voted to issue a positive report,” (it voted to issue a positive report with modifications) “with the recommendation that the applicants explore alternative treatments to the ramp retaining walls to help them to better harmonize with the surrounding naturalistic setting....and that the applicants explore moving the proposed ramp away from the stair.” Appending a so-called “recommendation” to “explore” vaguely defined alternatives does nothing to convey the urgency of the commissioners’ comments at the hearing: “the ramp has to be moved,” “the ramp is an area of concern,” “rusticate the ramp so it doesn’t look so intrusive and modern,” “the big issue is really the materiality and making sure that the stone is irregular on the retaining wall,” etc., etc. Appending such “recommendations” to a text that nevertheless specifically approves the original submission is a meaningless gesture. which fails to convey the substance of the unanimous objections made by the commissioners, the Chair and members of of the public at the hearing. As public review, the exercise was completely dysfunctional. It may as well never have occurred.



It should be noted that the commission has other options, currently ignored, that might influence outcomes. Before issuing any report, the commission could have asked the applicant to return with a modified proposal. Alternatively, as in the past, it could have actually issued a negative report, based on the criticisms voiced at the hearing.

By law, a report on proposed alterations to a designated park landscape is advisory in nature, but it need not be submissive and hypocritical. Realizing that the world has moved on, and that for many the rubberstamp must be an obsolete or even unknown technology, we will not so characterize the Public Design Commission. However, their cursory review of this item might have been surprising to those who created the original Art Commission in 1898. Central Park is vast, and one small area of smooth white concrete may seem a trivial concern, but the problem here is with the failed process: the pretense of regulatory oversight when little, if any, true oversight is involved.

This item points to a larger vulnerability. Landmark designation of city-owned properties such as Central Park was not attempted in the landmarks law as originally drafted: it was introduced later among 1973 amendments enabling interior and scenic landmarks. Since then, comity has been elusive. The Central Park Conservancy is perhaps the more politically powerful of the Manhattan players, a quasi-governmental entity with immense social prestige and billionaire wealth. The status of man-made elements within the park is further clouded by a modification of the City Charter, giving the Public Design Commission binding jurisdiction over landscape features, while the LPC governs “buildings.” Thus, if observing the letter of the law, the LPC Reports are “Advisory” on landscape features and “Binding” on “buildings” in parks. However, this Giuliani administration initiative, Charter Section 845(h), seems not to have been very uniformly applied, at least since the de Blasio administration took control.

In reality, some landscape features are man-made, designed and built, not least when they incorporate structures such as bridges, roads, paths and pergolas, and Section 845(h) can create a false regulatory dichotomy, particularly glaring in the case of a unified work of art like Central Park, where setting and structure were originally created to be as one.

Recalling the legendary town of Lake Wobegon, where all the children were above average, in the last eight years, all the Advisory Reports on park alterations issued under Charter Section 845(h) have been Positive. It could be argued that since such Reports are “non-binding,” objection would be futile. Alternatively, it could be argued that the entire designation and approval process borders on illusion, in so far as it concerns Parks. Can we believe that regulation here need not be detailed or draconian, as the supernatural perfection of our Parks-related bureaucracy always and everywhere preserves them from error, even in the rationale for pouring smooth bright white concrete on a landmarked rustic hillside?

24. A huge new dwelling behind two historic district street fronts

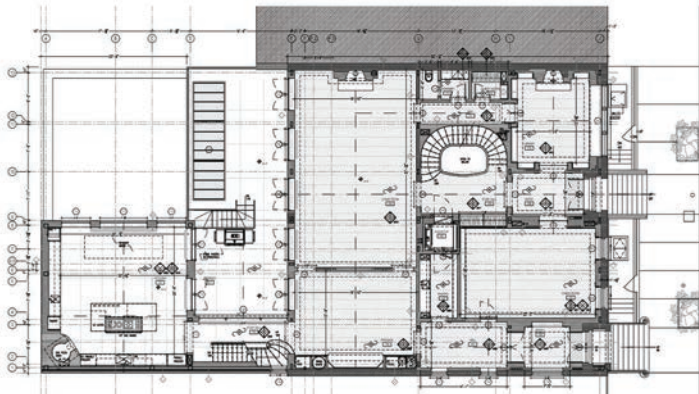
Not all destruction involves building those towers now known as supertalls. The whims of investors are various, horizontal as well as vertical. Today there is a fashion for combining several adjacent “protected” multi-million-dollar town houses into one vast manse, demolishing party walls and cutting away floors to create what are sometimes called Great Rooms, while also excavating and adding on structurally, to meet the immense needs of the new owners. This is particularly galling when the cultural history of Greenwich Village is lost along with the old bricks and mortar and hidden gardens, all in the name of restoration. The original thing may indeed have been shabby or peculiar, or just relatively small, the work of some local designer now resting in his grave without the blessing of *Architectural Digest* or *Future Anterior*.

Considered singly, instances of such disappearance may seem trivial, the targeted buildings disparaged as not in “original condition” or not in the style “for which the historic district was designated” albeit half a century ago— but still, before the Giuliani administration, it used to be argued that whole buildings and their whole history were subject to protective review. This new kind of radical alteration, devastating to what used to be called the *tout ensemble* of a district, rebuilds behind the street front with a change of scale from domestic to grandiose.

So here on at East 10th Street in Greenwich Village, two one-time studio buildings, vestiges of the early 20th century artistic colony, have lost their identity, their facades victims of a misplaced architectural historicism in tandem with the most timid “good taste.” The silly old green shutters with their cut-out hearts were trashed, the pastel paint colors washed away, and an absurdly oversized grid of windows installed by a rebellious local architect gave way to sedate decor and a whiff of the influence of serious money.



Before: two old rowhouses on East Tenth Street once converted into early 20th century artist's studios will now be one vast residence featuring a “great room.” Photo: Village Preservation.



After: The “great room” spanning the two old houses, now one elite mansion, erasing markers of Bohemian life in those artists’ studio conversions that made Greenwich Village a famous locale a hundred years ago. Landmarks Preservation Commission. Public Hearing Item 1, 22 East 10th Street, April 12, 2022, approved.

25. 200 Montague Street, in the Borough Hall Skyscraper Historic District: the Demolition of a “Protected” Building (to be replaced by something larger)

This item was heard first on March 5, 2019, #3 and then on May 21, 2019. #PM1. In Brooklyn, in the Borough Hall Skyscraper Historic District, the former 200 Montague Street was not a skyscraper, rather it was a small bank, which had been built in 1960 as a two-story, aggressively modernist building designed by Philip Birnbaum. It was expanded to four stories in 1968. Some forty years later, the stark, black and white façade was refreshed, arguably in the same style, which was no longer as fashionable as it once had been. Moreover, the original bank’s “drive through” feature, with its unusual automotive turntable, had been removed. Thus the building was not in “original condition,” nor did it harmonize, at least stylistically, with the protected skyscrapers around it, most built much earlier in the 20th century. By 2019, the site was interesting for re-investment, and a proposal arrived for a new, stylistically ambiguous skyscraper, which did not actually touch the sky, but rather adhered to the side of an older corner skyscraper for some 20 stories. It was described promotionally as an “elegant dark contemporary residential tower.” Why would anyone care?

Some did. At the first presentation, there was considerable hesitation around the demolition and absolutely no enthusiasm for the new building. Even as several commissioners acknowledged that alterations to the existing building had been radical, some felt restoration might still be an option, and, exploiting the technical jargon of preservation, one commissioner rather cruelly remarked that a “Style” building was being replaced by one that could be characterized as “Style: None.” Others called for at least some memorial reference to what had been there, some “*hommage*,” one said.

The discussion became abstract and theoretical in ways not always seen, even as it took on a slightly funereal character with obituary praise and calls for at least some memory of what had been. Since only seven were present and voting, it was almost immediately clear that the six votes needed to approve would not be there, and the discussion waxed abstract and protracted.

Some three months later, however, a more business-like approach prevailed. Different in color but otherwise much the same, the proposal slipped through, 6-2, with one recusal, one notable absence, and no public debate.



200 Montague Street: left to right, the building as landmarked, the original replacement proposal, and the darker version approved. Renderings: Landmarks Preservation Commission

In federal historic districts, a distinction is drawn between buildings that are described as “contributing” and those that are not, the latter receiving less consideration. No such exemption is specified in the New York City landmarks law, but preservation-minded civil servants have devised and obtained an indirect additional protection by defining the “style” of each building listed in a new Historic District Designation Report, a report that has to be approved, of course, by City Planning, and the City Council. If a building really has nothing to recommend it, it may be described as “Style: None,” or earlier, “Style: Not applicable.” Over the years, it has been a practice to allow demolition of these “Style: None” buildings, preserving the others.

Elsewhere in the Borough Hall Skyscraper Historic District, there are two “Style: None” buildings, 52 Court Street, and 62 Court Street. 200 Montague Street is described as “Style: Altered modern.” But now it seems that the long-observed “Style” “Style: None” distinction is ignored without comment. Under de Blasio, six commissioners feel free to use the originally conferred ability to approve demolition of anything standing in an historic district, without limitation, if they so choose. This demolition, although presumably lawful, could be seen as a tectonic shift—or as just another example of obscure administrative priorities functioning erratically, like the staff-level permit that was available without public hearing for the demolition of the significant interior of an individual landmark, the McGraw Hill Building.

26. The New Rules initiative of 2018

The epic battle of the Srinivasan years, however, was not over any individual failure of regulatory action: it was over changes in procedure. When the de Blasio administration proposed new administrative rules for the LPC in 2018, it was one of the last times preservation advocates fought effectively together to uphold the principles of the law. The Commission had produced an exhaustive rules revision, so extraordinarily destructive of accepted administrative practice and policy that opposition was galvanized in every corner of New York and in the media, and elected officials rallied to attack the changes. Fortunately subject to review under the City Administrative Procedure Act, the revision largely crashed and burned, and while this was not her stated reason, Chair Srinivasan resigned in 2018. The complex administrative structure she had proposed, expounded in 131 pages of densely packed text, had been loudly acclaimed by the Real Estate Board of New York. Reducing public hearings, thus avoiding public notice and public comment and also press attention, while expediting applications for many permits by re-classifying them according to “work type,” without the customary overview of context, the scheme privileged convenience for the applicant over protection for the landmark.

Decisions that the law had originally made subject to commissioner approval were transformed into ministerial acts required to be granted routinely by staff, as if they were dog licenses. The expert staff would have been effectively prevented from advising better solutions to inexperienced applicants, and commissioners who were architects might not even have seen applications their free advice could have transformed. Formulaic stipulations and the often-repeated mantra “will not call undue attention to itself” were typically vague, subjective and unenforceable. By actual count, the “undue attention” criterion was used 28 times in the new rules, although previously, it had never been used in rules at all.

Encouraging the use of an array of synthetic materials by expediting permits for their use is another questionable policy. An earlier approach to staff level permits was to issue them for best preservation practices, in hopes that applicants would do the right thing if they could do it immediately. Permits for some substitute materials in façade restoration might better be treated as CofAs until the substitute materials have been shown to meet the test of time, and their castings and application techniques sufficiently tested and refined from an esthetic standpoint. It is not necessarily unwise to be skeptical about the characteristics of new products. Recently in London, government and the real estate industry rushed to use inadequately tested new cladding materials, resulting in the notorious Grenfell Tower fire of 2017, where 71 people were killed. Subsequent investigations identified more than a hundred other buildings where this dangerous aluminum and polyethene cladding had been used, available due to modified fire safety regulations. Not that fire is a landmarks issue, but a judicious use of time tested materials may bring a wide spectrum of benefits to a city.

In the 2018 proposed revisions, “work type” permitting also raised legal issues of segmentation, that is, breaking up major initiatives into multiple minor parts that were potentially approvable at staff level, when their combined impact might have called for commissioner review. A subset of this problem was apparent in the regulation of original gardens at the center of pristine townhouse blocks

in historic districts. The proposed mandatory staff level approvals could have resulted in a plethora of build-outs destroying a green oasis that had been a common amenity, a historic design feature of benefit to all, not least as a matter of preserving the unusual property values historic districts can enhance. The above is just a sampling of the multiple destructive innovations proposed in 2018, which fortunately were not fully adopted at that time.

The historic preservation community, thus believing it had succeeded, and happy with the departure of Chair Srinivasan, supported the nomination of Sarah Carroll to replace her. Ms. Carroll was known to all for her longstanding and effective service in the preservation department. The letter of support for her elevation was signed by almost every known historic preservation organization in the city.

There are long and lofty interior corridors on the upper floors of the Municipal Building, one traversing the offices of the Landmarks Preservation Commission. Before Covid, this was the setting for many off the record discussions over the years. When the commission Counsel stopped the monitor from the Society for the Architecture of the City there, he said only, “You didn’t sign the letter. Why?” He received an evasive answer, but the last years of the de Blasio administration as described here provided confirmation for the worst fears besetting an observer. The Srinivasan legacy, albeit not fully codified, continued to haunt administrative policies.

27. The “Heard but not designated” controversy

In their attempt to modernize agency procedures, the de Blasio administration promptly took note of what they perceived as a procedural irregularity: it had become accepted practice to put on hold permission to alter or demolish properties that had been calendared for designation by the Commission but not accepted by the City Council and the Mayor. In some instances, such perhaps controversial protection had lingered on for a very long time. When Chair Srinivasan announced her intention to wipe this slate clean, at once, cries of rage and pain arose in every borough. So, unexpectedly unpopular, the administration retreated, and agreed to hold a new designation hearing on each of the numerous existing items affected. The *Times* reported that there were 94 individual landmarks and two historic districts involved. Preservationists rose to the occasion, producing testimony in quite unprecedented quantities for the newly scheduled back-to-back opportunities to speak. In some cases, an elected official who perhaps had once exercised an informal veto over affirming a designation was no longer there, and a number of new landmarks finally joined the roster, though others did not, but at least efficiency reigned.

In 2018, Dr. Jeffrey Kroessler more fully addressed the vagaries of the research department at that time in his long essay, “Losing its Way: the Landmarks Preservation Commission in Eclipse” in *Environmental Law in New York, Vol. 29, Nos. 8 & 9*. His comments, based on a report first issued by the venerable City Club, were a rare example of serious detailed criticism of governmental preservation policies, and extended to other aspects of the Commission’s work.

While some of his criticisms have been addressed or partially addressed, other policies he described remain problematic. Dr. Kroessler wrote:

The concept of designating a historic district according to a tightly defined “period of significance” flies in the face of not only preservation theory but also the history of the city. Best practice in preservation today encompasses layers of architecture, history, and culture, especially in historic districts. It is this palimpsest, this juxtaposition of buildings from different eras and with different characteristics, which enlivens our city.

In a very few cases, the idea of a period of significance makes sense. All of the Sunnyside Gardens Historic District, for example, was built between 1924 and 1935. That history provides a very clear direction for regulation. But what is the period of significance for Greenwich Village? The buildings date from the early 1800s to the 1960s, and styles range from the Federal Period to post-war modernism. The 1969 designation report tackled this very question: “From the totality of Greenwich Village emanates an appearance and even more a spirit and character of Old New York which no single block thereof and no individual Landmark could possibly provide. It is this collective emanation which distinguishes an Historic District, and particularly Greenwich Village, from a Landmark and gives it a unique aesthetic and historical value.

By contrast, the 2016 designation report for the Sullivan-Thompson Historic District locks the Commission into a tightly constrained definition of significance. Using that definition as the basis for regulation puts buildings within the historic district at risk. This is unprecedented, and in terms of historic preservation, heretical.

The “Purpose of Designation & Statement of Regulatory Intent” in the Sullivan-Thompson designation report exclaims: ‘The period of significance in this historic district is the early 19th century to the Great Depression, when most of the development within the district occurred. It goes on to define “[t]he buildings from this period that contribute to the streetscape.” Such a statement is clearly intended to exclude all other structures. Never before has a designation report, the legal document voted on by the City Council to ratify a designation, denoted certain structures as being outside the sphere of protection.

Furthermore, the report specifically calls out ‘immigrant history’ as the characteristic giving the district its sense of place. Historians and architects would certainly counter that more than one layer of history leaves its appealing mark on any city block. But the report argues:

Buildings that were developed after this period do not convey the history of immigration in this district, as expressed through the earlier residential, institutional, and commercial architecture of the historic district. Therefore, the buildings that were constructed, reconstructed, or heavily altered after the 1930s, and vacant lots and lots on which new buildings are being constructed are non-contributing to the historic district. In some cases, these buildings have been given a style in the designation report; however, the style field does not attribute significance to the building within the historic district.

Dr. Kroessler was right to try to call attention to this policy. It offers a certain spurious logical consistency: if a building can be designated for some aspect of its role in history, as apart from its material appearance, what more is needed? Or, if its history is a contribution to the historic district, why would its appearance be subject to strict regulation, preservation, or even restoration to an earlier state? The mere fact of existence would be enough, and not far from that position is the thought that the memory alone, perhaps documented by a plaque, might be sufficient in itself. So much for reality, and the visual “*tout ensemble*” that once was thought to characterize the historic district.

This type of divisive analytical thinking would define the historic district without interfering unduly with the investment potential of certain sites, perhaps a majority of the sites in the theoretically protected area. It could become an unreal city, a zone existing mainly in the bureaucratic

imagination, because some unspecified number of components would be effectively deregulated from the start. New buildings might not be required to harmonize architecturally with the old, if the existing old buildings did not meet the newly minted criteria for significance. The unwary preservationist might believe something had been accomplished by designation, while the investor would see the opportunities. In a city as large as New York, few might even be aware of the larger picture. How many people even though genuinely concerned about historic preservation actually follow the LPC calendar and know what is being approved today? How many preservation societies review the outcome of commission approvals? There is no opportunity for public comment built into the process after the Certificates and Reports have been issued, only staff-level review of compliance with the approved plan.

The phenomenon of double designation, that is, the designation of a building in an historic district as an individual landmark, became prominent during the de Blasio administration with the individual landmark designation of the Stonewall Inn during Gay Pride Month, 2015. The civil rights history of the Stonewall Inn is of course not mentioned in the Greenwich Village Historic District designation report, because the Stonewall Rebellion took place after the district was designated. With an undocumented history in terms of its description in the district designation report, this architecturally unremarkable building could theoretically have been vulnerable to the issuance of damaging staff level permits. Thus the double designation, welcomed by LPC Chair Meenakshi Srinivasan, had practical as well as commemorative value, and was praiseworthy procedurally, beyond its political value.

Less welcome were the procedural modifications introduced--not as changes to the law or the official Rules--but as conditions reducing regulation, outlined in certain de Blasio administration designation reports. Such changes achieve a certain limited legal status since designation reports are approved by the City Council and the Mayor, with little if any public scrutiny. In 2017 the Society for the Architecture of the City raised detailed objections in a long report, *Undoing Historic Districts* (available at <https://villageviews.org/>) This was occasioned by issues raised in the Sullivan/Thompson Historic District designation, which we described as a Rashomon Effect, in that there was contention as to the exact standing of buildings deemed less significant in an historic district. It is fair to say that this publication of ours had no discernable practical effect on the historic preservation establishment. Unfortunately, this fate seems to have been largely shared by the previously cited *Losing its Way: the Landmarks Preservation Commission in Eclipse* from Dr. Kroessler and the City Club (<https://cityclubny.org/losing-its-way/>).

Dissent, apparently, is a bridge too far for many preservation enthusiasts.

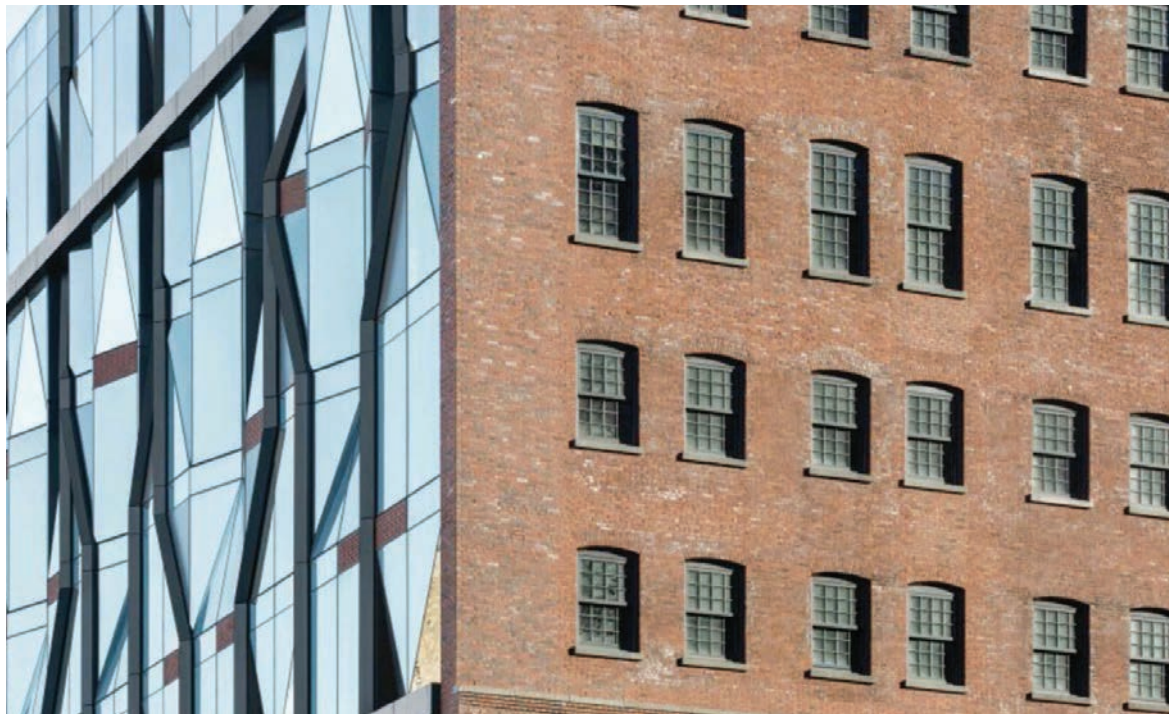
28. An Adaptive Re-Use Puzzle: The Crystalline Structure of Sugar

Again, at 10 Jay Street, in the DUMBO Historic District (that is, Down Under the Manhattan Bridge Overpass) an old factory building was adapted for reuse. In 2016, the commission approved a new glass exterior wall. To a degree, the rationale was intellectually viable; the intention was for the new wall to reflect the building's former use as a sugar refinery. Unfortunately, as built, the wall failed dismally to communicate the intended message in visual terms and remains an enigma to the passerby. While three sides of the exterior were treated to conventional restoration, this riverside wall was completely covered by a huge expanse of strangely detailed glass in a succession of irregular arrangements of geometric forms. According to the architects, "ODA dug into the site's history, drawing a series of skins that evoke sugar crystals, broken geodes and crystalline surface that now serve to reflect the park, and the river sunsets that define its surroundings. The renovations restore the three east, north and south original facades to their historical masonry condition, plus the interior brick vault ceilings and columns. The proposed spaces offer open floors for dynamic office arrangements."

This design, the firm of Higgins and Quasebarth maintained, spoke of local history by alluding to the building's former use in a contemporary way, because the angular array of strangely shaped panes would recall the crystalline structure of sugar. But in these floor-to-ceiling windows, the change of scale alone defied any imagined allusion to rock candy, and the rather timid protrusions here and there failed to recall any three-dimensional object, much less the structure of a crystal. Pretextual at best, hypocritical at worst, such excuses for historic reference miss the mark completely. But there is no assessment of the outcome from government, the experiment had only to be executed as proposed in the approved drawings to receive its final certification.



The river side of 10 Jay Street, said to recall crystals. of sugar. Image: ODA Architecture.



Another view: historic preservation today. Image: Pavel Bendov, Architect Magazine.



*Photographed by David Attie, Truman Capote on the staircase at 70 Willow Street before the Landmarks Preservation Commission existed. Ostensibly protected, the building is much altered today. This 1958 image is the frontispiece of the posthumous 2015 edition of *Brooklyn: A Personal Memoir*, by Truman Capote, With the Lost Photographs of David Attie.*

29. 70 Willow Street, Brooklyn Heights Historic District

The amazing popularity of historic preservation has led to of an immense quantity of landmarks. Recognizing the public interest in avoiding their destruction—and that their role in history can confer an intangible value—government has stepped in. Thus the hardship provisions of the law allow the agency to delay total demolition of a abandoned landmark property while seeking a different outcome. But for partial demolition, procedures are different and more nebulous, as seen at 70 Willow Street. Here, in an historic house, the application was to demolish a 19th century white wooden back porch with small columns and the garden it overlooked to make way for the swimming pool desired by the new owner, a famous chanteuse. The interior was already set to be gutted through a staff-level permit, because the house, dating from 1839, was not registered as an interior landmark. This particular house had links to a Bohemian past, a time before the district was designated and inhabited again by reasonable people. There had been an old house at 7 Middagh Street, long ago demolished to make way for the thriving empire of The Watchtower Bible and Tract Society. That house was once well known in certain circles as the shared home of artistic rebels: among others, Carson McCullers, Benjamin Britten, Peter Pears, Jane and Paul Bowles, W. H. Auden and Chester Kallman, Oliver Smith, Marc Blitzstein, Richard Wright and Gypsy Rose Lee. Those artists were content to dwell surrounded by the past, intellectually and otherwise, in a neighborhood then regarded with good reason as rather dangerous. When 7 Middagh Street was lost to the Jehovah's Witnesses, Oliver Smith bought another house nearby, at 70 Willow Street, a grand four bay Greek revival mansion that had seen better days, and let the basement to Truman Capote, who wrote *Other Voices, Other Rooms* there. Smith, upstairs, used the attic as his studio, and remained for the rest of his life.

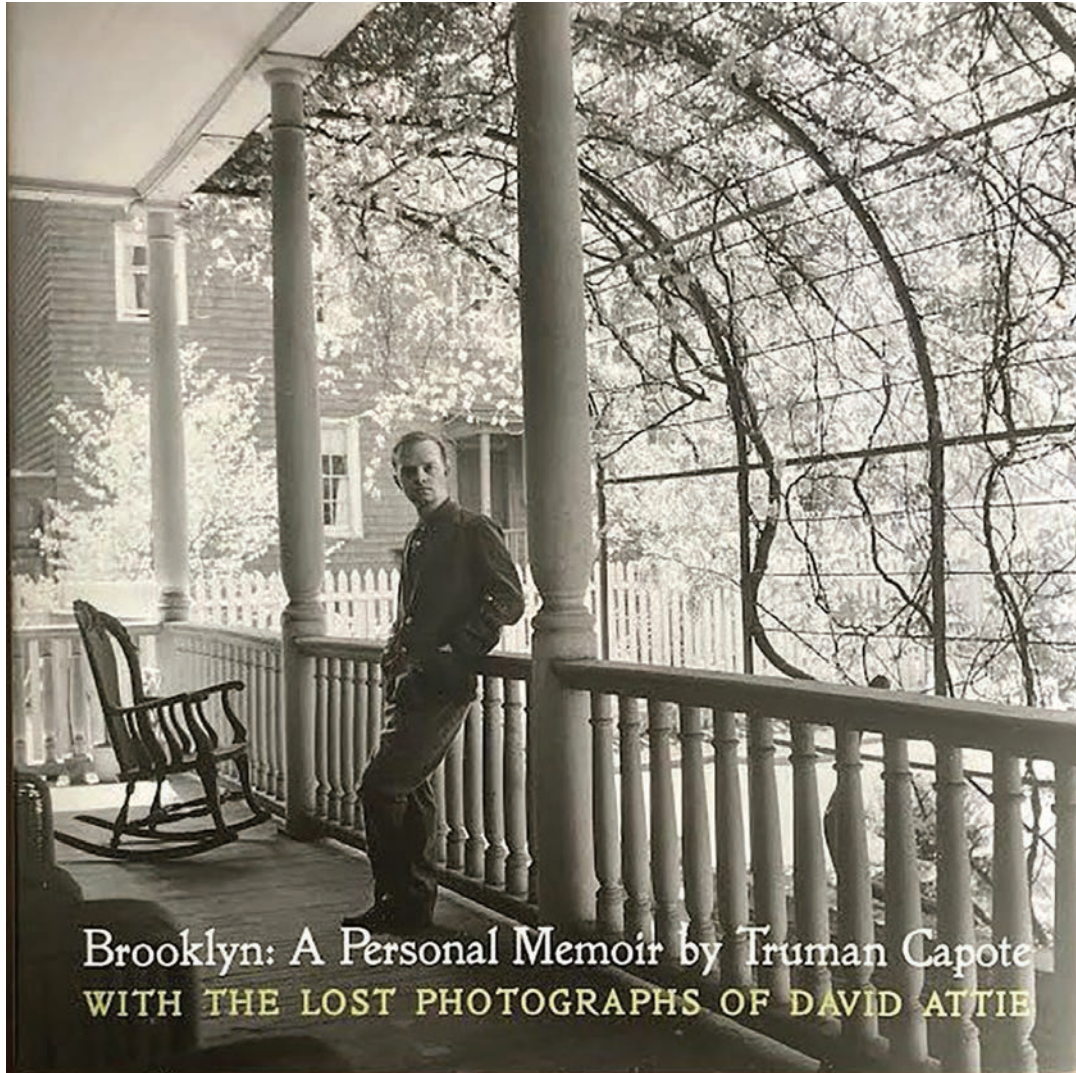
At 70 Willow Street, the back porch was wreathed in old wisteria, and the house itself was painted bright yellow. Jackie Kennedy went to lunch there—recalling theater in the 20th century, Oliver Smith, her host, designed the sets for everything from Léonide Massine's Ballet Russe de Monte Carlo in 1941 to legendary Broadway musicals like *My Fair Lady* and *West Side Story*, and a look at his long obituary in *The New York Times* might make us think that “original condition” or no, Smith had ideas about color that were completely over the heads of today's self-made millionaires and doctrinaire civil servants. Yellow no longer, bereft of its wisteria and its veranda, but perhaps well equipped for health-giving aquatics, the skinned shell of the old house at 70 Willow Street still exists, at least as seen from the front. At hearings in 2015, one commissioner ventured that renovation is not necessarily the same thing as restoration, but the vote to approve was unanimous. And indeed, if it had in fact been restoration, the permits could have been issued months earlier at staff level without any public hearings at all. The new owners, presumably with the concurrence of the highly skilled staff of the city agency, have stripped the yellow paint, and installed new shutters on the long windows at the first floor. This was perhaps otiose, if the house, built in 1839, had interior shutters built in, a luxury that was customary in great houses at that time, but now, apparently, no one knew or cared.



70 Willow Street. 1926 image from [The Bowery Boys: Ten Fabulous Facts about 70 Willow Street](#) (Apple Podcast, New York History.)



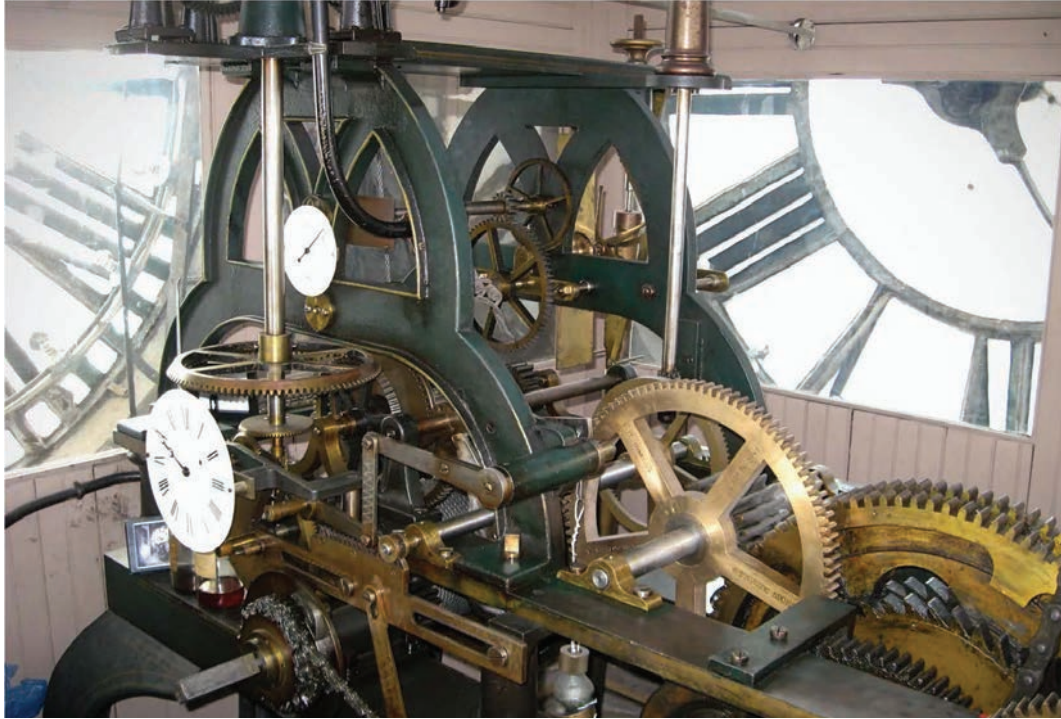
The Yellow House, as Oliver Smith had kept it. Photo: Sotheby's.



Above: Truman Capote under the wisteria on the now demolished back porch at 70 Willow Street: from 1953 to 1965, he had the basement apartment. Oliver Smith owned and preserved the house for 40 years, but after his death, the Landmarks Preservation Commission under Chair Srinivasan approved demolition of the wisteria porch to create a backyard swimming pool for new owners, who had paid some \$12 million for the house and undertook what was described as a “gut renovation”.



Left: After the Landmarks approved renovation. Photo: Untapped Cities. Perhaps the asymmetrical configuration of the four-bay front looks odd with the new external shutters. To the left of the front door, there is little space for clearance. Many New York houses of the period had interior shutters, especially in reception rooms.



The former action of the great historic clock at 346 Broadway. It is no longer operational due to the Landmarks Preservation Commission approval of electrification. Photo: Jeremy Woodoff.

30. The Clocktower Fiasco: dismantling the historic action of a giant four-faced mechanical clock crafted in 1898, a rare device once crowning a landmarked skyscraper on lower Broadway

The action of this supposedly protected clock was taken out of use so that the timepiece could be electrified and its tower repurposed as a luxury penthouse, when the city-owned skyscraper was sold to the Peebles Corporation by the Bloomberg administration in 2013. A 2014 approval from the Landmarks Preservation Commission to the clock followed this fiscally prudent decision.

Originally the white marble offices of the New York Life Insurance Company, 346 Broadway subsequently followed the pattern of 20th century change in lower Manhattan, as ornate but newly obsolete commercial buildings were, as they say, “reborn,” transformed into luxurious residences. Thus the signature McKim, Mead and White clocktower became part of a very expensive multiplex penthouse, and while the four external faces of the clock were clearly protected features, the action behind them seen as part of a private interior, no longer accessible to the public or the volunteers from Save America’s Clocks, who had for years climbed up a slender metal ladder to wind the old devices every week, when they stood on what had become a property of the City of New York. Solicitous as ever of potential ownership rights, the Landmarks Commission saw fit to solve what they perceived as a jurisdictional problem by approving the disconnection and partial dismantling of

the mechanism of these four unique handcrafted timepieces, so that they could be powered remotely by electricity without disturbing the domestic peace of any future resident millionaire, a sort of Solomon's choice that outraged horological connoisseurs and historians, and led to litigation, *Save America's Clocks, Inc. v. City of New York*. On a third try in Albany, at the New York State Court of Appeals, modernization prevailed, and the Landmarks Preservation Commission finally succeeded in effecting the destruction of a protected feature of the landmark and of the landmark interior housing the historic clockwork whose mechanical operation was a significant aspect of the original designation.



*Left: The Clocktower at 346 Broadway as it was, after the 1898 expansion by McKim, Mead and White. Photo: NYPL.
Above right: photo of one of the four clock faces, by Jeremy Woodoff for Save America's Clocks.*

31. *Strange Confections: the Domino conversion*

The role of contemporary design in the restoration of aging landmarks has been in question since earliest days. The law wisely only requires appropriateness, leaving the commissioners to decide what that is, in difficult cases.

In the arcane world of antique harpsichords, there is a type of construction known to specialists as the “false inner/outer.” Here, recalling an earlier type—where the plain cypress-wood instrument was housed in a separate outer case, like a violin—17th century harpsichords began to be built in imitation of an older instrument resting in a lavishly decorated case, the two outer walls now one, inseparable.

During the Bloomberg administration, as part of an initiative to attract new investment to Brooklyn, to DUMBO, and also to the neighboring artistic colony in Williamsburg, several old landmarked warehouses were renovated for modern life by adding glassy enclosures and small superstructures, to keep the eating and shopping public feeling at home among the ruins. Under de Blasio, this concept pushed the boundaries more than a little.

In Williamsburg, the Domino conversion at 292 Kent Avenue has been approved in stages, like the legendary instructions on how to boil a monkey. Eventually it was to retain only part of the shell of the originally landmarked factory building, while providing a huge new barrel-vaulted glass structure within, behind and far above the ambiguously standing old walls, their window openings empty, their floors gone, their roof lost. The now dysfunctional smokestack remains as a strange memento of an industrial past. Some landmarks commissioners found the design concept troubling, according to Lore Crogan in *The Brooklyn Eagle* (October 21, 2017)

Commissioner Michael Goldblum said he liked the aesthetics of the new design — but questioned whether it’s “appropriate” because it would turn the landmarked factory into a “ruin.”

Commissioner Michael Devonshire agreed with Goldblum.

“I am strongly troubled by the issue of taking a building and turning it into a ruin,” Devonshire said.

The skepticism of a minority at the commission caught the attention of reporters. Audrey Wachs in *Architect’s Newsletter* cited comments of Commissioner Goldblum in her account, “Gettin’ Granular: Landmarks sends PAU’s Domino Sugar Refinery design back for revisions” (November 1, 2017)

“As an architect, I really like the aesthetic,” said Commissioner Michael Goldblum. “To my recollection, this is the first time a building that is and was understood as an occupied volume is being transformed into an unoccupied ruin or ‘armature,’ to be read as an independent object from the [proposed] structure.”

“I’m not saying it’s inappropriate, but I’m struggling,” he added.

Built in 1884, the Havemeyer & Elder Filter, Pan & Finishing House was designated as an individual landmark in 2007. However, in 2017 demolition that left standing only part of a hollow roofless shell was approved and executed, moving the Landmarks Commission into new territory as a progenitor of artificial ruins. Deconstruction is underway. The refinery was vacant, but it seems worth asking, is this outcome a success?



Under construction. Photo: Susan De Vries for Brownstoner.



LPC rendering from the Practice for Architecture and Urbanism (PAU), via Brownstoner.



No longer a work place, the future pleasure dome, shown above, is to be a party room, and will rise above what remains of the old refinery. Design: Practice for Architecture and Urbanism (PAU) for Two Trees, Masterplan: Shop.

32. *Sins of Omission: The Union Carbide Building and Natalie de Blois*

Today it is fashionable to pay homage to architects who are women, but apparently at the LPC that attitude does not extend to the late Natalie de Blois of Skidmore, Owings and Merrill, who is widely credited with a predominant role in the design of the now non-existent Union Carbide building at 270 Park Avenue. Said to be the tallest building ever demolished in New York, it rose 708 feet, but it was not tall enough. The replacement will be “supertall,” approximately 1427 feet. *Sic transit gloria mundi*. David Dunlap wrote of her, in the past tense:

In architecture’s “Mad Men” era, there was a woman. Almost invisibly in her own day, Natalie de Blois, of Skidmore, Owings & Merrill, helped guide the design of three of the most important corporate landmarks of the 1950s and ‘60s—the headquarters of Lever Brothers, Pepsi-Cola and Union Carbide—whose suave steel-and-glass façades still exude the cool confidence of postwar Park Avenue.

Perhaps we should not be surprised by the gender of the officials responsible for forestalling any action to protect the Union Carbide Building, when it was widely known to be endangered. They were Meenakshi Srinivasan, Sarah Carroll, Mary Beth Betts and Kate Lemos McHale.

The fate of the Union Carbide Building, demolished in 2019, did not come entirely as a bolt from the blue. The mapped area where it stood was fully studied and reviewed by government and certain leaders of the historic preservation establishment before the East Midtown Rezoning was enacted. Still, just before the end, when it was too late, some in the private sector were raising alarms: Docomomo and the Historic Districts Council circulated petitions, and pointed out that while 12 endangered buildings had just been landmarked by the Commission in response to the rezoning, 30 others identified in the target area remained unprotected, even though identified as potentially eligible in the “Final Environmental Impact Statement for the Greater East Midtown Rezoning,” that giant if often unread government document generated in the process.

In 1957 Ada Louise Huxtable saw Union Carbide as one icon of a new American architecture. This we know because *The New York Times* was then under the influence of John Oakes, whose editorial support for historic preservation and contemporary architecture created a platform for her long crusade, unprecedented then in daily journalism. Huxtable’s angry “Farewell” editorial— **“We want and deserve tin-can architecture in a tin-horn culture. And we will probably be judged not by the monuments we build but by those we have destroyed”**—has been credited with turning public opinion to make a local landmarks law feasible. But that was then. Sixty years later, new policies and new critics discredit earlier expressions of idealism, while building trades workers dismantle the former objects of critical admiration.

As first proposed by the Bloomberg administration, the midtown rezoning was rejected, but under de Blasio, a modified version was adopted. Looking back at the EIS, it seems that the author, VHB Engineering, was operating with a cloudy crystal ball. VHB identified the Union Carbide Building as an undesignated but eligible historic resource, (Chapter 6, Table 6-4, p. 6-96, #130) but found that the new zoning would have no direct or indirect impact, since Union

Carbide was not a development site. But yet, in January, 2019 permits were filed for what was

described by a breathless press as the largest planned demolition in history.

To calendar a property for designation, landmarks commissioners must vote in a public meeting scheduled by the chair. Union Carbide was never before them as an agenda item under the authority of Meenakshi Srinivasan or Sarah Carroll. In a letter of protest published in *The Architect's Newspaper*, Docomomo noted that in view of the initial environmental review during the Bloomberg administration, the agency could not have been unaware of the redevelopment potential of the Union Carbide site, but for whatever reason, took no action and remained silent.



The base of Union Carbide, photographed by Ezra Stoller in 1960 when it was new.

Michael Kimmelman (in *The New York Times*, “Classic Skyscrapers Define New York,” April 22, 2020) was interviewing Annabelle Selldorf when he brought up Union Carbide:

Then in the ‘70s, what’s now JPMorgan Chase took the building over and eight years ago completed one of the biggest renovation projects in ages, turning the place into an eco-conscious, LEED Platinum headquarters.

[Selldorf] Only to decide to tear the building down.

Right, and, assuming nothing changes now, replace it with what will be a massive tower designed by Norman Foster, half again as tall, for 15,000 employees — one of the biggest new buildings in the city and the biggest voluntary demolition project ever, which seems like environmental malfeasance. Not to mention a real loss because of de Blois.

The Mayor had a different perspective. “This is our plan for East Midtown in action,” Mayor Bill de Blasio said, “Good jobs, modern buildings and concrete improvements. (“Out with the Old Building, in With the New for JPMorgan Chase” by Charles Bagli, *New York Times*, February 21, 2018)

Though certain alarms were already sounding while Landmarks Chair Robert Tierney and Mayor Bloomberg were in office, during that administration, catastrophic change was generally postponed. In Manhattan, the Midtown East Rezoning, which was to increase the available floor area ratio there exponentially, remained stalled and under revision for a period of five years, and was not approved. Without emotion, in 2013, an Environmental Impact Statement had correctly identified the scores of potential landmarks at risk if such rezoning were to be adopted.

But in the end, the new de Blasio administration managed to revive the initiative and move it forward, and it was approved by the City Council in 2017. The Historic Districts Council independently surveyed the area to be up-zoned, found some fifty landmark-eligible buildings under threat, and published its own report. In 2016, the new administration calendared a handful of the threatened buildings, eventually designating twelve new individual landmarks in midtown.

In 2013, the Final Environmental Impact Statement for the new rezoning had identified the Union Carbide Building as landmark-eligible, but not as a development site. A voluntary demolition of such unprecedented magnitude was perhaps beyond imagination for city planners then. And perhaps fortunately, Natalie De Blois had died in 2013 and so was not there to watch the destruction of her acknowledged masterwork, now like her, a thing of the past. As noted above, Union Carbide was demolished in 2021 because the LPC had failed to intervene. But the record shows that by then, designated landmarks in general were no longer safe.

We watched with apprehension the policy innovations adopted once the de Blasio administration took charge. Statements of Regulatory Intent were added to designation reports after public hearings were closed. The beauty of this move, from the industry standpoint, was that the final text of a designation report, which is not made widely available in advance, may influence development scenarios, manipulating protected features without much public scrutiny.

For instance, the “Regulatory Intent” is ambiguous to say the least in the designation of the new Sullivan/Thompson Historic District, located not far from the highly fashionable SoHo and Tribeca districts, perhaps aspiring to match their downtown chic as real estate. The December 13, 2016 designation report offers a unique designation rationale: the district enjoys “variegated streetscapes”:

The Sullivan-Thompson Historic District is significant for its important cultural history and its variegated streetscapes that reflect the waves of immigration (and migration) that transformed this neighborhood, and New York City, in the years before the Great Depression. The distinct sense of place is derived from the historic street grid and the variegated streetscapes of 19th-20th century buildings that vary in type, scale and materials.

Even with the best of intentions, a regulator might wonder, if “variegation” is the criterion, what is the “sense of place” it creates? Can that sense be in some way “distinct” and if so, how?



Union Carbide in the city when it was new. Photo by Ezra Stoller.

33. “At what point is a landmark lost?”

In Queens, the partially landmarked RKO Keith theater was finally demolished in 2021, after a strange saga that is fully described by Wikipedia. Once again, in local journalism, *The Architect's Newspaper* was a lonely voice speaking truth to power. In “Pei Cobb Freed & Partners: Landmarks approves new building around historic movie palace,” May 19, 2017, Audrey Wachs described the LPC action:

To the knowledge of those in the room, there hasn't been another instance where an interior was preserved but the building around it demolished. Echoing others, Commissioner Frederick Bland summed up the situation as “very strange.” With much of the theater's ornamentation slated for replication, “This is one of the strangest, if not *the* strangest, situation I've seen as a commissioner,” he said. “At what point is a landmark lost?”



The RKO Keith Flushing in its glory days. Photos: Greater Astoria Historical Society. LPC intervention appears to have been ineffectual; an attempted interior designation was reduced to the lobby by Queens Borough President, Donald Mannes. Developers Xinyuan Real Estate bought the theater in 2016 and were able to demolish it in 2021.

34. That Novel Rationale for the Sullivan-Thompson Historic District

Is it wrong to suppose that historic districts were originally meant to be distinct sections of the city, part of the existing tangible and visible material world? As such, they were required to have what the law calls a sense of place, to be a cohesive entity. But no longer pursuing the “tout ensemble” that New Orleans called for in 1921 when legislating to protect the architecture of the Vieux Carré, a century later, New York proposed a more conceptually malleable historic district, supposedly defined by “immigrant history.” Here, buildings will be regulated and protected (or not) according to their supposed ties to this intangible concept, one that is elusive in today’s America, where Indigenous people are so outnumbered by the newcomers that almost all families were originally immigrants, even the founding fathers. So far from honoring anyone’s ancestors, this abstract notion of “immigrant history” provides a dubious rationale for protection of actual buildings in a neighborhood of rising real estate values, near SoHo. Nevertheless, the Real Estate Board of New York remained unsatisfied, and opposed the Sullivan/Thompson District anyway. It was designated just before Christmas 2016. No Director of Research appears to have put their name on the Sullivan/Thompson Designation Report. In 2017, Mary Beth Betts, Director of Research since 2001, moved on to another agency.

35. Historic Preservation turns cute with the Storybook Style

Not long afterwards, under the aegis of Kate Lemos McHale, the LPC research department coined a new term, to be used in future official determinations: the “Storybook Style,” said to characterize the design of certain commercial 20th century housing developments in Cambria Heights, Queens, which, without debating their esthetic merits, appeared to be in no urgent need of protection. However, they were designated, despite the opposition of local residents.

Chair Srinivasan explained to *The Architect’s Newspaper*, April 20, 2018: “We want to continue to look at areas that are not represented by designations, but [where] there are stories to tell that really speak to histories of all New Yorkers.”

It is hard to see any statutory basis for this ambition.



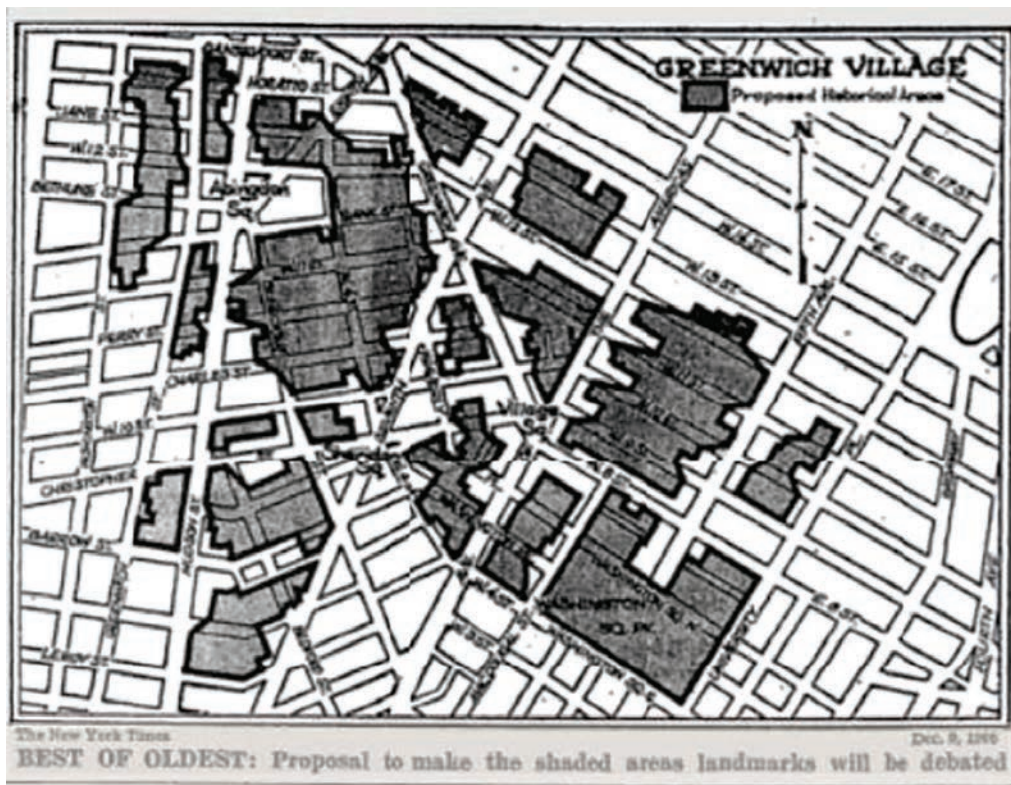
Landmarked for its “Storybook Style” by the de Blasio administration: Cambria Heights, Queens. Chair Carroll has described the designation as relating to an “equity framework.” According to an agency press release, the Cambria Heights Districts are a “fairytale illustration come to life.” Photo: Landmarks Preservation Commission.

36. Preserving New York in the 20th Century: Once, a Civic Consensus

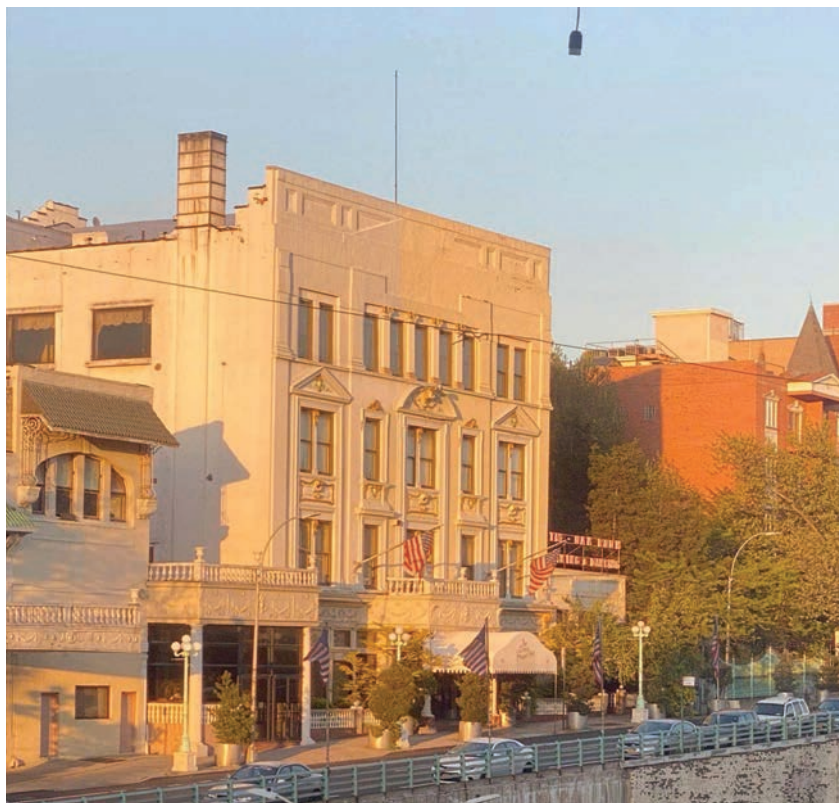
In the 20th century, effective interventions often came from preservationists in other branches of city government. Looking back at the Wagner administration and on into the Lindsay and Koch years, there seems to have been some civic consensus that it was time to establish and expand historic preservation, not only in the creation of the Landmarks Commission but also in the approach to historic parks, where Commissioner Gordon Davis was seen as shaking up the old civil service, with Bronson Binger as his right hand man. Master plans for the restoration of Olmsted parks were in the works before the 1973 amendments gave the LPC a role in their restoration; also, as a semi independent force, there was Betsy Barlow Rogers, who set in motion a fund raising campaign that changed the budget for her chosen park from a few million to a hundred million and more, through the workings of the ambiguously public/private but very fashionable Central Park Conservancy. In Brooklyn, Tupper Thomas, as Prospect Park Administrator and first president of the Prospect Park Alliance, successfully advanced landscape and structural restoration projects, despite having a fraction of the resources available in Central Park. Not only Parks and Landmarks, but General Services, through the dynamism of Adrienne Bresnan, subsequently joined in the expression of a new love for old New York. The Municipal Building had its stone face washed and its walls repaired for a new lease on life. Similarly, in 1989, the Historic House Trust was formed and the restoration and opening historic houses standing on NYC parkland became a major initiative: restoration came to the first NYC landmark, the Pieter Claesen Wyckoff House (LP0001) a small wooden farmhouse built around 1652 in the Flatlands section of Brooklyn. Some twenty other houses followed, the Morris-Jumel House, King Manor, the Van Cortlandt House, the Alice Austen House and others. Joseph Bresnan, like his wife Adrienne, was a force for preservation, moving from Monuments to Historic Parks within the Parks Department, and then to a long stint as executive director of the Landmarks Preservation Commission. At City Planning, Carol Clark was advocating for zoning protective of the scale of historic properties. DOT, in the 1990s, adopted a policy of historically appropriate repairs and restorations for roadways in historic districts, including streets, sidewalks, curbs, and streetlights. The people in DOT responsible for this were not always recognized in the preservation world: Frank Addeo in the commissioner's office, Pierre Neptune in the Division of Street Lighting, and Barney LaGreca in the engineering office. The MTA, reconsidering a once fashionable modernization trend, moved to protect historic decorative tiles, mosaics and terra cotta original to the underground passages and platforms of our transportation system, and even commissioned new ones. Thanks to these preservationists dilapidated civic properties were restored, and took on a new glow, as did preservationists themselves. Bronson Binger appeared at a preservation function, newly smiling, dapper and bow-tied, with Brooklyn Heights preservationist Anne Walker Gaffney on his arm, announcing "I am her greatest restoration project!" Many of these 20th century preservation advocates are gone now, and gone too is much of their enthusiasm and drive. Once, it seemed hardly enough, now by comparison, it seems a golden age. There was to be no renaissance under the de Blasio administration.



The boundary of the Greenwich Village Historic District shown here in red on an LPC map.



A proposal for 18 small Greenwich Village Historic Districts, illustrated in The New York Times, December 9, 1968, was considered and rejected by the Commission.



Demolished in 2022: Grand Prospect Hall, in Brooklyn. Photo: James Marlow, New York Post.

37. Grand Prospect Hall “Loses Its Integrity” and Disappears without a Trace

When it became known that the Hall was endangered there was an unusual response: hordes of young Brooklyn people petitioned the Landmarks Commission for designation. According to an account in the *New Yorker*, their petition scored 40,000 signatures though others reported a mere 4000. The place was famous. Saturday Night Live had parodied the Hall’s ubiquitous publicity, and generations had celebrated their weddings in a building much like a wedding cake itself. The Landmarks Preservation Commission was not amused, and their response to a 2021 Request for Evaluation was perhaps predictable: the building had lost its integrity! In their view, this apparently made further discussion unnecessary, and justified their ignoring the progress of a succession of demolition permits that were being issued. However, long-time observers recalled that an earlier (and we may suspect more humanistic) research department had been considering designation for Prospect Hall, but had failed to move decisively. In the *New Yorker*, former Historic Districts Council executive director, Simeon Bankoff noted an administrative anomaly—one which was also of concern to Professor Andrew Dolkart of the historic preservation faculty at Columbia. No formal procedure exists to cross check applications for Buildings Department demolition permits against files of the prospects under review for landmark designation, as could be required if there were a demolition review ordinance. In our time, computer science could make such review entirely feasible.

38. The Janta- Polczynski House, Now Lost

Today, it can be fashionable to celebrate histories of immigration. Nevertheless, in Elmhurst, the Walentyna and Aleksander Janta- Polczynski house was assigned to the limbo of “further study,” despite the threat of demolition in 2021. Now it no longer exists.

The history it could have commemorated concerns the Second World War, and Hitler’s attempt to exterminate the Jewish citizens of the territories he had seized, an initiative many Americans died combatting. This house, then, was where the Polish war heroes Walentyna and Aleksander Janta- Polczynski retired after escaping the Nazis.



Walentyna at her desk, working for the resistance during World War II. Photo: Queens Daily Eagle.

During the War, Walentyna had been active in the Polish Government in Exile and its underground intelligence arm, which uncovered and revealed the atrocities her people were suffering in concentration camps, the executions, the mass graves. After the War, she emigrated, and her house became a center of Polish-American life, a cultural beacon for the dispossessed. This picturesque small wooden cottage was a vernacular building of interest whose historic associations made it a significant opportunity for landmark designation in Queens, a borough that many feel has not been enough of a priority for the LPC. It was not to be, the house fell in 2022.



The Elmhurst home of late Walentyna Janta- Polczynski, the last living member of the Polish government-in-exile during World War II, served as a cultural hub for Polish expat elites for much of the 20th Century. Eagle photo by David Brand. Queens Daily Eagle, “Community rallies to save Elmhurst home, longtime hub of Polish culture”.

39. 50 West 13th Street, Greenwich Village.

This tattered Greek Revival house, shaded by an ancient weed tree, missed historic district protection by a hair in 1969 because of a boundary issue. It is separated from the bulk of the old Bohemia it belongs to by a rather massive new development, an apartment building entirely lacking in that “special character” landmarks designation calls for.

At the time of the civil war, 50 West 13th Street belonged to Jacob Day, a Black entrepreneur, owner of a successful catering business and a prominent abolitionist probably associated with the Underground Railroad. Conclusive legal proof satisfactory to the LPC Research Department that the house was a “station” in the Underground Railroad has not been produced, and the house is unprotected in a desirable development location. In the 20th century it became an off-off Broadway theatre, housing the well-known 13th Street Rep, frequented by Tennessee Williams. It was protected for some 50 years by its owner, Edith O’Hara. When she died at the age of 103 in 2020, as John Freeman Gill wrote in the *New York Times* (March 12, 2021) “the future became decidedly shaky.” Mr. Gill continued,

Reflecting on Day’s house on 13th Street, Sylviane A. Diouf, a historian who curated a digital exhibit entitled ‘Black New Yorkers’ for the Schomburg Center for Research in Black Culture, said: ‘It’s important to preserve and show that there was an African and an African-American presence in that area from the Dutch years and that they had institutions and businesses. It’s important to stress that contrary to what people think, African Americans didn’t just arrive in Harlem during the Great Migration, but they had a presence 300 years before that.’ ‘Virtually all of the great institutions and landmarks and homes of leading figures of the 19th century African American community of Greenwich Village have been lost or highly compromised,’ said Andrew Berman, executive director of Village Preservation. 50 West 13th Street is one of the very few remaining homes of a leading African American figure, not just in business but in the civil rights arena that, is largely intact from the many decades he lived and worked there...’c

JACOB DAY,
Public Caterer and Confectioner,
50 WEST THIRTEENTH STREET,
Between Fifth and Sixth Avenues, **NEW YORK,**
Furnishes Weddings, Dinners, and Evening Parties with every requisite—Ice Cream, Ices, Confectionery, Superior Boned Turkey and Game—Invitations delivered punctually—Cooks and Waiters supplied—Awnings, Camp Chairs, and Linen Druggets—First-class music furnished.
CHINA, GLASS, SILVER BRACKETS, SILVER EPERGNES, Etc.
A note addressed to JACOB DAY, at the above number, will receive prompt attention,
either in city or country.



*50 West 13th Street, Greenwich Village. Photo: Village Preservation.
The Jacob Day advertisement reproduced on the facing page is courtesy of Daytonian in Manhattan.*

Advocates were still trying to gain recognition for the Jacob Day House in 2022, according to the *Daily News*, (January 16, 2022). Recently, Village Preservation has questioned the continuing failure to recognize this and other buildings associated with the Civil Rights Movement in recent designations. The Landmarks Law authorizes preservation of properties of “special historical or aesthetic interest”: many believe this house is qualified on both counts.

40. LPC’s ethereal contribution to Black History Month in 2021, the “Interactive Story Map” titled “Preserving Significant Places of Black History,” available on the agency’s website.

To the inexperienced person, that web page might create an impression that the LPC had long been a civil rights champion and a student of (in their own words) “Black History.” But over the years, such civic harmony has been elusive. Many designations celebrated on this Story Map were made with completely alien rationales, while others were finally forced on the Commission by irresistible political pressure from above.

When Mayor Dinkins was elected, his landmarks chair, Laurie Beckelman calendared a roster of Harlem buildings for a landmark designation hearing. The staff of the commission then was entirely Caucasian with one exception, and he was not an historian, but rather worked in accounting. Gossip circulated that Chair Beckelman had asked him to appear beside her on the platform for the Harlem designation hearing, but he declined, saying it was not in his job description to do that. The Harlem hearing was rowdy, and did not bear much fruit. Some felt that Harlem remained under-represented in landmarking. A few years later, Michael Henry Adams, author of *Harlem: Lost and Found* (Monacelli Press, 2001) decided to call attention to this. One morning he travelled downtown and chained and padlocked himself to the double doors of the commission’s offices at Old Slip, blocking the way in, and stood there, formally dressed, bellowing “Save Harlem Now!” This was the law-and-order Giuliani administration, but the Chair, Jennifer Raab, hesitated before she called the police. She asked for help from the preservation community, and a friend of Michael’s rushed to the scene. “Save Harlem Now!” could be heard for blocks around. “Oh, Michael, let’s go and have a nice lunch and talk about a National Register Historic District.” “I will, but not quite yet.” And then the sirens were heard, and the police arrived, cut the padlock, and took Michael away to jail.



“SAVE HARLEM NOW!” NYCPD at work, once again arresting Michael Henry Adams, who is disturbing the peace for the sake of historic preservation. Photo: Antwan Minter, from “The ‘Mink Building’ and Discrimination in Historic Preservation: Michael Henry Adams’ Urgent Effort to Save Harlem” by Todd Fine, November 11, 2015 on the now closed HuffPost Contributors Platform.

Subsequently, toward the end of Landmarks Chair Robert Tierney's two-term tenure, **Addisleigh Park** was designated—the verdant early 20th century residential enclave in suburban Queens that had been home to many of the greatest names in American jazz. Congratulated on this long-awaited move, the jazz-loving Chair tactfully commented, “Yes. I had my eye on that one from the first.” Lena Horne, Count Basie, Ella Fitzgerald, John Coltrane, Milt Hinton, Illinois Jacquet, Fats Waller, Cootie Williams, Mercer Ellington, James Brown, Wild Bill Davis and others lived there together with star athletes, Jackie Robinson, Roy Campanella and Joe Lewis, and briefly, that intellectual champion: activist, scholar and mentor, W. E. B. DuBois. Initial stout Research Department resistance behind the scenes was overcome in part by incontestable documentation first provided by volunteers, Ken Keefer, a scholarly collector of recorded jazz, and Clarence Irving, a long-time activist resident. Irving is credited in the designation report, but his most interesting memory is not mentioned, perhaps it was viewed as transgressive. His role as a young man in time of civil unrest was to drive the car that delivered fat suitcases full of cash from the very wealthy residents of Addisleigh Park to activist Pullman porters, members of the all-Black Union of Pullman Car Porters, who in turn secretly transported the cash by rail to colleagues of Martin Luther King in Atlanta. Perhaps unsurprisingly, these events apparently remain undocumented, but did indeed occur, under the aegis of a local church.

Perhaps it should be seen as a hopeful sign that the landmarks agency now opts for at least an appearance of harmony, though this has occurred in the face of a history of disparate pressures brought to bear more or less successfully from time to time, rather than a consistent intellectual policy toward recognition of the role of minorities in architectural and civic history.

On the Interactive Story Map, markers of the African American presence add up to a rather modest total, given that landmarked properties in New York are counted in the tens of thousands, but whatever the weaknesses of a numerical approach, it is interesting that to reach even this modest score, the agency had to include a considerable number of properties that were not originally designated for their African American associations. The rationale for designation is set forth in the designation report that the City Council must approve, and just to be clear, no connection to African American issues was invoked anywhere in the Brooklyn Heights Historic District Designation Report. Brooklyn Heights was indeed a center for the abolitionist movement in the 19th century, but in the admittedly brief Report, architectural excellence was the reason proposed for the 1965 designation. So today the Tappan house and the Pennington house have achieved retroactive recognition as colored dots on the Interactive Story Map, and certainly they deserve it, as does that center of abolitionist activity, Henry Ward Beecher's Plymouth Church. Perhaps we should be grateful that those buildings still exist, thanks to architectural preservation in an historic district. But also, we may want to recall the long periods of time when history—especially negative history—seldom provided the rationale for landmark designation. “Absence, darkness, death, things which are not” elude commemoration.

41. The Sad Case of 227 Duffield Street in Brooklyn and the Death of Joy Chatel, now a dot on the Interactive Story Map.

Are there other buildings that might have been designated entirely for their underground railroad history? Heads of the agency research department have a record of demanding absolute iron-clad proof of any use by fugitive slaves. Such proof is rare, though in Manhattan a perhaps unique instance does exist, in the Lamartine Place Historic District: an archival file of private letters (first found in an out of state collection by diligent advocates and then fully explored by Theresa Noonan of the LPC research department) identify the James and Abby Hopper Gibbons house at 337 West 29th Street. Beyond reasonable doubt it was that legendary thing, a station in the underground railroad, a fact that remained totally obscure for more than a century. But secrecy, after all, was indispensable then for successful escape, and Frederick Douglas enjoined it. In his autobiography, *Narrative of the Life of Frederick Douglass, an American Slave*, he wrote, “I would keep the merciless slaveholder profoundly ignorant of the means of flight adopted by the slave... Let us render the tyrant no aid; let us not hold the light by which he can trace the footprints of our flying brother.” (Chapter 11.)

The longstanding controversy surrounding 227 Duffield Street illustrates a modern civic dilemma: how to provide the civil service with irrefutable concrete evidence of a secret activity that was illegal, entailing draconian penalties, and occurred more than a century ago?

In the year 2000, the redevelopment of downtown Brooklyn was proceeding as “Urban Renewal.” Many small 19th century buildings were to be replaced. One had been the home of known 19th century abolition activists, Harriet and Thomas Truesdell. At the time we commented, “No city is renewed by the selective destruction of its history.” The role of the abolition movement before the Civil War and the character of the people who supported it is made real for all by the survival of an abolitionist’s home from 1851 on a quiet Brooklyn Street.



The late Joy Chatel in her basement at 227 Duffield Street showing a bricked up passageway that once connected the houses in her row, and which she believed Thomas and Harriet Truesdell, known abolitionists who had owned her house, may have used to shelter and assist freedom seekers.

Photo: Wikipedia.

Deaf to the pleas of preservationists and elected officials, the LPC stalwartly refused to designate, objecting that legal proof of underground railway activity was insufficient and in any case, the building had, yes, “lost its integrity.” This fall from grace occurred when a small addition had been built in 1933, originally accommodating a delicatessen and restaurant and more recently an African American beauty salon, in a changing neighborhood. Environmental review dragged on for several years, fueled and renewed by City Council protests.

The house still exists because in 2007, a young *pro bono* lawyer from South Brooklyn Legal Services went to court to prevent government seizure of the property by eminent domain to clear the site for a parking lot. In court, after a very long conference, presumably about the rights of Joy Chatel, the elderly African American widow who owned the house, the judge returned to the bench. She noted that they could of course continue with the trial, “But,” she asked the representatives of the Downtown Brooklyn Development Plan, with lightly veiled sarcasm, “Are you sure you really want to?” They gave up, and the parking lot boundaries were modified to exclude the house. That lawyer was Jennifer Levy, who is now New York State’s First Deputy Attorney General, appointed by Attorney General Letitia James, who also knew Joy Chatel from the time James represented Brooklyn’s neighboring District 35 in the City Council. At the 2020 LPC Designation Hearing, Attorney General James attended in person and spoke for 227 Duffield Street. Her presence highlighted the historic importance of agency’s policy reversal.

And reportedly, even then, it was additional high level political involvement that finally brought action on designation for what was left of 227 Duffield Street in 2021. Following the reported intervention of First Lady Chirlane McCray, a vote of the commissioners was finally scheduled, and 227 Duffield Street was designated, after the commission had failed to take action on it since 2005. When first proposed, the house was in sympathetic private ownership and much better condition. The owner, Joy Chatel had worked and prayed for designation until she died of old age in 2014.

Perhaps needless to say, 227 Duffield Street is now listed on the “Interactive Story Map” as one of the LPC’s designation achievements. The rather disdainful original rejection, and the subsequent fifteen year delay during which Joy Chatel died without realizing her dream of a civil rights museum, remain unmentioned, and today, after years of neglect and the impacts of the demolition next door, concerns have been raised about the building’s ongoing structural stability.

42. The Middle Collegiate Church, burning

December 5, 2020 could prove to have been a fateful day in New York’s East Village. A raging fire wrecked the interior and seriously damaged the façade of the Middle Collegiate Church on Second Avenue. The Tiffany glass destroyed, the sanctuary gone, some stonework was still standing. In such circumstances in an historic district, the Landmarks Commission has the discretion to approve a hardship application to demolish the remains. Evidently Middle Collegiate was not a wealthy congregation, and rebuilding while preserving the damaged facade on the narrow midblock site presented obvious practical difficulties.

However, that is not the whole story. An approval to demolish a landmark without a hardship finding does more than create an unfortunate precedent: it appears to be a legally questionable reversal of longstanding policy. Yet that is what took place three years after the fire: demolition was approved with a Certificate of Appropriateness, on January 14, 2023. No restoration plan was presented. The firemen had worked in vain.

Perhaps no one will have the heart to litigate the issue, out of sympathy for the beleaguered congregation. Others might hesitate to provide proponents with an opportunity to take advantage of judicial review to consign aspects of our liberal government historic preservation policy to the dustbin of history, as present-day zealots have done in a different context with *Roe v. Wade*. But to find demolition appropriate without a hardship application (which can be resolved as a discretionary decision of the commissioners and need not be very time-consuming) and to do this absent any specific restoration plan is troubling. No one contends that the landmark was a non-contributing building. It was a jewel of the district.



Photo: The Village Sun.

The cleared landmark site in combination with the similarly cleared adjacent corner lot would create a development opportunity of interest in a downtown neighborhood that is becoming fashionable. Why do we think of development? Why was the church represented by the prominent real estate attorney, Ken Fisher, at the hearing where demolition was found appropriate? It is noteworthy that the fire had started in an already vacated historic district building at the corner next door. And apparently the amiable congregants do not control the future of their own burnt out site, which is in the hands of the leaders of the mother church that owns the land. Sale of this large, now vacant

double lot could help to fund innumerable acts of charity and thus support the church's perceived mission. On January 10, 2023 eight landmarks commissioners seemed moved by human sympathy to give the congregation what Mr. Fisher had apparently advised them to request, that is, total demolition. It is unclear what comes next. St. Luke-in-the-Fields burned but was rebuilt with the pro bono architectural assistance of Hugh Hardy and his firm. Who would follow in their footsteps today? Theodore Grunewald, in testimony against the demolition permit, cited six notable disasters with a different outcome:

Six of Manhattan's historic religious buildings have been gutted by fire, and/or endangered by structural collapse in the Commissioners' lifetimes. All six of these places of worship have been fully-restored (with the exception of St. Sava's which has just been re-roofed, and awaits phase 2 of its reconstruction). All have preserved their original, fire-damaged outer walls and towers which still stand intact today as direct links to their histories and to the streetscapes and communities that they embody. They are: 1) St. Mark's Church in-the-Bowery - burned July 27, 1978; 2) St. Luke in the Fields - burned March 6, 1981; 3) Central Synagogue - burned August, 1998; 4) St. Brigid Roman Catholic Church - vacated 2001 due to imminent collapse; 5) The Cathedral of St. John the Divine, North Transept - burned December 18, 2001; 6) The Serbian Orthodox Cathedral of St. Sava (originally Trinity Chapel) - burned May 1, 2016. **Forty-one years ago, when I was employed by Hardy Holzman Pfeiffer as "office boy," I hand-delivered the [attached] letter from Hugh Hardy to the rector of St. Luke's in the Fields, Ledlie Laughlin, on the Monday morning following the devastating Friday night fire that left St. Luke's a gutted smoking shell—with fire-scorched walls and tower which many claimed would topple. "The walls could not be more important," Hugh underlined, "no matter who says they are unsafe. For reasons both practical and symbolic the walls must be preserved. They are the physical connection with the past, and no form of new construction could replace them."**

In England during World War II Coventry Cathedral was bombed by the Nazis and left open to the sky with only fragments of the walls standing. The Prime Minister visited the ruins, as illustrated in the well-known photo below. Sir Basil Spence proposed leaving the ruins standing as a war memorial, and rebuilding a contemporary Cathedral Church beside them, as was done.



When the enemy is foreign and defeated, a vast cathedral in a state of ruin can be reimagined and reconsecrated. But in New York in 2020, it seems preserving the fragments of a small neighborhood church is too much to ask. So we are left with a big vacant lot and a cartoon character for a philosopher, Pogo, who said: “We have met the enemy and he is us.”

Remembering the long and difficult negotiations that preceded enactment of a Landmarks Law here, and the hard-won ability to designate houses of worship—albeit only the exterior—the future remains in doubt. In 1991 we waited fearfully for the final St. Bartholomew’s decision from the United States Supreme Court. Then, the Court refused to review the LPC decision to deny demolition of the landmarked parish house to build a forty-seven story investment tower on the site. But today? In the light of one recent case in Washington, we see that governmental decisions formerly regarded as settled law can be reversed. At the Supreme Court, *Dobbs v. Jackson Women’s Health Organization*, decided June 24, 2022, casts a long shadow.

43. The Sunshine Theatre, rejected, demolished and replaced.

Adaptive re-use has been a mantra of historic preservation at least since 1965 when the proverbial wrecking ball began to seem imperfect as an instrument of urban growth. Then, historic preservation was defined in law, and not exclusively as the preservation of certain built exemplars of architectural design. It was also a strategy to preserve memories of history itself. People joke about the reverential “George Washington slept here” approach to old buildings. But unwisely. A building may be a memento of lost worlds that still deserve our attention.

For instance, take the demolition of the Sunshine Theatre. The public never had an opportunity to make the case for its preservation to the landmarks commissioners. Finding a pretext to reject the Requests for Evaluation, the Chair and the Director of Research chose not to schedule a designation hearing, and the building no longer exists. What was this Sunshine Theatre? Not by any means a fine work of architecture, it embodied an interesting history that could have made it a monument to Cinephiles, if anyone still remembers Cinema. In 1996, Susan Sonntag wrote:

...Cinephilia itself has come under attack, as something quaint, outmoded, snobbish. For cinephilia implies that films are unique, unrepeatable, magic experiences. Cinephilia tells us that the Hollywood remake of Godard’s “Breathless” cannot be as good as the original. Cinephilia has no role in the era of hyperindustrial films. For cinephilia cannot help, by the very range and eclecticism of its passions, from sponsoring the idea of the film as, first of all, a poetic object; and cannot help from inciting those outside the movie industry, like painters and writers, to want to make films, too. It is precisely this notion that has been defeated. If cinephilia is dead, then movies are dead too. (*New York Times*, “The Decay of Cinema,” *February 25, 1996*.)

There was a brief Cinema revival. On December 18, 2001, *The Village Voice* chronicled the re-opening of the old Sunshine Theatre. Calling it Heritage Cinema, Josh Goldfein wrote:

On Friday, after decades of neglect, the Sunshine Theater at 143 East Houston Street will again be put to its proper use: showing movies. In its storied life, the building (between Eldridge and Forsyth streets, or First and Second avenues, depending on where you stand) has been a church, an immigrant meeting hall, a boxing

venue, a nickelodeon, a Yiddish vaudeville house, a hardware warehouse, a graffiti showcase, and an indie-rock playroom; it has stood at the center of daily life for each generation of Lower East Side newcomers. This week, the theater will re-open after a three-year, \$12 million renovation by the L.A.-based Landmark Theater Corp. as the third art-house multiplex on Houston (after Film Forum and Angelika) . . . It's a promising start, but the management has a lot to live up to. "In the same week of December 1909," says cinema historian Judith Thissen, "the audience got a continuous show of short movies and variety acts featuring the prophet Elijah, a 'Signor Pannini,' and Hilda, the Swedish handcuff queen—all on a single bill! Besides moving pictures, a program might also contain comic sketches, dramatic scenes, one-act plays, songs and dances, jugglers, acrobats, or an animal act." Thissen, an assistant professor at the Institute for Media and Representation at Utrecht University in the Netherlands, has traced the history of the Sunshine back to the beginnings of the city itself (she wrote part of her dissertation on the place). She believes the earliest parts of the theater were built as a Dutch Reformed Protestant church, which became a German Evangelical Mission church in 1844.

The New York Times reported the demise of this interesting structure, "Sunshine Cinema, a Beloved Manhattan Theater, Goes Dark" (January 21, 2018) providing the photograph below.



For over a century, the building on Houston Street on the Lower East Side of Manhattan, pictured here in 1998, was a neighborhood cornerstone, first as a church, then as an athletic club and later as a Yiddish vaudeville and theater. It reopened in 2001 as Sunshine Cinema. Judith Thissen



*The same site today with the replacement building.
Photo: East Village Grieve.*

44. Still Trying to “Save Gansevoort”— good luck with that one

The slogan “Save Gansevoort” takes us back to a time of greater hopefulness, between 1965 and 2014, when it was customary to mount strident public campaigns demanding the designation of new historic districts—and those campaigns were fruitful. Numerous, passionate people fought for what they trusted would be the preservation of their neighborhoods and their architectural preferences. They imagined that those protections would last, and many went to their graves believing it to be so. Gansevoort was designated toward the end of that ebullient historic period, in 2003. At that time, young people were flocking to colleges to make careers in historic preservation, and activists dominated numerous civic groups large and small dedicated to historic preservation. Joseph Mitchell (1908-1996), landmarks commissioner and *New Yorker* writer, referred to those preservationists as the “Save This, Save That People” but then said he was one of them. Because of the relatively obscure structure of the administrative agency, to clarify his position, we have attached Commissioner Mitchell’s *New York Times* obituary by Richard Severo which will be found for reference as an appendix to this report.

Returning to Gansevoort, the 2003 Designation Report displayed an unusual level of detailed and descriptive historical research. Written by Jay Shockley, it was given a certain *film noire* quality by the illustrations he included, drawn from 1939 government tax photos.



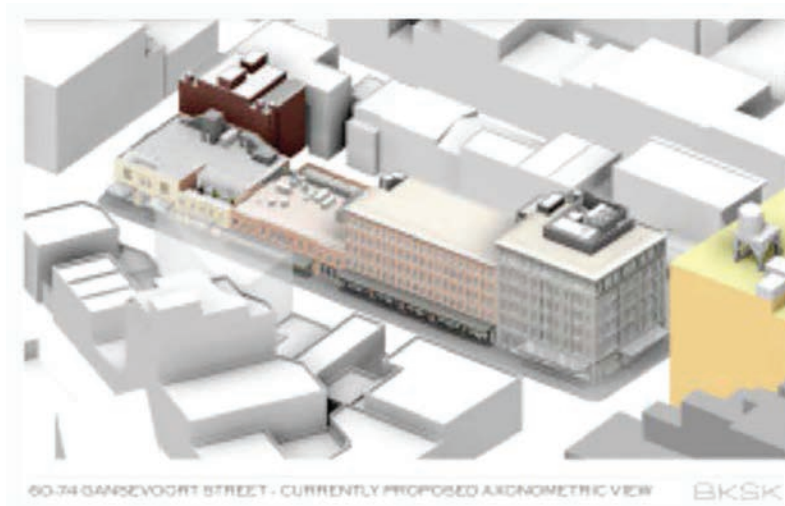
58-52 Ninth Avenue
Source: Department of Taxes (c. 1939)
Photo: NYC Municipal Archives

(See Item #11 in this report for the details of the LPC approved demolition of the building illustrated above.)

In addition to that 9th Avenue fiasco, there was an unprecedented decision to approve new buildings and extensions manifestly in conflict with the stated preservation purpose of the district, which was intended to preserve the character of the historic market. This approval included demolition of structures which the designation report named as contributing to the district’s market character, and indeed, surprisingly, removed from the Gansevoort Market Historic District the building the report itself described as “The Gansevoort Market.”



The former Gansevoort Market building in the Gansevoort Market Historic District. Photo: AM New York



The large complex of new buildings and extensions approved to replace the Gansevoort Market building, in June, 2016. Image: BKSK rendering courtesy of CityLand, the publication of the NYC Law School

When the above-illustrated complex of investment buildings was approved by the Landmarks Commission, *Save Gansevoort* issued a statement:

We are deeply disappointed in the Landmark Preservation Commission’s decision today to accept this massive building plan, disregarding the Gansevoort Market Historic District’s designation report and more than 75 years of history. The Commission’s ruling will not only destroy the last intact block of one-and two-story, market-style structures in Manhattan, but it is also the latest sign that unrestricted development is killing the unique character of so many of our city’s most beautiful neighborhoods. In this day and age, it is disconcerting that even our landmarked areas are no longer protected.

Subsequently, *Save Gansevoort* sued the Landmarks Commission, with Michael Hiller as their attorney. Mr. Shockley, having served in the research department for many years, had retired shortly before this move was made. Perhaps fearing that our landmarked areas were losing their protection, he submitted an affidavit from which we will quote here at length:

In my opinion, the LPC's decision that it is "appropriate" to build a 60 foot tall faux-tenement on top of the market buildings at 60-68 Gansevoort Street and/or to demolish the existing one-and-a-half story market building at 70-74 Gansevoort Street to build a 97 foot tall faux-warehouse and the LPC's related "conclusion" that these actions constitute a "restoration" of the earlier tenement buildings represent a rank departure from the Findings and Designation of the Designation Report, as well as the underlying rationale for the designation in the first instance. While it is true that tenement buildings once dotted its streetscapes in an earlier part of its history, the only significance of these buildings to the Gansevoort Market Historic District is, as shown above, the manner in which some of the tenements were converted into market buildings to serve the market industry that developed during the latter part of the 19th Century. This district wasn't designated on the basis of the architecture of the earlier tenement buildings (most all of which had been cut down by the time this became a market district) and this district was not designated the Gansevoort Tenement District. Allowing 60-68 Gansevoort and 70-74 Gansevoort to be altered or demolished, as proposed, would destroy the very defining architectural, historical and aesthetic features of the Gansevoort Market Historic District that the designation, as outlined in the Designation Report, endeavored to protect. With these buildings altered as proposed, the key Project Block in the Gansevoort Market Historic District would become a series of intermixed, out-of-character structures that would no longer define the history of the District, its culture or architectural aesthetic as a significant marketplace.

17. In my 35 plus years as a professional preservationist at the Landmarks Preservation Commission, I cannot recall another instance of the Commission granting a Certificate of Appropriateness under the same or similar circumstances. As a professional preservationist and a longtime New Yorker with an undying appreciation of its history and architecture, I cannot sufficiently express my concern that the historic districts and neighborhoods of New York City may suffer if the LPC's decision is allowed to stand.

However, the courts were not persuaded and found that the commissioners had the discretion to approve the demolition of existing landmarks and the construction of the new buildings proposed for the Gansevoort Market Historic District. And so the "Market District" lost its market building, and much of its original character.

45. New York loses sculptural decorations by Noguchi at 666 Fifth Avenue

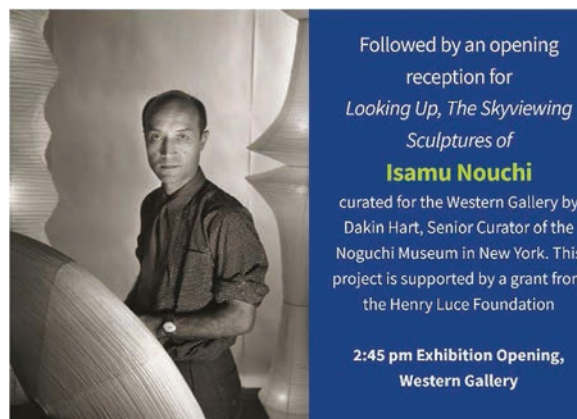
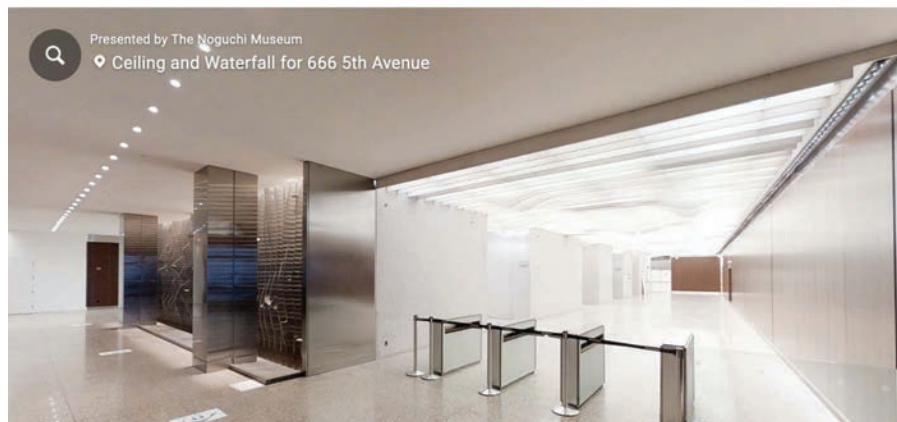
The announcement of demolition plans by the new owner did not trigger any protective action, and the unique site-specific sculptural wall and ceiling by Isamu Noguchi were removed from their prominent ground floor location at 666 Fifth Avenue without Landmarks Preservation Commission intervention. Evidently, the Isamu Noguchi Foundation's preservation efforts had failed to convince, and their website notes:

Ultimately, in fall 2020, *Ceiling and Waterfall, 666 Fifth Avenue, New York* was permanently removed from the building. As stewards of the artist's legacy, The Isamu Noguchi Foundation and Garden Museum strongly advocated for two years for the work to remain in the lobby, even though it was compromised by the previous

renovations. However, the owner of the building and the work elected to exercise its right to remove it. *Ceiling* and *Waterfall* were documented, deinstalled, and catalogued under the oversight of The Isamu Noguchi Foundation and Garden Museum, and the components of these installations were donated by the owner to the Museum without restriction. Noguchi's original work was destroyed by its removal from its original context. But we are determined to make *Ceiling* and *Waterfall*, 666 Fifth Avenue, New York a meaningful test case in a broader conversation about the afterlife of site-specific works.... Isamu Noguchi's *Ceiling* and *Waterfall* for 666 Fifth Avenue, New York (1956–57), which were permanently removed from the building in 2020, are currently on view as the centerpiece of the exhibition *Isamu Noguchi: A New Nature*, at White Cube Bermondsey, London...

Allowing *Ceiling and Waterfall* to be dismantled and removed was a discretionary decision for the Commission, but still, we have to wonder, what were they thinking? New York is not so rich in public sculpture that the loss of a major work by Isamu Noguchi is inconsequential. There was no public hearing, where scholars, critics and enthusiasts could have made a case for interior landmark designation, no public debate among the commissioners on the merits of the case: only a silence, engineered by the administration with the compliance of their appointed LPC Chair, who ultimately controls the agency calendar and thus its actions to designate landmarks.

As noted above, our local demolition became an incident of international interest: the tragic fragments were soon placed on display in a progressive gallery in London, The White Cube, and went on to be featured in a continuing series of museum exhibitions in Switzerland. Here, on the West Coast, Washington aficionados also took note in a recent exhibition.





The Penn Station Service Building. Photo: Library of Congress.

46. The Penn Station Service Building, by McKim, Mead & White, 1908; the original source of power and the last survivor of the old Penn Station complex, still standing on West 31st Street, but not designated

In 1989, the late Christopher Gray wrote in the *Times*, “A 1908 Structure Survives ‘A Monumental Act of Vandalism’”, meaning, of course the 1963 demolition:

The station and the service plant were designed by McKim, Mead & White, specifically Charles McKim and partner William Symmes Richardson. Writing in *Transactions of the American Society of Civil Engineers* for October 1910, Richardson said that, on the station itself, “all unnecessary detail of ornamentation was omitted.”

Thus the Service Building is an interesting instance of the evolution of Beaux Arts classicism into something else, under the influence of an industrial function that was novel in 1908, the

electrification of travel by rail. What “detail of ornamentation” McKim viewed as “unnecessary” in this instance is interesting for a study of his use of light and shadow. However that would be even more speculative, if the service building did not exist.

Christopher Gray went into further detail from the historical perspective:

But there is one little-noted element of the old station left, a monumental building in its own right, which is itself vulnerable to demolition. It is the grimy 1908 Penn Station Service Building at 242 West 31st Street, across the street from the present station.

As the 19th century gave way to the 20th, the Pennsylvania Railroad was chafing under a peculiar burden - it had no station in New York City. Passengers had to disembark in Jersey City, crossing the Hudson to Manhattan on ferries. It was an embarrassingly awkward entrance to the nation’s greatest city for one of the nation’s greatest railroads, and it lost passengers bound for destinations like Chicago, who could go by a competing line, the New York Central, from Grand Central Terminal.

Tunneling under the Hudson was less expensive than a bridge, but steam locomotives could not regularly negotiate the length of the tunnel. By the turn of the century electric engines, like those on the new IRT subway designed in 1900, were being developed, even for the heavier intercity trains.

In 1902, the Pennsylvania decided to proceed with a huge new station between 31st and 33d Streets from Seventh to Eighth Avenues, a block away from the emerging Herald Square shopping district.

The station was completed in 1910, a giant pink granite Roman-style structure surrounded by old brownstones and tenements. But construction photographs of the station site in 1908 - when it was just a giant hole in the ground - also show a gleaming new building on the south side of 31st Street - the station’s service plant.

The service plant held the key to the railroad’s new operation, for it provided the electric power for the engines in and out of New York. Research by the industrial archaeologist Thomas Flagg indicates that it was also used to supply heat, light, elevator hydraulics and refrigeration for the station as well as compressed air for braking and signaling. It even incinerated the station’s garbage.



A strange survivor, outliving its own architects and preservation’s greatest failure in New York, the demolition of the building it had powered, the Penn Station Service Building may now be at the end of its life. The Hochul administration has plans for new development around Penn Station on a very different scale, and the building belongs to Amtrak. The draft EIS for this so-called Empire Station Complex calls out ten threatened buildings eligible for NYC landmark designation, including this one. There have been protest meetings, but so far, little recognition from government.

Photo: Library of Congress, showing the very slender shadow lines.

***47. The Waldorf Astoria, an individual landmark since 1993, evolves,
but without its Starlight Roof***

In 2015, Anbang had bought the Waldorf Astoria. Announcing unsympathetic plans for a “gut renovation,” the new owners nevertheless agreed to landmark designation for a suite of public rooms on the lower floors, including the vast Ballroom. Subsequently, when those owners were convicted of fraud and jailed, the Chinese government seized their interest in the Waldorf Astoria. Skidmore, Owings and Merrill survived this transition and continued the renovation. In 2017, the Commission acted on the designation. As usual, the architectural rationale for the designation was shared with the public in a finely detailed designation report; the reason for delay, and for not designating certain other spaces was not equally overt. So on the 18th floor, the Starlight Roof was left to the mercy of the Chinese government working with Skidmore, Owings and Merrill, with no designation hearing scheduled.

In Memoriam, the original 1930s Starlight Roof had sported an ingenious device as romantic as a Cole Porter song. On fine summer nights parts of the ceiling could roll away and disappear opening the room to the starry sky, the formality of a black tie supper-cub with the ambiance of a picnic on the grass. Twenty years later, in 1950, the novelty of air conditioning took command, and the famous roll-back ceiling on the 18th floor stopped rolling.



Photograph by Richard Averill Smith

The Roof Garden is located on the eighteenth floor, and, due to a setback in the building just above it, the roof above the middle ceiling grille can be rolled back at will, opening the whole central portion of the room to the sky. At each end of the room the floor is raised three steps.

The Starlight Room. Photos: Architecture. Vol. LXIV, No. 5, November, 1931.



Photograph by Richard Averill Smith

A view of the Waldorf from Park Avenue, with St. Bartholomew's in the foreground and the New York Central Building closing the Avenue beyond



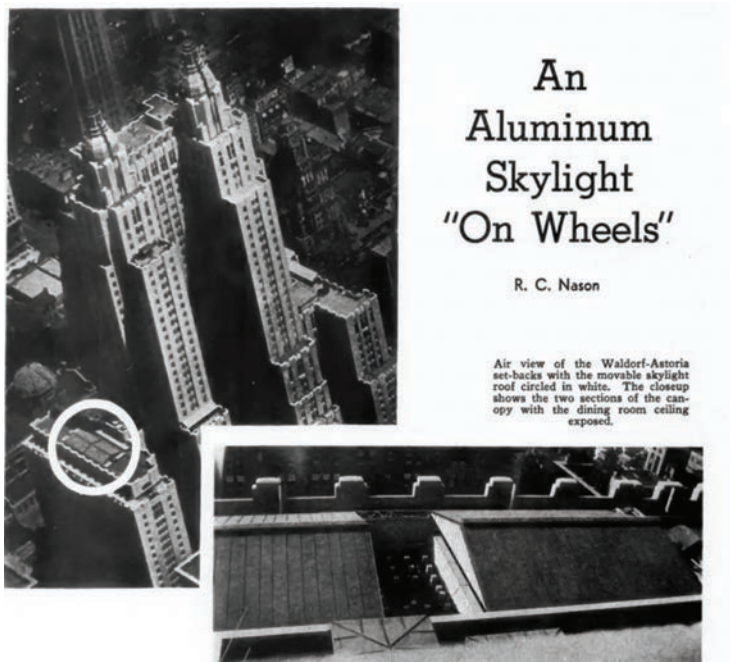
Xavier Cugat (1900-1990). During the 1930s and 1940s, the Waldorf Astoria showcased many of the era's greatest bandleaders, but none was more identified with the hotel than Xavier Cugat. Appearing at the hotel's 1931 opening, Cugat returned to the hotel in 1933 to begin a 16-year run leading one of the hotel's two house orchestras. Holding a baton in one hand and his pet Chihuahua in the other, Cugat filled the Empire Room and Starlight Roof with Latin American rhythms and soigné New Yorkers tackling the rumba, conga, mambo, and cha-cha. (Courtesy of Library of Congress)



THE STARLIGHT ROOF. Legendary is a word that can be overused even when applied to the Waldorf Astoria, but to no room is it more apt than the Starlight Roof, the Waldorf Astoria's summers-only supper club located 19 stories above Park Avenue. From its 1931 opening well into the 1950s, the Starlight Roof epitomized Gotham's elegance and sophistication through national radio broadcasts of the big bands of the era from its rooftop aerie. (Courtesy of Library of Congress.)

A SUMMER EVENING AT THE STARLIGHT ROOF. The decor of the Starlight Roof was the work of Irish-born artist Victor White, who covered its gray walls with multicolored glass mosaic depictions of sinewy trees and nightingales in flight. Overhead, the Art Deco panels of the ceiling could be retracted, allowing Starlight Roof patrons to dine and dance beneath the stars. (Courtesy of Waldorf Astoria Archive.)

The Starlight Roof. Photos: Architecture. Vol. LXIV, No. 5, November, 1931.



An Aluminum Skylight "On Wheels"

R. C. Nason

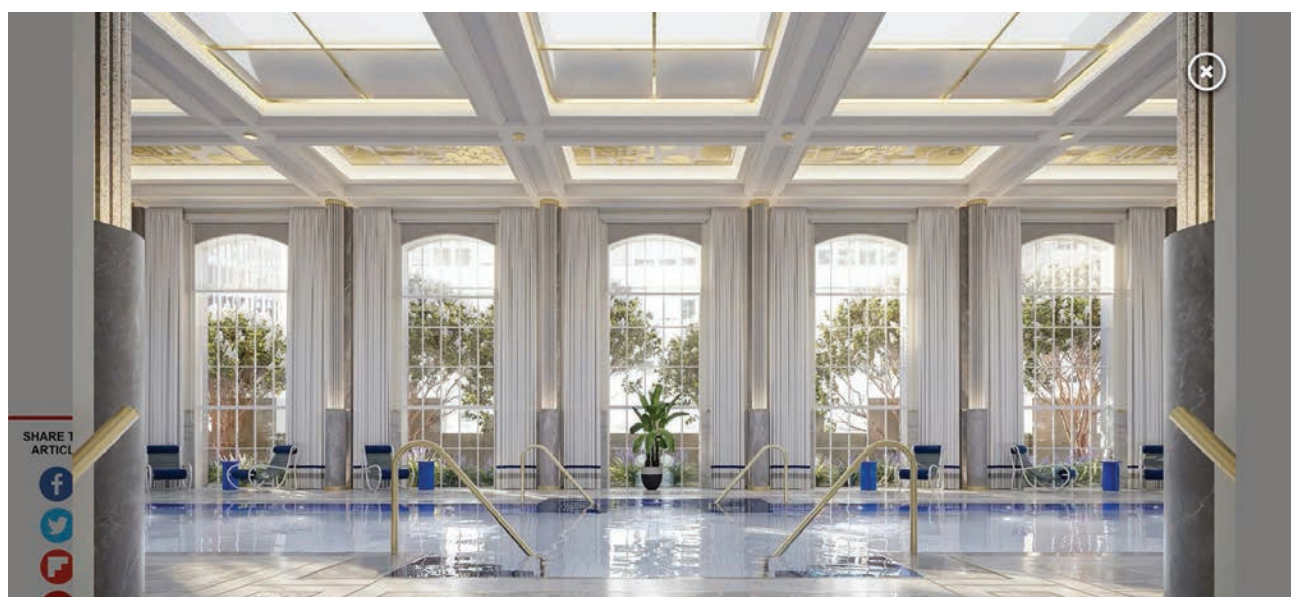
Air view of the Waldorf-Astoria set-backs with the movable skylight roof circled in white. The closeup shows the two sections of the canopy with the dining room ceiling exposed.

The mechanical operation of the Waldorf Astoria's retractable Starlight Roof fascinated Café Society and the engineering world alike. It was featured in American Artisan, October, 1941.

Hesitation to landmark the Starlight Roof could perhaps have been due to possible unresolved issues relating to customary access. In the *Columbia Law Review*, Nicholas Caros notes

...a disconnect between the law’s purpose and the law in action. The law’s stated purpose is to “foster civic pride in the beauty and noble accomplishments of the past[,] . . . protect and enhance the city’s attractions to tourists and visitors,” and “promote the use of . . . interior landmarks . . . for the education, pleasure and welfare of the people of the city,” yet the law provides no way to ensure that “the people of the city” actually have access to interior landmarks. *14 Landmarks Law, N.Y.C., N.Y., Admin. Code § 25–301(b) (2013)*. In order to receive a landmark designation in the first place, an interior must be one “customarily open or accessible to the public, or to which the public is customarily invited.” *15 Id. § 25–302(m)*. But it is not clear that there is any mechanism for ensuring the interior remains accessible to the public once it has been designated or that such a mechanism would withstand constitutional scrutiny. Thus, the public may have limited or no access to interiors that are ostensibly protected for its benefit. (*Columbia Law Review*, Vol. 116, No. 7, “Interior Landmarks Preservation and Public Access”

Perhaps the Starlight Room was not quite to be described as a noble achievement,” but it was lovely, and might have been so again. Would its designation have withstood scrutiny as “customarily open” to the public? Perhaps we no longer need to know. In any event, if the French publicists are to be believed, the time for designation has definitely passed, as the Starlight Roof is now a swimming pool. Redesigned by Jean-Louis Deniot, it belongs to the new and very private Waldorf Astoria Residences, a public space no longer.



The Starlight Pool as shown in the New York Post. Image credit: Noe & Associates/The Boundary. According to the Post, the pool is for the residents of the Towers of the Waldorf Astoria. It will be skylit and look out to a planted terrace via a series of arched windows facing Park Avenue.

48. The Four Seasons, formerly a restaurant in the Seagram Building, a landmarked interior designed by Philip Johnson in 1958



An interesting case. For those too young to remember, it was very beautiful, very fashionable, very much of the 20th century, and extravagantly decorated with the art of that century, and tall, flowering indoor trees that changed with the seasons. Architecturally, it was the work of Mies Van Der Rohe and Philip Johnson. William Grimes wrote in the *New York Times* (July 8, 2016):

Its closing will mark the end of an era. The Four Seasons, probably the most important New York restaurant of the 20th century, Americanized fine dining and set in motion many of the trends that still dominate restaurant culture in the United States. In its time, the Four Seasons was the most modern, the most daring, the most New York restaurant the city had ever seen. Defined visually by the confident modernism of Mies van der Rohe's Seagram Building, it expressed, through its menu, décor and clientele, a vision of Manhattan as the nerve center of the postwar era: a nexus of talent, money and ambition.

The Landmarks Preservation Commission designated it an interior landmark as soon as the necessary 30 years had passed, in 1989. It survived for three decades more. Unfortunately, the Landmarks Law is not equipped to protect works of art that are not structural. Sixteen paintings that had hung in the Four Seasons were acquired by the Museum of Modern Art when the Four Seasons lost its lease in 2016. The New York Landmarks Conservancy and the New-York Historical Society adopted the now unwanted Picasso tapestry. It was successfully removed, its fragile condition requiring the most elaborate precautions.

But landmark designation had not been futile. Acting unanimously in 2016, the LPC refused to permit new ownership, led by Aby Rosen, to make architectural alterations that had been initiated without permit in violation of law, an action which Commissioner Devonshire correctly described on the record as "completely despicable." But especially given the period and style of the place, which was created at the height of the fashion for a less-is-more esthetic, it was still possible to dismantle the carefully chosen accessories, with ruinous effect. The name, Four Seasons Restaurant and the trademark image were protected, and retained by the banished restaurateurs for a new use.

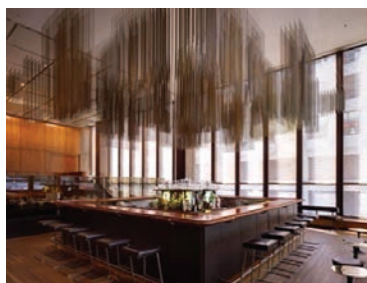
Then, understanding his legal options, Rosen trashed the emblematic display of the four seasonal trees, which had been changed quarterly at the corners of Philip Johnson's square pool for half a century. Although the concept of the changing foliage, and the symmetrical presence and height of the indoor grove were essential components of the original design of the room, like the rest of the moveable furniture, these elements were deemed beyond landmark protection under existing law. Chairs designed by Mies and executed by Knoll, tulip side tables by Eero Saarinen, all were sold

at auction, together with the silver and china designed by Garth and Ada Louise Huxtable before she became the first architecture critic of the *Times*. The periodical, *W Magazine* commented, “Before too long, almost no one will remember the drop-dead-swank space where John F. Kennedy celebrated his 45th birthday before heading over to Madison Square Garden to be serenaded by Marilyn Monroe.”



Photo: W Magazine by Jennifer Calais Smith. Philip Johnson's Pool Room as it was.

Flowering indoor trees electrified for spring, followed by the “lovely green” of summer, autumn leaves, and white birches in winter: such transitory modern elements obviously could not be made legally compulsory. But like the contemporaneous Circle in the Square Theatre, the geometric forms of the Pool Room and its plantings recalled the opening lines of the sonnet, “At the round earth’s imagin’d corners, blow/ your trumpets, angels,” (*Divine Poems*, Holy Sonnet VII) John Donne being once again a literary favorite among those living in the mid-20th century.



The square Grill Room Bar under the Lippold sculpture.

At the end, world weary historic preservation advocates sat at the square Grill Room bar drinking dry Martinis and absorbing the ambiance of the place for the last time, beneath the two thousand thin bronze bars of Richard Lippold’s nameless site-specific sculpture, which was suspended overhead. Philip Johnson celebrated his 95th birthday in those soon to be eviscerated rooms. Perhaps fortunately he did not live to see the losses landmark designation would not forestall. Lippold’s sculpture, being anchored to the ceiling and noted in the designation report, was deemed a protected feature of the landmarked interior and remains in its original place.

49. Losing 14 Gay Street in the Greenwich Village Historic District



PROTEST: In the Greenwich Village Historic District, November, 2022, 14 Gay Street was destabilized and subsequently condemned by the Buildings Department as a direct result of work approved by the Landmarks Preservation Commission. With inadequate supervision, illegal and nonconforming structural interventions destroyed the landmark. One of a group of ancient houses from the estate of Celeste Martin, 14 Gay Street was the setting for the *New Yorker* stories, *My Sister Eileen*, later adapted for a play, the musical, *Wonderful Town*, two films, and a TV series. Just before the demolition, Village Preservation organized a protest outside the doomed building, as shown in their photo above, with State Senator Brad Hoylman-Sigal, Councilman Erik Bottcher, and Assemblywoman Deborah Glick. Andrew Berman spoke, saying:

This house survived 200 years, through the Draft Riots, nearby dynamiting for the construction of the subway and PATH trains and demolition of the Sixth Avenue El, a deadly fire in the basement, and hurricanes and superstorms. But it couldn't survive six months of ownership by Mr. Nazarian and the flimsy oversight of the New York City Department of Buildings and the New York City Landmarks Preservation Commission. The city failed in its responsibilities here — they failed to protect public safety, they failed to protect residents, and they failed to protect New York's history and landmarks.

What was once a symbol of the dream of coming to New York from anywhere and achieving anything, has instead become a nightmarish symbol of greed, craven disregard for safety, and a dysfunctional New York City bureaucracy that can't do its job. How much more of a warning did the city need? There had been violations, complaints and dangerous conditions at this and adjacent houses under the same ownership for many months. These houses are all two centuries old and fragile, designated landmarks — and the new owner has a history of creating hazardous conditions and harassing tenants. Did he need to hang a giant sign on the buildings saying, 'Warning — This Building Is in Danger!'



14 Gay Street. Photo: Village Preservation.

14 and 16 Gay Street stood on a quiet block, with old wisteria. When these houses were built in 1827, John Quincy Adams was President of the United States, and John Marshall was Chief Justice of the Supreme Court. Modest structures made of handmade brick, they represented the ideals of the early republic. The doorway of 14 Gay was decorated with small classical columns derived from ancient Roman models emblematic of the republic our revolution had established. Very few such houses still exist in New York. Now determined to be an unsafe building, 14 Gay Street was ordered demolished by the Department of Buildings. The owner is required to rebuild, and required to replace the lost landmark with something of roughly the same scale, which can be a punitive measure of some importance. It can be called restoration. But creating an exact replica of a small vernacular building that is centuries old is only hypothetically possible. What Walter Pater, in *The Renaissance*, called “The mere effect of time” shows itself in subtle marks that few could counterfeit even if they wished to

“...there being a poetry also of memory and of the mere effect of time, from which it [architecture] often profits greatly...”

There will never be another 14 Gay Street, and the bureaucracy is complicit in the loss.



*14 Gay Street demolition, ordered the Buildings Department.
Photo: YIMBY.*



Berenice Abbott photographed the doorway of 14 Gay Street, as shown above, in 1937. Reproducing it, in “Why a modest 1827 home is missing from its row,” (March 20, 2023) *Ephemeral New York* reminds us of the long history of construction and habitation:

Number 14 was built first, in 1827. Its original owner was a plow manufacturer named Curtis Hitchcock, according to the Greenwich Village Landmarks Preservation Commission designation report from 1969. A year later, Number 16 went up next door, along with the rest of a row of three-story modest houses on the west side of the street. These tidy, low-stooped homes were occupied by the families of New York’s merchant class: small manufacturers like Hitchcock, as well as shop owners and artisans. For the next two centuries, the two houses stood witness to Gay Street’s transformation from a one-block lane of middle-class houses to a shabbier African-American and immigrant enclave to a slice of the Bohemian Village, home to speakeasies, artists, and authors.

When the building was condemned, the internet was full of remembrance and mourning, and even *The New York Times* took note. Penelope Green wrote, (December 22, 2022)

14 Gay Street is one of a clutch of six winsome but precarious early 19th-century buildings on Gay and Christopher Streets that were owned for decades by Celeste Martin, a singular character devoted to her properties and to the often eccentric cast of tenants she nurtured.

Ms. Martin died in late 2018, at 94, with no will and no close relatives, so the city took over her holdings, selling 14 Gay Street and its siblings for about \$9 million to a buyer who flipped them last April to Lionel Nazarian, a 37-year-old developer, for about \$12 million. Since then, Mr. Nazarian has done foundation work that has destabilized 14 Gay Street and imperiled its neighbors, so the city has ordered its demolition, a slow, laborious process that began just before Thanksgiving.

Chillingly, this scenario is one that is playing out all over the city, said Andrew Berman, the executive director of *Village Preservation* and the organizer of the November protest: As developers have been buying up vulnerable landmark properties, they are either allowing them to deteriorate or doing work that compromises public safety. In the last year, he said, more than a dozen such buildings have come down.

50. Counting the New York City landmark demolitions since 2014: ten ostensibly protected historic houses lost to neglect or infeasible modernization schemes

During the de Blasio administration, risky approvals were given to projects that ended in disaster under subsequent lax supervision of unsafe construction practices. These were:

- the row of six landmarks at 44 Ninth Avenue, including
- 46 Ninth Avenue
- 48 Ninth Avenue
- 50 Ninth Avenue
- 52 Ninth Avenue
- 54 Ninth Avenue

and also

- 21 East 65th Street
- 404 West 20th Street

Failure to intervene effectively in cases of extreme neglect resulted in “unsafe building” demolitions ordered by the City at

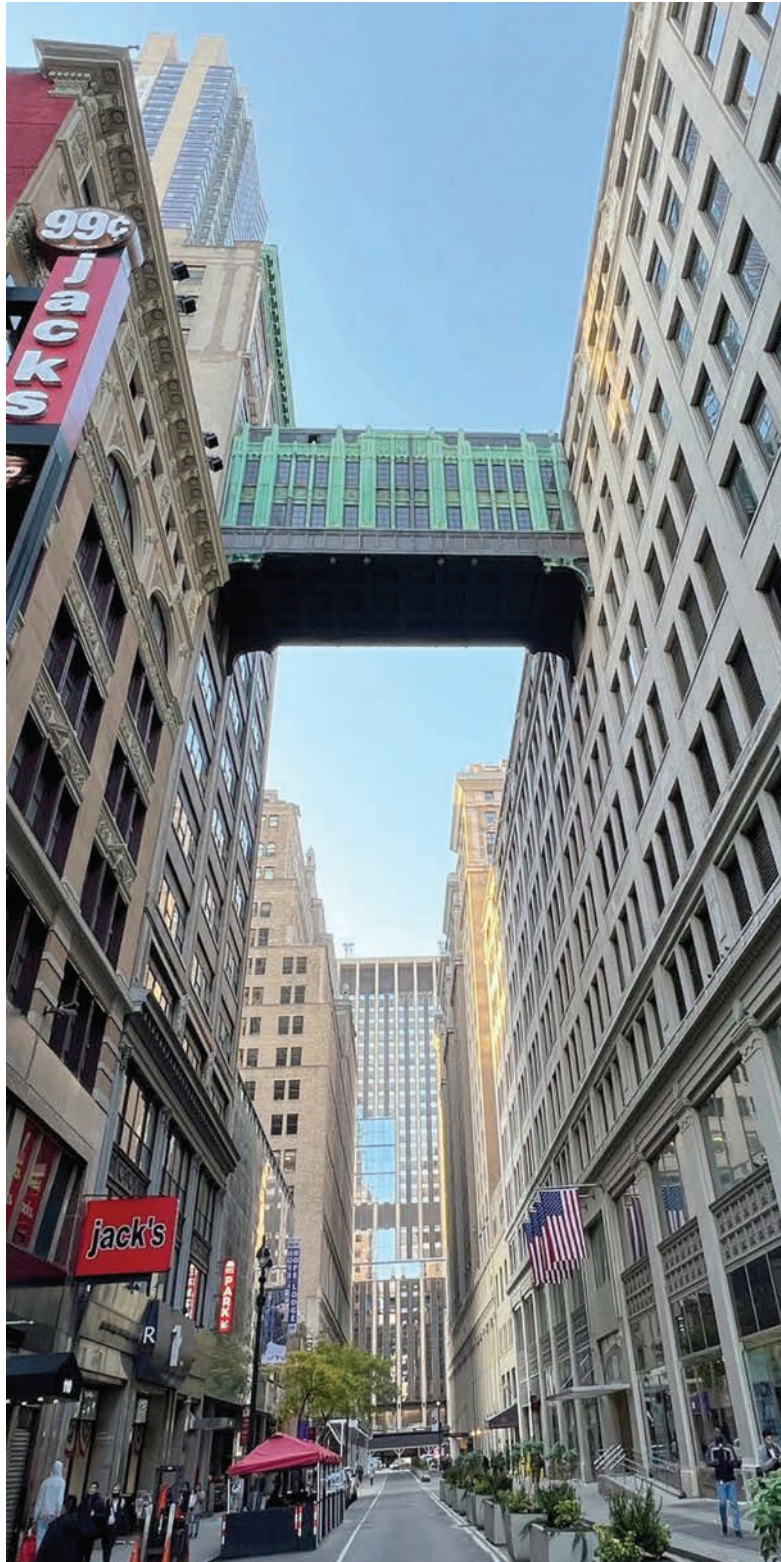
- 28 West 130th Street
- 186 Lenox Avenue

Under the new administration, there was a further loss

- 14 Gay Street joined the list due to an unsafe renovation with no supervision. The stability of the adjoining landmark, 16 Gay Street, also undergoing renovation under the same ownership, was still in doubt at time of writing.

We are still waiting for a clear public accounting, or even any real recognition of the cause of this chain of disasters. The cumulative effect will only grow unless the problem achieves recognition. State and National Register Listing is an honor that does not bring protection. New York City designation seems to be trending in that direction.

In terms of preserving the historic city, demographic change and the redistribution of wealth over time will exert certain pressures on the ownership and use of land, which in turn lead naturally to extensive demolition and the replacement of existing architecture. It is the attempt to regulate that change in the public interest that brings the Landmarks Preservation Commission into play. During the de Blasio administration, a steep decline in financial support for Christian churches, coupled with the passionate attachment of remaining congregants to their traditional forms of worship created dramatic conflicts, which however remained relatively unpublicized, in our secular state. Requests for Evaluation triggered by such conflicts were extensively side-lined, and in many cases, a strictly architectural evaluation justified the rejection. But still, citizens were pained and outraged, and perhaps some came to regard the historic preservation movement as a failure. Earlier we quoted David Holowka, “What’s the point of a landmarks commission...Aren’t they here to protect old buildings?”



*The Gimbels traverse, a skybridge, photographed by David Holowka for ArchiTakes.
It is not landmarked.*



51. The Gimbels traverse, a Skybridge—an unusual structure from the romantic period of skyscraper design, an early work of Shreve and Lamb.

Very few skybridges still exist. The Staple Street Skybridge is now privately owned, part of a condominium embracing two separate Tribeca buildings, both under the protection of the Tribeca West Historic District, and so hopefully, it is safe. The same cannot be said for the skybridge known as the Gimbels traverse, shown above.



Photographs: courtesy of David Holowka, who warns: “The bridge will disappear if plans for the Empire State Complex proceed. This would be a terrible loss.”

The Gimbels traverse closed when Gimbels did, in 1986. *The Bowery Boys* have taken note of its history: “1925, Gimbels decided to link its Herald Square store to a recently acquired annex across the street, via a custom traverse, a beautiful copper bridge, three stories tall, created by **Richmond H. Shreve** and **William F. Lamb**, a teeth-cutting project for two young architects who would go on to help design the **Empire State Building**.” David Holowka, in an exhaustive study of skybridges real and fantastic in his blog, ArchiTakes, writes: “For nearly a century, the Gimbels skybridge has served as a kind of gatehouse announcing Pennsylvania Station on the next block west. Few would guess that its interior was once continuous with the station’s. The bridge will disappear if plans for the Empire Station Complex proceed. This would be a terrible loss. It is by far the most prominent aerial bridge from an era when the rest of the world looked to New York as the skyscraping, multi-level City of the Future—the crowning example of a phenomenon that influenced modern architecture and still captivates and inspires.”



The demolition of the Dangler House as seen in an NBC News video.

52. Still More Demolition, and a Comment from Councilmember Chi Ossé Noting a Lack of “Common Decency and Respect”

Above is a listing of decisions and events that raised questions about historic preservation policies during the de Blasio administration. Unfortunately, such questions continued to arise as New York waited in vain for possible changes in personnel under Mayor Adams. In June 2022, a group of Brooklyn citizens appealed to the Landmarks Preservation Commission for emergency landmark designation of a building that was under immediate threat of demolition.

The Jacob Dangler house, designed by Theobald Engelhardt and built in 1898, was an imposing Turreted mansion in the French Gothic style standing on the corner of Willoughby and Nostrand Avenues in Bedford -Stuyvesant. After Dangler’s death in the 1940s it was sold to the United Grand Chapter of the Order of the Eastern Star, a Masonic institution which, according to *CityLand*, is made up almost exclusively of Black women. It became an irreplaceable center for community meetings and events. But during the pandemic this use became financially untenable, and soon a sale was being finalized, together with a demolition application. In response to pleas from the community and elected officials, the commissioners voted on June 7th to hear the Jacob Dangler house for landmark designation, and subsequently, Chair Carroll set a hearing date.

Meanwhile, the Department of Buildings issued a demolition permit on June 9th which was placed on hold due to the LPC action. We understand that something about this chronology is now contested, but the July hearing is a matter of record and under any proposed interpretation of the schedule and the law that hearing did in fact take place at a time when designation was still possible. When it was held there was extensive support for preservation, including from Councilmember Chi Ossé, the Victorian Society, the New York Landmarks Conservancy, the Historic Districts Council and many individuals and block associations. No one disputed the architectural merit of the endangered house, although ownership remained opposed to designation.

When an otherwise allowable demolition is pending due to LPC intervention, the DOB schedule is tight. Forty days from the date of application, the Department of Buildings is required to

allow demolition unless the building has been landmarked in the interval. Although in ordinary circumstances a vote to designate would not occur immediately after the hearing, delay is not mandated. The commission can act to designate immediately after the statutory hearing is closed. In a recent instance, this was done successfully and without subsequent legal challenge: in 2018, the Dr. Maurice T. Lewis House in Sunset Park was designated immediately after its hearing, while Meenakshi Srinivasan was LPC chair, and Sarah Carroll was Executive Director.

But at the Dangler House hearing, Tuesday, July 12, no motion to designate was offered or discussed, and the meeting was adjourned by Chair Carroll. Designation is accomplished by a vote of the commissioners at a public meeting and cannot occur otherwise; meetings are scheduled on Tuesdays for dates chosen long in advance. In our understanding July 12 was the meeting when action on this designation was necessary. The subsequent meeting was on July 19, and the Buildings Department issued a demolition permit on that day, according to online records. On July 21st, the 40 day hold having expired, and the permit having been issued, the mansion was expeditiously smashed. A rather dramatic video of the fall of the tower appeared on CBS and also NBC News. Under a storm of protest, the Landmarks Preservation Commission remained silent, and referred requests for comment to the Office of the Mayor, which was at least initially unresponsive also.

But just two weeks later, on August 5th, preservationists had their answer. Mayor Adams nominated Sarah Carroll for reappointment, to be his landmarks chair in the new administration, and his choice was confirmed by the City Council, despite a spirited protest from Councilmember Ossé, whose district includes the contested demolition site.

It should be noted that whatever arguments may be advanced about the exact date of the 40 day hold expiration, those arguments are at best irrelevant, because according to clear historic precedent the action to designate could have been taken on the day of the designation hearing, July 12. The subsequent destruction of the Dangler House was the direct and predictable result of the Chair's decision not to call for a vote that day. Subsequent technical arguments about interpreting or changing the precise expiration date of a demolition hold are an irrelevant bureaucratic smokescreen, not least because the commission did not in fact schedule a vote for the July 19th meeting either.

The account published in the *New York Times*, September 25, 2022 did not include important facts. The reporter failed to mention, and may not have known, that a timely designation hearing was scheduled in June and took place on July 12, at which time action to designate could have been taken. There is recent precedent for moving to designate at the designation hearing; of course, such action still requires City Council affirmation. The LPC could probably have prevented demolition. Its leaders chose not to try to do so. Whatever other expectations may have been fulfilled that day, the Landmarks Commission effectively betrayed a community that had trusted it.



RESIDENCE OF MR. JACOB DANGLER, CORNER OF WILLOUGHBY AND NOSTRAND AVENUES.
One of the most striking examples of the elaborately designed residences that are becoming an architectural feature of Brooklyn.

The now demolished Dangler House, as it was. Photo reproduction courtesy of Suzanne Spellen.

Representing Bedford-Stuyvesant, where the Jacob Dangler House had been located, Councilmember Chi Ossé told *The New York Times*:

What I think was lost and what has continued to be missed from the demolition — the actual action itself — is common decency and respect. As a resident of central Brooklyn and now a council member that represents central Brooklyn, we've seen this story time and time again of developers that don't really care about the character of a neighborhood and the services that are sometimes provided by a space like the Dangler House, and ignoring the wants and wishes of folks that lived on that block and even in the surrounding area. They're missing a space to congregate, a space that holds history of the neighborhood — a space that offered a place for many different community events. But from my perspective, the largest thing that was missed here and taken away from the community was respect, co-governance and community input.

--New York Times, September 25, 2021

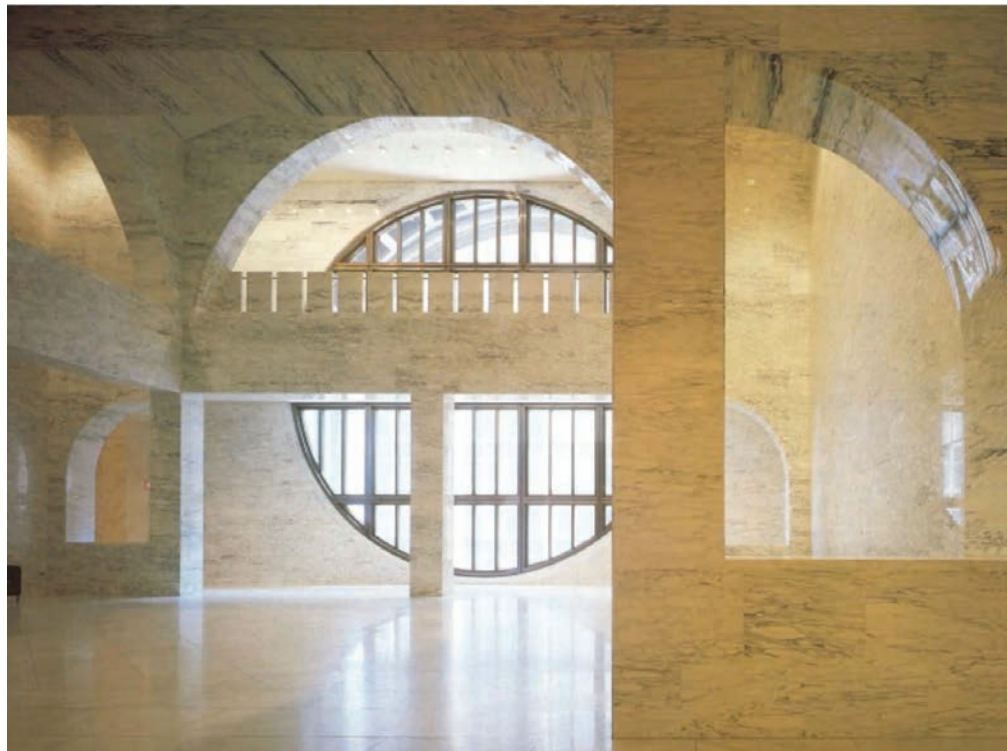
53. Historic Preservation in New York seen from a Harlem Perspective

Michael Henry Adams, longtime observer and author of *Harlem Lost and Found: An Architectural and Social History 1765-1915* has long questioned aspects of LPC policy, seeing certain omissions, perhaps blind spots, that characterized designation policy during the de Blasio administration, and before. For instance, he has noted the scantily acknowledged role of the architect Harry Simmons, Jr., who died young in a plane crash, but was the associate architect responsible for interiors of Philip Johnson's AT&T Building. According to his *New York Times* obituary, "In 1972, Mr. Simmons was named one of the 40 top architects in America by Architectural Record. He was a founder of the New York Coalition of Black Architects." That coalition still exists, evolving into the New York chapter

of NOMA, (The National Organization of Minority Architects) as NYCOBA/NOMA.

The same cannot be said of the AT&T lobby, credited to Simmons, which no longer exists. It was altered and subsequently destroyed, along with the original arcaded ground floor facade. Landmark designation of the exterior finally took place in 2018, during the brief interim chairmanship of Fred Bland, four years after the lobby was old enough to designate. Apparently it had not been a priority for Meenakshi Srinivasan, perhaps because of the alterations already in place, but after the exterior designation was calendared, leaving the lobby unprotected, further devastation ensued. The interior spaces were celebrated in their time by the architectural press.

If the creation of the original lobby represented a brief moment of triumph for NYCOBA, its destruction was only one item in an inventory of preservation failures. At this time, Michael Henry Adams notes, other sites “exemplary of African-American attainment--unrecognized and undesignated--were unceremoniously razed. Even a partial list seems shameful. Child’s Memorial Temple where Malcolm X was eulogized. (2017) The Lenox Lounge (2017) The Hotel Olga (2019) listed in the Green Book 1920-1937 as “the nicest place open to colored people in New York” St. James Methodist Church (2020), all went the way of the Casino Renaissance (2015) and the Lafayette Theater (2013). “ In response to intervention by First Lady Charlene McCrae, as mentioned above, Brooklyn’s Harriet and Thomas Truesdell house was protected after decades of delay, but especially in Manhattan, far more landmarks of importance to African American history were destroyed than were saved during the de Blasio administration.



The AT&T Building, a view of the interior, which is not a designated landmark. Photo: The Architectural Review, Philip Johnson’s AT&T, 25 August, 1984.

54. At 21 East 65th Street, LPC approved expansion leads to structural failure

Because of a policy of preserving only the front of a landmark as visible from the street, the Landmarks Preservation Commission has contributed to the perhaps predictable loss of existing structures, including “contributing” buildings in historic districts, when unsupported historic facades have cracked and crumbled and been officially declared unsafe by the Department of Buildings as a result of demolition for construction of new buildings behind them. This approval policy depends on an interpretation of the Commission’s jurisdiction that may be arguable intellectually, but the real world consequences can be catastrophic.



The ghost of a landmark, 21 East 65th Street, now site of a new building. Photo: Friends of the Upper East Side.

Friends of the Upper East Side Historic Districts commented on the failure on 65th Street in a letter to the LPC, January 14, 2022, describing the collapse and demolition of December, 2021:

Together with the nine low-scale buildings in the Gansevoort Market Historic District in October 2021, this is now the second instance in recent months where landmarked buildings have been adversely impacted by neighboring construction activity and subsequently demolished. Both projects demonstrate the real structural risk to historic buildings when facadism — the practice of maintaining only the main facade of a historic building while demolishing the rest — is supported by the LPC. FRIENDS has serious concerns about the growing prevalence of LPC approvals that preserve only superficial elements of historic buildings.



A rendering of the LPC approved new building for the site, by Cook/Fox, reproduced by Friends of the Upper East Side Historic Districts.



Another unheralded demolition in 2020: an undesignated skybridge at East 24th Street. It connected portions of the MetLife campus. Photo: Klaus-Peter Statz for Untapped New York. But not only skybridges are disappearing.

55. Are there others? Many more, and from earlier administrations also

The lands and waters making up New York have been an alluring place of habitation since time immemorial, and no doubt will continue to evolve. Their history—and what people think of it—remains in flux. Earlier inhabitants would find New York already changed beyond recognition, and even latecomers might be puzzled to find their way among water courses now buried underground and hills now levelled, a shore line no longer bountiful with shellfish and small craft, old roads become alleys, old harbors, landfill. The politics of ownership are no less variable, and messages from the past often become ambiguous, if they survive at all. Edmund Wilson has died, and *Apologies to the Iroquois*, or the like, are scarcely offered in the new century. Attempts to preserve markers and memorials of the past dwindle and fail, and early skyscrapers go the way of primeval forests. Few recall the lives of Jacobus Hendrickson Kip or Jonas Bronck. Formerly preeminent towers, superseded, lose their glamour and their strength, as Rem Koolhaas suggests in *Delirious New York*. In the future, it will be left to our descendants to determine the survival of any material presence of our architectural history, or the memory, if any, of our doings—bearing in mind the observation of T. S. Eliot

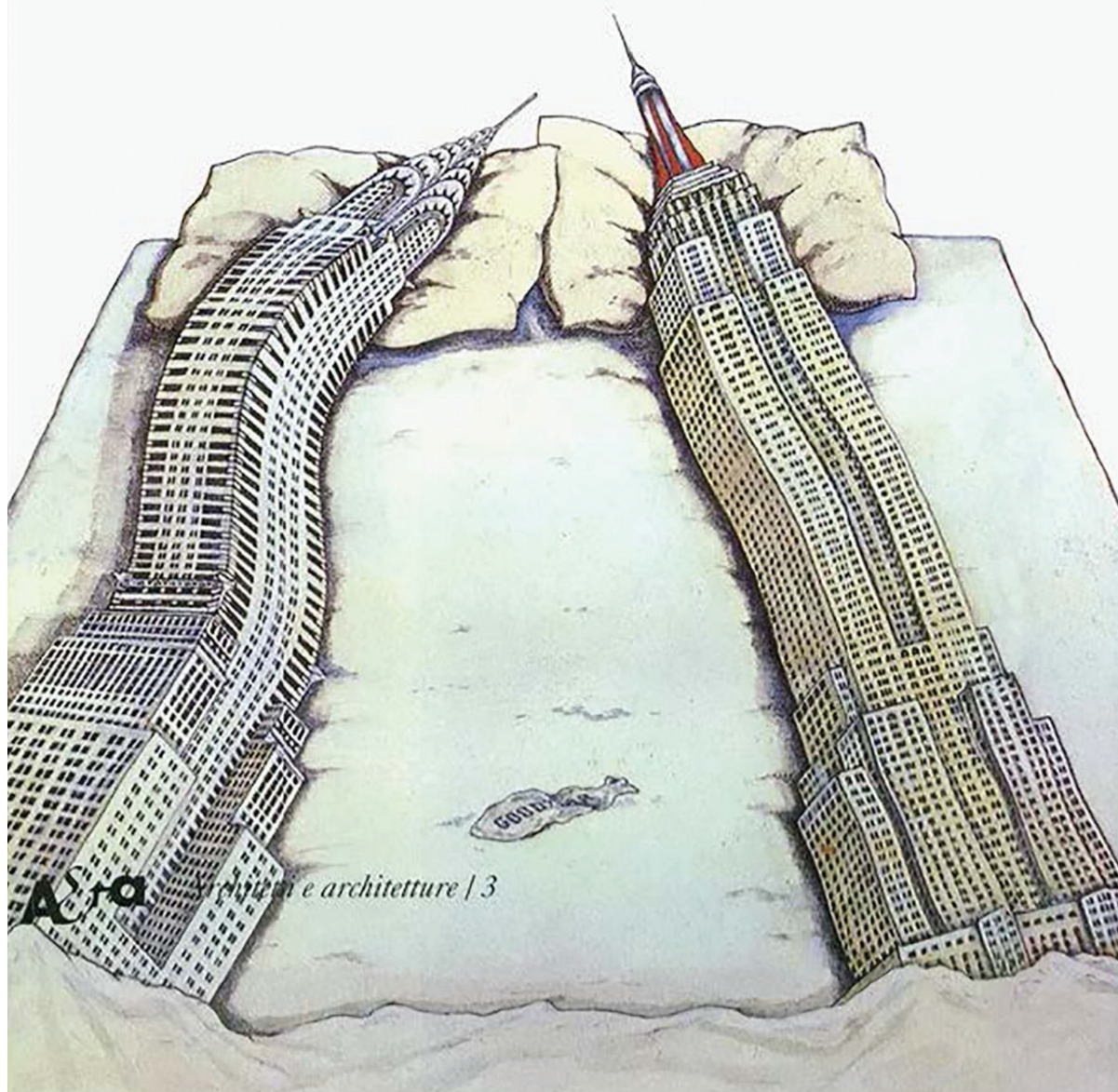
...humankind

Cannot bear very much reality

Burnt Norton, *Four Quartets*

Delirious New York

Rem Koolhaas



A. Koolhaas *spazio e architettura* | 3



The god, Mercury, once guardian of certain Manhattan traffic lights.

Epilogue: The Decline of Historic Preservation in New York City 2014-2022

Today, observers who have watched the Landmarks Preservation Commission over time cannot help but notice an increased deference towards real estate development projects private and public, large and small. On the designation side, the research department has exhibited profound caution, for instance entertaining dubious claims of “loss of integrity” if a potential landmark has been altered in any way in the decades or more since it was built, even disregarding the special character sometimes conferred by historic evolution. In the past it was assumed that imperfect, damaged landmarks would eventually be restored with the help of the state and federal tax incentives that legislatures adopted for that purpose. But now we see ambiguously worded staff level rejections of requests for evaluation: the building does not “rise to the level” of an individual landmark! There will be no public hearing, no public debate, no possibility of public funding for restoration. If present trends continue, as seems increasingly likely, this originally progressive agency could become a toothless watchdog.

Also of concern is the changing and diminishing role of non-profit advocates. The political, social and economic standing enjoyed by members of the boards of directors of the large not-for-profit entities is evolving. Anecdotally, or looking around the room at a celebratory event, or consulting Who’s Who, a cynic might wonder about the reasons for a certain attenuation of engagement with the regulatory process noticeable in recent years. In the 1980s, and into the 1990s, the calendar

and public hearings of the Landmarks Preservation Commission were followed closely, and public testimony was frequent and spirited. But now large membership societies are frequently absent, or ineffectually tepid and unfocused in their salaried presentations. Their pronouncements scarcely reflect the passionate public opinion we sometimes still hear from scholars and cognoscenti and engaged local civic associations. In part, this reflects the sad fact that many who once held political feet to the fire have died of old age, or retired, or drifted away from activism.

Many 20th century advocates are gone now, and gone too is much of their enthusiasm and drive. Once, it seemed hardly enough, now by comparison, it seems a golden age. There was to be no renaissance under the de Blasio administration.

Something similar occurred in the last century with the disappearance of those small winged statues of Mercury that once decorated the tops of traffic signal posts along Fifth Avenue. There are reports that one survives in the Museum of the City of New York, and on paper, the original designs are archived. But for the purposes of everyday life, the futuristic “Cobra” lamp and its adjuncts have swallowed those small pagan icons alive. The Mercury figures were trashed shortly before legislation enabled protection of historic districts. But other features of the city, even when landmarked, can disappear.

Under current regulatory policies, traditional building materials are increasingly subject to substitution. In historic districts, look-alike plastics can replace the work of human hands through unpublished staff-level permits issued under the new streamlined rules of 2018, Sections 2-11 and 2-12. Some more draconian rule revisions originally proposed by the de Blasio administration were modified after a protest, but erosion of earlier standards is still a threat.

Since 2014, there have been many changes to the face of the city, which may not be regarded as losses by everyone, as well as some losses beyond dispute, through administrative failure to intervene with timely landmark designation. In the Episcopal Church, it has been customary for a priest to offer prayers that have been requested for the recently dead, and finishing, to ask “Are there others?” And certainly then, there are others, but sometimes no one present knows their names.

Some losses have taken place in obscure corners of the city, or in spaces occupied by things that few would miss, or immediately notice missing. More than a century ago architecture critic, Montgomery Schuyler wrote about his sudden recognition of a strange unheralded absence: something that was once absolutely commonplace, “The Small New York City House” (as his essay notes) was gone. His topic was ordinary Dutch town houses, first built in the colonial period, and once the prevalent built form in lower Manhattan—but then one day, Schuyler realized, there were none left. All demolished.

Some landmarks are famous, swarmed by crowds, obligatory for tourists, cherished by antiquarians, admired by all: but if little known regulatory standards are relaxed, under the radar, even such landmarks can receive alteration permits and certificates of no effect that gradually lessen the original character that designation was meant to protect.

Since 1965, numerous activists have tried to weave a network of legislative protections around

New York landmarks, both individual buildings and historic districts, and that perhaps is why we have outward and visible signs of the history of our republic still standing after centuries. We have City Hall. The Morris-Jumel House. The South Street Seaport. St. Paul's Chapel, where George Washington prayed in 1789. Alexander Hamilton's Hamilton Grange. Sixty years ago these things were thought important, and rightly so.

But today the whole idea of landmarks preservation seems threatened by an ambitious new wave of skyscraper-obsessed plutocrats and regulatory anarchists, who are also citizens, but with little respect for existing law, much less for history, historic places, or for old architecture.

On the federal scene, the bizarre icon of this political new wave was a bare-chested man costumed in horns and furs appearing on national television breaching the walls of the Capitol on January 6th, 2021, in Washington. It was a symbolic act targeted at an historic building. Other freedom-minded rebels may be less immediately grotesque, but if their targets are legislation, rulemaking, administrative precedents and government appointments, the harm they can initiate is far more pervasive than the impact of any unruly symbolic gesture.

In academic legal journals they call it "regulatory capture," when a government agency tasked with administering environmental laws allows itself to be dominated by the regulated industry. Historic preservation law has been found to be especially vulnerable to the phenomenon. For instance, Matthew Dulak writes in the *Columbia Law Review* for April 2016

The special damage rule—a component of standing doctrine requiring a plaintiff's alleged injury to differ somehow from that of the general public—has long thwarted citizen challenges to inaction by government regulators, particularly in environmental suits. While courts in many jurisdictions have trended toward relaxing the special damage rule in environmental cases, the requirement has not been similarly adjusted in other areas of law. In particular, it remains a major obstacle for citizens seeking to challenge government actions relating to landmark preservation, decisions that can have monumental effects on a community's cultural and historical identity....absence of checks and balances is particularly troublesome in the context of historic preservation, because, even setting aside the asymmetry in access to the courts, the LPC's structure makes it especially vulnerable to regulatory capture. Regulatory capture, a version of public choice theory, describes a phenomenon where agencies deliver regulatory benefits to well organized political interest groups, which profit at the expense of the general, unorganized public. An agency is typically thought to be vulnerable to capture if there is an interest group, or a small number of interest groups, with a disproportionate stake in the work of the agency relative to the general public

Rightly assuming that many are unclear about the technicalities of legal standing, hostile public relations experts may mock pro-preservation litigants as lacking public spirit, concerned only about the views from their own windows. But under existing practice, without citing such a loss, such "special damage," the larger aggrieved public might have no access at all to judicial review. A "captured" agency would remain entirely free to ignore public opinion—and public anger at what Dulak has called "decisions that can have monumental effects on a community's cultural and historical identity"—while expertly continuing to service the very industry it was created to regulate, providing pretexts and permits for destructive investment projects, or turning away from opportunities for administrative intervention.

How can it be useful to conduct landmarks review in a manner that is deferential to the applicant? Review was intended to convey expert opinion and improve the outcome of alterations proposed for protected properties, hopefully making those changes what the statute calls “appropriate.” If the appropriateness of a proposed change were not in doubt, the item would never have been calendared to come before the commissioners in the first place. In their review, preservation is the goal, and their purpose is to insist on certain checks and balances.

Is it time for historic preservation advocates to eat what beat poet Allen Ginsberg called a reality sandwich? In recent years, the New York City Landmarks Preservation Commission repeatedly issued significant decisions that arguably fell short of enforcing its statutory mandate. As evidenced by the inventory above, we believe that the LPC has been losing its way, with a series of actions and inactions that are changing the face of New York. If this continues, we can expect to see widespread unnecessary loss, in a very different city.

Some have been critical of Mayor de Blasio’s first landmarks chair, Meenakshi Srinivasan. It seems inarguable that her goal, also his, was to effect considerable policy modifications that were regressive in terms of the originally defined purpose of the agency. They seemed to see no need to privilege what preservationists viewed as their heritage. There were moves to undo the traditional protection for heard but not yet designated items, moves to reduce the number of items to be reviewed at public hearing, moves to relax the restrictions imposed by staff-level approval rules. Such initiatives were somewhat modified in the face of massive and well-organized public protest, mostly engineered by Simeon Bankoff, then with the Historic Districts Council. Much of what we must assume were the administration’s ultimate aims—to restrain the growth of historic preservation, reduce public oversight, and clear the way for other forms of investment in the metropolis, were at first countered by advocates, and at least partially postponed. Despite the abstract nature of the regulatory issues, in the public sector, there was still a widespread emotional dread of losing the landmarks that tie a city to its past.

Predators and parasites are an inalienable part of nature and equally their human equivalents will always be a factor in politics and the life of cities. Blood on the ground is to be expected, at least occasionally. But defining features of the metropolis and its individuality, its history and its political identity are sometimes embodied in old architecture that has been protected over the years by a civic consensus, enforceable by law since 1965. Landmarks do not preserve themselves, even when, as the law remarks, such preservation is both feasible and desirable. Their survival depends on government intervention and public pressure.

In New York, no one has written a narrative history of the evolution our landmarks law up to the present time, one that includes the revisions of regulatory policy since 2014, when Mayor de Blasio took control of his administrative agency and appointed Meenakshi Srinivasan Landmarks Chair. The Landmarks Commission, as the agency is usually called today—dropping the word, “Preservation” from its name—remains in jeopardy. In today’s world: policy changes occur without any general awareness that the changes are radical. Agency communication policies diminish news coverage, the regulated industry dominates staff review procedures behind the scenes, and the

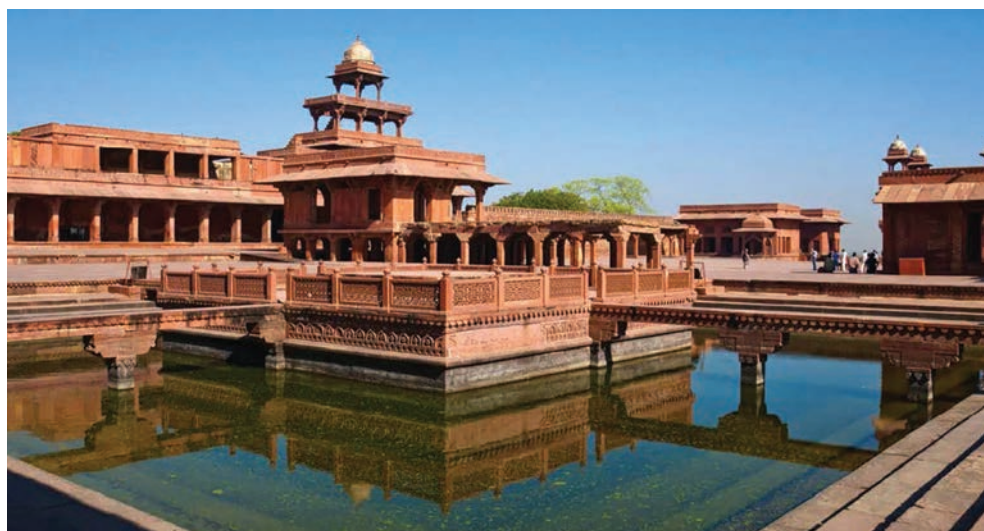
general public is no longer treated as a partner in government.

Even before this deregulation began, the question of the degree and extent of landmark regulation was always a topic hard to resolve or even define: to cite our 1984 interview with Frank Sanchis, then Executive Director of the LPC, (*Village Views*, Vol. 1, No. 1. Winter 1984):

Mr. Sanchis: My answer is going to be confusing. You know how it is – the longer you’re in the field of something, the less certain you are of your own feelings and the more you are aware of the validity of various approaches. I’ve been in the field now for about fifteen years, and I’ve seen each of those approaches work in different situations; and I’ve felt that each was really fine in different places. I’ve travelled fairly widely, and I’ve seen all kinds of things. I’ve seen mothballed cities that seem to work fine. Do you know about Fatehpur Sikri in India, which is the city which is absolutely mothballed? It was mothballed by time, because it’s in the desert. It’s near Agra; and nothing corroded, nothing happened. It just sat there (*general laughter*). Climatic conditions were such that nobody wanted to live there, and it just sat. So the Indian government has now effectively mothballed the city; you can go there and it’s absolute perfection from the seventeenth century, or the sixteenth, whenever it was built.

Mr. Kopnicki: It’s a great place to visit? No one lives there?

Mr. Sanchis: No one lives there (*general laughter*). That’s an approach about which I would normally say, “Oh, forget it! You can’t mothball anything!” I used to feel that way, very strongly; but I don’t feel that way anymore. Now I feel that there are certain things that are so fine and, just by dint of fate, have lasted so long, that in good conscience you simply cannot alter that thing which survived for three or four hundred years, and it would be absolutely criminal to change it today.



A view of the ancient city of Fatehpur Sikri, a UNESCO World Heritage Site. Photo: outlookindia.

An inventory of the many recent actions and inactions that make up what bureaucrats know as “precedent” suggests that historic preservation will not play a large role in the future of New York City. Because many have been devoted to the cause, or drawn to the vision of an ideal city that builds on its own history, the record should show what failure looks like, a modern city disfiguring and demolishing its own landmark architecture, and so systematically obliterating the common memory of what New York once was, and will never be again.

RELEVANT OBITUARIES: Some Lost Voices

As established by the Charter in 1965, ten of the eleven Landmarks Preservation Commissioners serve unpaid to guide the agency's decisions through landmark designations, hearings to establish the appropriateness of change, and rules and regulations to govern minor matters. In the past, the *New York Times* followed their agendas quite closely, in reporting by David Dunlap, Christopher Gray and other serious voices, as did the *Daily News* with Joan Shepard and *New York Newsday* with Sydney Schanberg. But other members of the administration, other agencies, and the public may be equally influential, and not least, the mayor.

The New York Times Obituary of Commissioner Joseph Mitchell
Joseph Mitchell, Chronicler of the Unsung and the Unconventional,
Dies at 87

By Richard Severo May 25, 1996

Joseph Mitchell, whose stories about ordinary people created extraordinary journalism in the pages of *The New Yorker*, died of cancer yesterday at Columbia-Presbyterian Medical Center in Manhattan. He was 87 and lived in Manhattan.

At the height of his creative powers, from the 1930's to the mid-60's, Mr. Mitchell tended to avoid the standard fare of journalists: interviews with moguls, tycoons, movie stars and captains of industry. Instead, he pursued the generals of nuisance: flops, drunks, con artists, panhandlers, gin-mill owners and their bellicose bartenders, at least one flea circus operator, a man who sold racing cockroaches, a bearded lady and a fast talker who claimed to have written nine million words of "An Oral History of Our Times" when, in fact, he had written no words at all.

Mr. Mitchell was also the poet of the waterfront, of the limelight of New York's greatness as a seaport, of the Fulton Fish Market, of the clambers on Long Island and the oystermen on Staten Island: people who caught, sold and ate seafood and talked about it incessantly. One Sunday in August 1937, he placed third in a clam-eating tournament at Block Island after consuming 84 cherrystones. He regarded that, he said, as "one of the few worthwhile achievements" of his life.

For him, people were always as big as their dreams, as mellow as the ale they nursed in the shadows of McSorley's saloon off Cooper Square in the East Village. He wrote during a time when New Yorkers were mostly convinced that they were of good heart and that they had the best of intentions, whatever the rest of the world thought of their abrasiveness and contentiousness. Mr. Mitchell's articles offered evidence that they were right.

When somebody suggested that he wrote about the “little people,” he replied that there were no little people in his work. “They are as big as you are, whoever you are,” he said.

When Mr. Mitchell became a staff writer of *The New Yorker* in 1938, the city had come through the Depression and was soon to send its sons and daughters off to fight a war. Even with the hard times and a jaded past, there was still an innocence of sorts, and an interest in the people Mr. Mitchell liked to write about as well as a tolerance for them. His nonfiction had grace and was rich with the sort of people a reader could find in Joyce or Gogol, two of the writers Mr. Mitchell admired. He was to letters what the Ashcan School had been to painting.

Mr. Mitchell arrived when the magazine’s editor, Harold Ross, was giving its top nonfiction writers, among them St. Clair McKelway, A. J. Liebling and Philip Hamburger, more space and time than was available to reporters of the day. *The New Yorker* writers used their good fortune to advantage. In stories, “Profiles” and “Reporter at Large” articles, Mr. Mitchell helped to pioneer a special kind of reportage, setting standards to which later generations of reporters would aspire.

If his name is not as widely known as it might have been, that is mostly because for the last three decades of his life, he wrote nary a word that anybody got to see. For years, he would show up at his tiny office at *The New Yorker* every day and assure his colleagues that he was working on something, but that it was not quite ready.

“He told his pals he was writing about his roots in North Carolina,” said Charles McGrath, who was deputy editor of *The New Yorker* and who is now the editor of *The New York Times Book Review*. “Then it became a book about his living in New York.” Whatever it was, nothing of any substance emerged from his typewriter after 1965 and his friends came to think of it as an exceptionally bad case of writer’s block. Mr. Mitchell had always been a perfectionist and Mr. McGrath said he suspected that Mr. Mitchell was raising his standards all the time. The janitor would find reams of copy in his wastepaper basket.

“I’m a ghost; everything’s changed now,” Mr. Mitchell said when he was in his 80’s, adding that he had become used to being obscure.

Although Mr. Mitchell always had an extraordinary reputation among nonfiction writers and his out-of-print books were eagerly sought by collectors, he emerged from his obscurity in 1992 when the body of his work was reissued by Pantheon Books in a volume called “Up in the Old Hotel.” The book was a critical and commercial success, and Mr. Mitchell said he was pleased to learn that younger readers found merit in his prose.

The centerpiece of the book was the series of articles that appeared in *The New Yorker* in the late 1930’s and early 40’s, and then was published in 1943 as “McSorley’s Wonderful Saloon.”

Mr. Mitchell had discovered McSorley’s Old Ale House shortly after he joined *The New Yorker*. The saloon opened in 1854 and, as the oldest continuously run institution of its kind in New York, immediately endeared itself to Mr. Mitchell. He loathed most forms of progress and technology and so did the succession of people who drank in McSorley’s.

“It is equipped with electricity,” he wrote of it, “but the bar is stubbornly illuminated with a pair

of gas lamps, which flicker fitfully and throw shadows on the low, cobwebby ceiling each time someone opens the street door. There is no cash register. Coins are dropped in soup bowls -- one for nickels, one for dimes, one for quarters, and one for halves -- and bills are kept in a rosewood cashbox.”

And what of the service?

“It is a drowsy place; the bartenders never make a needless move, the customers nurse their mugs of ale, and the three clocks on the walls have not been in agreement for many years. “

Who went to such a place?

“The backbone of the clientele is a rapidly thinning group of crusty old men, predominantly Irish, who have been drinking there since they were youths and now have a proprietary feeling about the place. Some of them have tiny pensions, and are alone in the world; they sleep in Bowery hotels and spend practically all their waking hours in McSorley’s.”

When Mr. Mitchell started writing such pieces about New York, the people who were then old could remember the draft riots of 1863, the various financial panics, the huzzahs that accompanied the end of the Spanish-American War in 1898 and the sorrow that attended the death of John McSorley, the original owner of the saloon, in 1910.

It is not possible to determine who the most memorable person was in Mr. Mitchell’s stories, but there were many who rivaled the regulars of McSorley’s.

There was Commodore Dutch, who somehow convinced rich and unrich alike that they should go to his annual charity ball, which he gave to benefit himself. “I haven’t got a whole lot of sense,” the Commodore told Mr. Mitchell, “but I got too much sense to work.”

There was Arthur Samuel Colborne, who announced in 1941 that he had not uttered “a solitary profane word since a Sunday morning in the winter of 1886.” He was so pleased with himself that he started the Anti-Profanity League and took to touring bars in Yorkville, preaching against the sin of swearing. “You start out with ‘hell,’ ‘devil take it,’ ‘Dad burn it,’ ‘Gee whizz,’ and the like of that, and by and by you won’t be able to open your trap without letting loose an awful, awful blasphemous oath,” Mr. Colborne told Mr. Mitchell. Mr. Colborne felt he had just about eliminated profanity in the saloons of Yorkville, but not without a price, since Mr. Colborne had to quaff a great deal of beer while spreading the word. His story, entitled “The Don’t Swear Man,” ran in the magazine in 1941.

There was a ragged old man who said he was “John S. Smith of Riga, Latvia, Europe” who began hitchhiking around the United States in 1934, virtually penniless. Every time a benefactor gave him a free cup of coffee or a little soup, he would give him a check for hundreds, even thousands of dollars drawn on the Irving National Bank of New York, which had gone out of business in 1923. Mr. Mitchell wrote: “I began to think of the vain hopes he raised in the breasts of the waitresses who had graciously given him hundreds of meals and the truck drivers who had hauled him over a hundred highways, and to feel that about John S. Smith of Riga, Latvia, Europe, there is something a little sinister.”

And there was Joseph Ferdinand Gould, who had graduated from Harvard in 1911 and come to New York, not long after he left an archeological expedition in which he measured the skulls of the remains of 1,500 Chippewa and Mandan Indians in North Dakota. He took to hanging around Greenwich Village coffee shops, where with no provocation he would do an imitation of a sea gull. Indeed, he claimed to have mastered sea gull language and had reached the point where he was about to translate Longfellow into it.

Joe Gould persuaded almost everybody who was anybody that he was writing an "Oral History of Our Times." He carried around paper bags that many believed contained his research but that, in reality, merely contained other paper bags and a few ratty newspaper clips. He lamented that he was the last bohemian and all the others he had known had fallen by the wayside. "Some are in the grave," he said, "some are in the loony bin and some are in the advertising business."

Malcolm Cowley admired him and so did E. E. Cummings. William Saroyan gave him alcohol and Ezra Pound trusted him.

It was not until 1964, 21 years since his first New Yorker profile of Mr. Gould and 7 years after Mr. Gould's death in a psychiatric hospital (death came as he was doing a sea gull imitation), that Mr. Mitchell told his readers the truth: that whatever the "Oral History" was, it reposed in Mr. Gould's noggin. Mr. Mitchell's first story about Mr. Gould, entitled "Professor Sea Gull," ran in 1943. The final Joe Gould articles, which appeared in 1964, were Mr. Mitchell's last signed contributions to The New Yorker. Two of his books, "The Bottom of the Harbor" and "Joe Gould's Secret," were recently published in Modern Library editions.

Reviewing "Up in the Old Hotel," for The New York Times Book Review, Verlyn Klinkenborg wrote: "Mr. Mitchell always mediates the sadness such subjects bring -- the loss of time, the life slipping by, the way the old manners fail to hang on -- and he lets the reader feel only the pleasure that comes from his own very personal discoveries. He himself remains, in this prose at least, a melancholy man, wandering with a sandwich in his pocket among the wildflowers in abandoned cemeteries, seeking the company of solitary men who are gregarious only in the company of other isolates, sniffing out the odors of the Fulton Fish Market and its old hotels. And in such moments the reader gets a glimpse of Mr. Mitchell himself, even as he seems to disappear into the scene he describes."

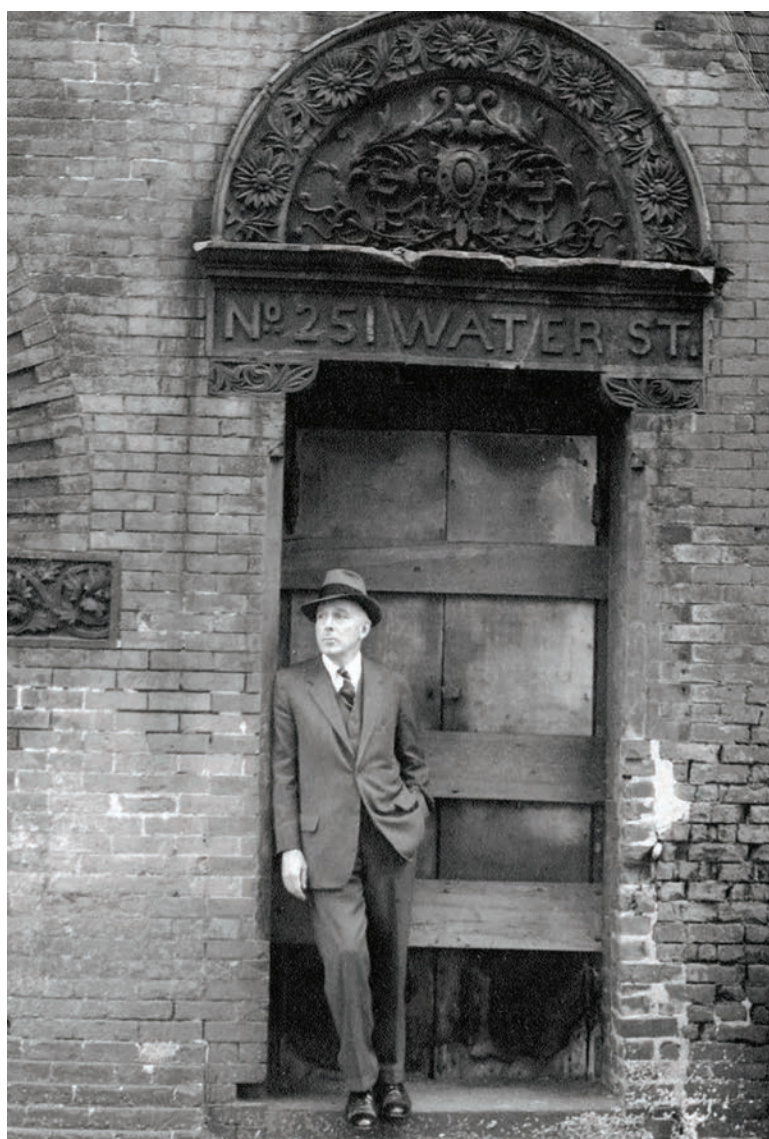
Joseph Mitchell was born July 27, 1908, on his Parker grandparents' farm near Iona, N.C., the son of Averette Nance and Elizabeth A. Parker Mitchell. His family was in the cotton and tobacco trading business. Mr. Mitchell studied at the University of North Carolina from 1925 to 1929. He sent an article he had written on tobacco to The New York Herald Tribune, which liked it so much that it published it and summoned him to New York in 1929. Over the next nine years, he wrote for The Herald Tribune, The Morning World and The World-Telegram, the paper that first sent him to the Fulton Fish Market.

Mr. Mitchell married Therese Dagny Jacobsen in 1931. She died in 1980. He is survived by his companion, Sheila McGrath; two children from his first marriage, Nora Sanborn of Eatontown, N.J., and Elizabeth Curtis of Atlanta; three granddaughters; two grandsons, and one great-granddaughter.

Mr. Mitchell also wrote some fictional pieces about North Carolina, among them “The Downfall of Fascism in Black Ankle County” (1939); “I Blame It All on Mama” (1940), and “Uncle Dockery and the Independent Bull” (1939). A work of nonfiction, “The Mohawks in High Steel,” about American Indians who worked on steel bridges and skyscrapers, was published in *The New Yorker*, then used as the introduction to Edmund Wilson’s “Apologies to the Iroquois.”

In a 1992 interview, Mr. Mitchell reminisced about New York and *The New Yorker* and how both had changed. He wasn’t opposed to change, he said, but it was clear that his heart remained with the New York of Fiorello La Guardia and *The New Yorker* of Harold Ross.

“At the old *New Yorker*, the people were wonderful writers,” he said. “A lot of us would go to lunch together: Liebling and Perelman and Thurber, who was idiosyncratic and funny. Now, everybody goes in and out. I go to lunch at the Grand Central Oyster Bar and eat by myself.”



Joseph Mitchell, photo by Therese Mitchell. Estate of Joseph Mitchell.

New York Times Elliot Willensky Obituary
Elliot Willensky, Writer of Guide To New York Buildings, Dies at 56
By DAVID W. DUNLAP New York Times , May 27, 1990

Elliot Willensky, whose opinionated and exhaustive “AIA Guide to New York City” has been a standard architectural reference work for more than two decades, died suddenly Friday at his home in Brooklyn Heights. He was 56 years old.

In addition to his post as vice chairman of New York City’s Landmarks Preservation Commission, Mr. Willensky was the official Borough Historian of Brooklyn. He also wrote a popular history, “When Brooklyn Was the World, 1920-1957,” published in 1986 by Harmony Books.

Mr. Willensky was discovered unconscious by his companion of 16 years, Margaret Latimer, when she returned in the early evening from her job at the New-York Historical Society. Efforts to revive him, by Ms. Latimer and an Emergency Medical Services crew, proved fruitless. The director of public affairs for the New York City Medical Examiner’s office, Ellen Borakove, said yesterday that Mr. Willensky had evidently died of a heart attack.

Brief and Breezy Descriptions

At the time of his death, Mr. Willensky was working on two books: “The Making of Midtown,” a history of mid-Manhattan, and “Hidden New York,” a compilation of tales about the city’s utility, communications and transportation systems.

More than anything else, he is likely to be remembered for the “AIA Guide,” which he wrote with Norval White, an architect and educator. Three editions have been published since 1968, when it was brought out by the New York Chapter of the American Institute of Architects.

Hundreds of buildings - many of them local landmarks that had never been chronicled in any guide book -were listed in the 464-page inventory. Dates of construction, names of architects and brief and breezy descriptions were combined with pointers about stores and restaurants worth visiting in the neighborhoods.

By its third edition, published in 1988 by Harcourt Brace Jovanovich, the “AIA Guide” had grown to 999 pages. A review in The New York Times in 1989 said, “The authors range through the five boroughs, praising some structures (often with faint damns) and demolishing others with words in a way that the wrecking ball cannot.”

Abiding Affection for Landmarks

That same approach often put Mr. Willensky on the firing line at the city’s landmarks commission. He was appointed to the 11-member panel in 1979 and became vice chairman in 1985. He made little effort to dilute his criticisms or limit his inquiries. But that inquisitive, impatient and sometimes caustic style was tempered by an abiding affection for the city’s social and esthetic landmarks.

“It’s very rare in politics that there are perfect appointments,” Anthony M. Tung, a former member of the commission, said yesterday. “But in the case of Elliot, because of his unmatched and intimate

knowledge of the architecture, people, history, neighborhoods and culture of the city, that remarkable thing occurred.”

A Brooklyn native and graduate of Brooklyn Technical High School, Mr. Willensky held a certificate in architecture from Cooper Union and a master’s degree in architecture from Yale.

From 1963 to 1968, he directed the New York City program for the Cornell University College of Architecture. For the next three years he was deputy administrator and director of design for the New York City Parks, Recreation and Cultural Affairs Administration.

In 1971 Mr. Willensky was named director of the High Rock Park environmental education center on Staten Island, a post he held until 1976. He was also executive director of the 34th Street Midtown Association until last fall.

Mr. Willensky is survived by his former wife, Kathryn Rubeor of Brooklyn, a son, Marc Willensky of Tokyo, and a daughter, Diana Willensky of Brooklyn. Ms. Latimer said yesterday that the funeral would be private but that a memorial service would be held later.

New York Times Dorothy Miner Obituary

Dorothy Miner, 72, Legal Innovator, Dies

By David Dunlap, Oct.23, 2008

Dorothy Marie Miner, who developed legal protection for historic landmarks nationwide in her longtime role as counsel to the New York City Landmarks Preservation Commission, died on Tuesday in Manhattan. She was 72 and lived in Morningside Heights.

The cause was complications of lung disease, said her brother Dr. Robert Dwight Miner.

She played an important role in the critical 1978 case of Penn Central Transportation Company v. New York City, which upheld the landmark status of Grand Central Terminal and set national precedents.

Intimately familiar with preservation law, Ms. Miner was meticulous when making her case — another way to put it was that she was a fierce, immovable stickler — and could infuriate allies as well as adversaries with her insistence on principle and procedure.

“We spent eight hours arguing over every sentence,” Leonard Koerner, the chief assistant corporation counsel of New York City, said in recalling what it was like to work with Ms. Miner at the print shop on the legal briefs in the Penn Central case.

Eventually, the United States Supreme Court upheld the landmark designation of the terminal against a challenge by Penn Central, which owned the building and asserted that landmark status effectively amounted to an unconstitutional taking of property by the government.

Because of the New York commission’s victory, its “innovations became standard practice for

landmarks commissions all around the country,” said Nicholas A. Robinson, a professor at the Pace University School of Law, with whom Ms. Miner taught.

Ms. Miner was born on Aug. 14, 1936, in Manhattan. Her father, Dwight C. Miner, was a professor of history at Columbia University. She received a bachelor’s degree from Smith College in 1958, a law degree from Columbia in 1961 and a degree in urban planning from Columbia in 1972.

She married James Edward O’Driscoll in 1970. He died in 1993. She is survived by Dr. Miner, of Montvale, N.J., and another brother, Richard Thomas Miner, of Sparta, N.J.

Ms. Miner was named counsel to the landmarks commission in 1975 and helped devise the legal framework under which it designated the 17th-century street plan of Lower Manhattan as a landmark in 1983. That stopped developers from further eradicating the neighborhood’s characteristically irregular blocks.

When the commission voted in 1983 to permit the demolition of the former Mount Neboh Synagogue at 130 West 79th Street because it created a financial hardship for its owner, Ms. Miner wanted it understood that the synagogue had not been stripped of its landmark status.

“There was no finding today or at any other time that this wasn’t a significant building,” she said. “It will be, until the end, a designated landmark.”

She helped defend the designation of St. Bartholomew’s Church on Park Avenue against a challenge by the parish, which argued that landmark status unconstitutionally interfered with its freedom of religion and its property rights. The city won in the federal Court of Appeals in 1990.

After 19 years with the commission, Ms. Miner was asked for her resignation in 1994 by Jennifer J. Raab, who was then chairwoman. Ms. Raab said the commission’s regulatory and enforcement work “would benefit from a fresh eye.”

But preservationists took a darker view. Professor Robinson said he invited Ms. Miner to join him at Pace after Mayor Rudolph W. Giuliani “decided he would accede to the real estate industry and press to remove her as counsel.” Ms. Miner also became an adjunct associate professor in the Graduate School of Architecture, Planning and Preservation at Columbia.

Although she had been in the hospital since early summer, Ms. Miner continued to collaborate on a preservation law class with Professor Robinson until a month ago, even planning an annual Geoffrey expedition that begins at Grand Central Terminal.

“I’ll be doing the field trip this Saturday,” he said, “with her tape-recorded voice

New York Times Harmon Goldstone Obituary
Harmon Goldstone Dies at 89; Led New York Landmarks Commission
By David W. Dunlap, Feb. 23, 2001

Harmon Hendricks Goldstone, an architect whose career ranged from creating the 1939 World of Tomorrow to preserving broad swaths of the world of yesterday, died Wednesday at his home on the Upper East Side of Manhattan. He was 89.

As a moving force behind the formation of the New York City Landmarks Preservation Commission and its first full-time chairman, from 1968 to 1973, Mr. Goldstone greatly expanded the panel's influence.

"He was there at the birth," said Kent L. Barwick, who followed Mr. Goldstone both as the commission's chairman and as president of the Municipal Art Society.

On Mr. Goldstone's watch, the commission gained the power to regulate landscape architecture and interior spaces like theaters and lobbies. It designated 60 blocks of Greenwich Village and 26 blocks of SoHo as historic districts. And it twice rejected plans by Marcel Breuer for a tower over Grand Central Terminal, setting off a legal battle that ended in vindication for the landmarks law at the United States Supreme Court in 1978.

Early in that fight, when an aide counseled him that the fledgling commission would have to knuckle under rather than try to stand against the powerful interests supporting a Grand Central skyscraper, Mr. Goldstone answered, "We may well be torpedoed, but let's go down with all flags flying."

Though deeply tied to New York history -- his great-great-grandfather, Harmon Hendricks, was a celebrated copper merchant on South William Street in the early 19th century -- Mr. Goldstone did not think of himself as an antiquarian but "as one who sees the city's landmarks as a continuity from the past and a commitment to the future."

In fact, as an architect, Mr. Goldstone was a modernist.

Born on the West Side of Manhattan in 1911, he received a bachelor's degree from Harvard College in 1932 and an architectural degree from Columbia University in 1936, after which he joined the firm of Harrison & Fouilhoux.

There, he worked on developing the spiky Trylon and rotund Perisphere that symbolized the theme "Building the World of Tomorrow" at the 1939 New York World's Fair. By Mr. Goldstone's own account, they were "far out."

As the designers struggled to find the proper scale for the fair's abstract spherical centerpiece, Mr. Goldstone's eye was drawn to a pair of enormous gas storage tanks at York Avenue and 62nd Street, Victoria Newhouse wrote in "Wallace K. Harrison, Architect" (Rizzoli International Publications, 1989).

One of the tanks expanded and contracted as it was filled and emptied, reaching a maximum diameter of 200 feet. "When it became a full sphere, Goldstone persuaded his boss to inspect it,"

Ms. Newhouse wrote. "Harrison agreed that the size seemed perfect."

When Mr. Harrison was named director of planning for the United Nations project in 1947, Mr. Goldstone was put in charge of assessing the organization's space requirements. This he did in the butler's pantry of a makeshift office suite in the Hotel Marguery at Park Avenue and 47th Street, using drawers for files and, he said, with "my head in a sink!"

Five years later, Mr. Goldstone formed his own firm, known over time as Goldstone & Dearborn; Goldstone, Dearborn & Hinz; and Goldstone & Hinz. Among its projects were the Aquatic Bird House at the Bronx Zoo (1964), the Osborn Laboratories of Marine Sciences at the New York Aquarium in Coney Island (1965) and the remodeling of the Christie's auction house at Park Avenue and 59th Street (1977).

Goldstone & Hinz is still in business at 104 East 40th Street, but Mr. Goldstone retired in the early 1990's and devoted his time to reading, said his partner, Theodore V. Hinz. (He was an omnivorous reader -- "fiction, nonfiction, history, mathematics, science, everything," Mr. Goldstone said in 1969.)

It was as a city official that Mr. Goldstone had the highest profile.

In 1961, Mr. Goldstone, then president of the Municipal Art Society, was named by Mayor Robert F. Wagner to the Committee for the Preservation of Structures of Historic and Aesthetic Importance, a forerunner of the landmarks commission. That year, Mr. Goldstone was also named to the City Planning Commission. He was the first architect to serve on the commission in a long while and The New York Times hailed his appointment, saying he had "demonstrated his devotion to preservation of the aesthetic, historic and recreational values."

On occasion, Mr. Goldstone was at odds with the commission. For instance, he voted in the minority against a proposed heliport to be built atop the Pan Am Building on Park Avenue in 1964.

"A few persons would gain a little time," he said. "A great many, through no action of their own, might be involved in a catastrophe." In 1977, a New York Airways helicopter tipped over on the roof, sending the blades flying. A woman was killed on the street and four passengers were killed on the pad. Flights never resumed.

He was outspoken, too, in his opposition to plans by Columbia University to build a gymnasium in nearby Morningside Park. "From the start," he said in 1968, "Columbia's plans have struck me as financially astute, legally impeccable, administratively stupid, architecturally monstrous and morally indefensible." After tumultuous protests on campus, the plans were killed.

Mr. Goldstone moved from the planning commission to the landmarks commission in 1968, succeeding Geoffrey Platt and becoming its first paid chairman. He saw the preservation of historical and architectural landmarks as "an enormously stabilizing force in a city and in a society that's increasingly rootless and in a state of flux."

During his tenure, 7,271 buildings were designated for preservation, both individually and as part of historic districts, according to a 1987 study by the Society for the Architecture of the City, a private

preservation group.

But Mr. Goldstone was at first known for a “deliberate, almost delicate” approach, Mr. Barwick recalled, lest he do anything to jeopardize the fragile underpinnings of the commission. For fear that a blanket designation of Greenwich Village would take in too many undistinguished buildings -- “dogs,” he called them -- Mr. Goldstone originally proposed 18 discrete districts.

“He was worried about ending up in court and losing the landmarks law,” Mr. Barwick recalled. “That made his sure-handedness in the matter of Grand Central all the more impressive.”

By a unanimous vote in 1969, the commission rejected two plans, one for a 55-story tower that would have preserved the 42nd Street facade of the terminal and one for a 56-story tower that would have demolished the facade. As a palliative, the architect and developer promised that the main concourse would be preserved.

“To protect a landmark, one does not tear it down,” the commission said in response. “To perpetuate its architectural features, one does not strip them off.”

Summing up its record under his tenure, Ada Louise Huxtable, the architecture critic of *The Times*, said in 1974 that the commission had “become an unexpected and decisive force for neighborhood stabilization” and found itself “at a new threshold of power and influence.”

Mr. Goldstone lived to see a day when the preservation movement was regarded by its critics as so powerful and influential that it had stultified the development of innovative modern architecture in New York City.

But this was not an end he sought, to judge from “*History Preserved: A Guide to New York City Landmarks and Historic Districts*,” which he wrote with Martha Dalrymple (Simon & Schuster, 1974).

“The ultimate strength of a law can sometimes better be tested by its flexibility than by its rigidity,” they wrote. “One of the aims of the commission is to keep the past a living and vibrant part of the present. As Ada Louise Huxtable says, you don’t do it with hoop skirts.”

Given the fact that Mr. Goldstone could trace his ancestry to Haym Salomon, a merchant who financed both the American Revolution and the young republic, his keen devotion to history was almost inevitable.

He was a member of Congregation Shearith Israel, the Spanish and Portuguese Synagogue at Central Park West and 70th Street, whose first sanctuary stood where his great-great-grandfather’s copper business was later established.

In the early 1960’s, before there was a landmarks commission, Mr. Goldstone championed the designation of the first Shearith Israel cemetery, near Chatham Square in Lower Manhattan, as a national historic landmark.

In 1962, Mr. Goldstone also restored the 19th-century chapel by Calvert Vaux at the fourth Shearith Israel cemetery on Cypress Hills Street in Queens. Yesterday afternoon, as the snow began to fall, he was buried there next to his mother and father, leaving no immediate survivors.

New York Times Norman Marcus Obituary
Norman Marcus, New York City Zoning Expert, Dies at 75
By Dennis Hevesi, July 7, 2008

Norman Marcus, who as general counsel to the New York City Planning Commission for 20 years drafted much of the intricate legal language intended to preserve the historic character of many of the city's neighborhoods while still allowing new construction, died on June 30 at his home in Manhattan. He was 75.

The cause was cancer, his son-in-law Peter Miller said.

Mr. Marcus was a master of the labyrinthine codes and designations the R8s and C7s that list the rules on square footage, height, air rights, parking requirements, types of businesses and even exposure to sunlight that govern construction in a given area.

"He was my strong right arm in difficult days," said John E. Zuccotti, the chairman of the planning commission from 1973 through 1975 and one of five chairmen Mr. Marcus advised in his 22-year career, starting in 1963.

Mr. Zuccotti was referring to a particular challenge he faced in his first year as chairman, a proposal by a City Charter commission to eliminate the City Planning Department. The department is the agency that carries out Planning Commission policy.

With Mr. Marcus's help, Mr. Zuccotti said, "we were able to make them recognize the importance of planning and turn it around."

Mr. Marcus was also "the spark plug behind many of the special districts that were created," Mr. Zuccotti said. For example, he led the legal team that established the Midtown Manhattan district, in which air rights above Broadway theaters could be transferred to nearby development sites, thereby preserving the historic architecture of the theaters.

It was a concept that Mr. Marcus first promoted in 1968 when the Penn Central Railroad, which then owned Grand Central Terminal, struck a deal with a developer to build a 55-story office tower above the station, which had landmark status.

Working with the New York City Landmarks Preservation Commission, Mr. Marcus and his legal team developed the plan for transferring the air rights above Grand Central to nearby locations. Penn Central challenged the idea through the courts and, in 1978, the United States Supreme Court ruled that the transfer was not illegal.

Mr. Marcus was also an architect of inclusionary zoning, which offers tax breaks to developers of luxury housing if they set aside a portion of their building usually 20 percent for low- or middle-income tenants. Inclusionary zoning started in Manhattan in the 1970s and now helps promote mixed-income neighborhoods in many sections of the city.

"He was part of the team that came up with the idea, and he certainly was the man who translated the idea into the legislation," Mr. Zuccotti said.

Among Mr. Marcus's other accomplishments was drafting the so-called loft law, which legalized artists' occupation of loft spaces in what had once been mostly manufacturing districts.

Born in the Bronx on Aug. 31, 1932, Mr. Marcus was the only child of David and Evelyn Freed Marcus. He graduated from Columbia in 1953 and received a law degree from Yale four years later. While at Yale, he met Maria Lenhoff, whom he married in 1956. Ms. Marcus is now the Joseph M. McLaughlin professor of law at Fordham University.

Besides his wife, Mr. Marcus is survived by two daughters, Valerie and Nicole Marcus, both of Manhattan; a son, Eric, of Auburn, Ala.; and four grandchildren.

After leaving the Planning Commission in 1985, Mr. Marcus went into private practice while also teaching zoning law at New York University, the Cardozo School of Law, Pratt Institute and the architecture school at Princeton.

Two years ago, the Municipal Art Society of New York, an organization that promotes excellence in urban design and planning, cited Mr. Marcus for his "illustrious career using the art and craft of land-use law to shape a better New York."

From his earliest days in public life, Mr. Marcus had been an ardent advocate of neighborhood preservation. In 1964, when New York City's Board of Standards and Appeals granted the utility Consolidated Edison a zoning variance to build a power substation in a residential area of Upper Manhattan, Mr. Marcus called it "a classic example of the chaos which ensues when carefully considered legislation on zoning and urban renewal is ignored."

New York Times Bronson Binger Obituary
Bronson Binger, 83, Who Saved New York Parks and Buildings, Dies
By David W. Dunlap, Jan. 6, 2014

Bronson Binger, a New York architect and preservationist who helped wrest Union Square Park in Manhattan from drug dealers but was stymied in an effort to rebuild Wollman Rink in Central Park, died on Dec. 23 in Housatonic, Mass. He was 83.

The cause was kidney failure, his companion, Ann Walker Gaffney, said.

As the city staggered out of the fiscal crisis of the late 1970s, Mr. Binger was recruited by Gordon J. Davis, then the parks commissioner, to be the assistant commissioner for capital projects.

“There was no money and no morale,” Mr. Davis recalled in a recent interview. “The city was shut out of the bond market. But Bronson said: ‘Please let me try. I know the money will come back sooner or later, and I want Parks to be ready to spend it as fast and as well as possible.’ ”

Within a year of joining the parks department, Mr. Binger was overseeing \$250 million worth of work, he said in a 2008 interview with Melissa Brunette for the New York Preservation Archive Project. Much of that work involved restoration.

His biggest effort was the renovation of Union Square Park, which he accomplished with Hui Mei Grove, a landscape architect in the department. To make the park less hospitable to drug dealing, they replaced a network of walkways, many well hidden by undergrowth, with an open central lawn. When an early phase of the renovation was completed in May 1985, Councilwoman Carol Greitzer, who lived in the neighborhood, said: “I saw a sight I’ve never seen before. I saw mothers with baby carriages sitting in the sun.”

Even as he savored this victory, however, Mr. Binger had to face the fact that the Wollman ice skating rink, which had been closed since 1980, was defying every effort to rebuild it. Cracks developed in the new concrete floor. Leaks were found in the refrigerant tubing. The project was redesigned several times.

At one point, Mr. Binger pledged publicly that he would resign if the rink renovation was not finished in six months. It was not, and he did. The job was finished in 1986 by the developer Donald J. Trump, in a matter of months.

But that was not the end of Mr. Binger’s municipal service. At the Department of General Services in the late 1980s, he oversaw the restoration of the Municipal Building, the 40-story tower, designed by McKim, Mead & White in wedding-cake style, that houses city offices in Lower Manhattan.

“That, I was heavily involved in, since I found a piece of granite lying on the street,” he told Ms. Brunette, “and recognized that it must have come from the building.”

Bronson Binger was born in Manhattan on Oct. 17, 1930, to Walter and Beatrice Sorchan Binger. His father was a civil engineer who had been the commissioner of borough works in Manhattan in the

1930s, and fought Robert Moses' plan to demolish Castle Clinton in Battery Park.

Bronson graduated from Phillips Exeter Academy in 1948 and Harvard College in 1952. After serving in the Army, he received a bachelor's degree in architecture in 1958 from the Carnegie Institute of Technology (now Carnegie Mellon University).

Besides Ms. Gaffney, Mr. Binger is survived by his daughters Lucie Spieler and Sarah B. James, both from his first marriage, to Susan Storck; a son, Walter, from his second marriage, to Julie C. Wang; two stepchildren, Timothy and Katharine Wang; a sister, Frances B. Mitchell, five grandchildren and a great-grandchild.

In his first big preservation battle, in 1966, Mr. Binger tried to save the old Metropolitan Opera House at Broadway and 39th Street against the wishes of the Met itself, which had moved to Lincoln Center. Despite his strenuous efforts, the Gilded Age auditorium was razed in 1967 — an outcome that would be difficult to imagine today.

New York Times Adolf Placzek Obituary

Adolf K. Placzek, 87, Is Dead; Architecture Library Director

By Edwin McDowell, March 21, 2000

Adolf K. Placzek, a distinguished architectural librarian, historian, editor and preservationist, died on Sunday night at his home in Manhattan, said his nephew, John Maxtone-Graham. He was 87.

Mr. Placzek transformed the Avery Architectural Library at Columbia University, where he spent 32 years, including 20 as the director, into one of the world's finest repositories of architectural books, drawings and other archival materials.

"And he himself was a resource par excellence for preservationists and architects," said Peg Breen, president of the New York Landmarks Conservancy. "He inevitably knew the answer to their questions and inevitably had something illuminating to add."

Widely known as Dolf, Mr. Placzek (pronounced PLAH-chek) retired in 1980 from the Avery library and from Columbia University, where he had also been an adjunct professor of architecture since 1970.

But retiring for Mr. Placzek was not synonymous with vegetating. "He did some of his most significant work after 1980, including three works that are absolutely crucial for architects and scholars," said Morrison Heckscher, the curator of American decorative arts at the Metropolitan Museum of Art.

He was editor in chief of the four-volume Macmillan Encyclopedia of Architects, published in 1982, a collection of biographies of more than 2,000 architects, from builders of ancient Egypt to avant-garde 20th-century architects.

In 1986, he was named co-editor of “The Buildings of the United States,” a voluminous series published by Oxford University Press under the editorial direction of the Society of Architectural Historians, of which Mr. Placzek was a past president. Five volumes of the proposed 70 have been published so far.

In 1997, G. H. Hall & Company published “Avery’s Choice: Five Centuries of Great Architectural Books; One Hundred Years of an Architectural Library, 1890-1990,” edited by Mr. Placzek and Angela Giral, a librarian at the Avery library.

But even before his retirement, Mr. Placzek made a significant contribution to architectural scholarship as one of the first, and one of the most active, members of the board of the Architectural History Foundation, established in New York in 1977 in large part for publishing important but neglected works.

“He brought us our first book, a 16th-century manuscript, ‘Sebastiano Serlio, On Domestic Architecture,’ “ said Victoria Newhouse, who was the foundation’s publisher and president of the society. “He also wrote the preface to the book and served as an editor of many of our projects, including the four-volume sketchbooks of Le Corbusier,” the architect.

The foundation’s publishing program ended in 1994 after issuing 36 books in association with M.I.T. Press, which subsequently acquired the foundation’s backlist.

Born in Vienna and a 1938 graduate of the University of Vienna, Mr. Placzek went to England in 1939 and came to the United States in 1940.

“He was one of the many European immigrants who came here to escape Hitler,” Mr. Heckscher said.

Soon after receiving a degree in library sciences from Columbia in 1942, he served three years in the Army. In 1948, he became an assistant librarian at Avery and was named head librarian in 1960. In March 1948, he married Joyce Anstruther Maxtone Graham, who under the pen name Jan Struther wrote “Mrs. Miniver,” a novel published in the United States in 1940 about an English family during the blitz. The movie version in 1942 starred Greer Garson and Walter Pidgeon.

Jan Struther, who later adopted her pen name, died in 1953, and Mr. Placzek married Laura Beverley Robinson in 1957.

In addition to her, Mr. Placzek is survived by two stepsons from his first marriage, James Maxtone Graham of Peebles, Scotland, and Robert Maxtone Graham of Sandwich, Kent, England; his sister, Susan Stern of Riverdale, the Bronx; and a step grandson.

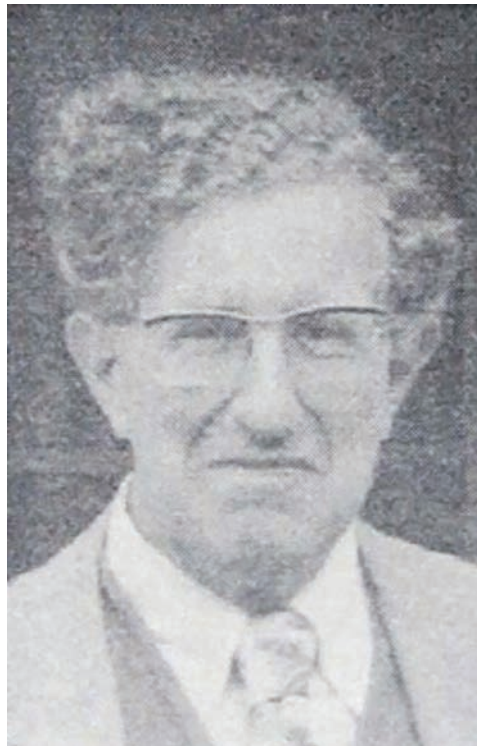
Last September, Mr. Placzek’s memoir about coming of age in Vienna in the 1930’s was published in Germany to great acclaim, according to Mr. Heckscher and John Maxtone-Graham, Mr. Placzek’s nephew. Another of his books, about Viennese refugees in New York, was published in Germany earlier this month.

“He had a distinctly Central European persona, in that he was courtly, soft-spoken and reserved,” said Barbaralee Diamonstein, a former member of New York City’s Landmarks Preservation

Commission, as was Mr. Placzek.

Anthony M. Tung, who served on the commission with Mr. Placzek, said of him: “He was a meticulous scholar, and although scrupulous and quiet-spoken in his judgments, rarely wrong. But he roared like a lion when the Bryant Park Restoration Corporation first sought to build a restaurant against the rear facade of the New York Public Library.”

Although a modified restaurant eventually won out, Mr. Placzek’s part in the wrangling over the restaurant in the 1980’s wrought a change in him, from an Old World sensibility that had avoided direct confrontation as “un-Viennese.” “During the Bryant Park controversy, here was Dolf making fiery speeches,” Mr. Tung said. “He didn’t yell or argue, but by then, he began to understand that yelling and arguing were part of New York democracy in action, and from then on, he’d speak out far more frequently.”



Commissioner Placzek, courtesy of Preservation Alumni, Columbia University.

New York Times David F.M. Todd Obituary
David Todd, Architect and Official, Dies at 93
By David W. Dunlap, April 2, 2008



David F. M. Todd in 1989. Credit: Neal Boenzi/The New York Times.

David F. M. Todd, an architect of the towering Manhattan Plaza complex who later brought an imperturbable style to the chairmanship of the Landmarks Preservation Commission, died on Monday in Manhattan. He was 93 and lived in a town house on the Upper East Side that has a garden of his own design.

His death was announced by his son, Gregory.

In effect, Mr. Todd had two careers: the first as an architect in private practice and the second, beginning at the age of 69, as a public official. He joined the landmarks commission in 1984 and was elevated to chairman in January 1989 by Mayor Edward I. Koch. Mr. Todd served in that post for the last year of the Koch administration.

As controversies and any number of large egos swirled around him, Mr. Todd maintained a reserved, flinty, no-nonsense demeanor. His gravelly voice seemed ideally suited for his plain speaking.

“He is an experienced architect who combines sense with sensibility,” said a New York Times editorial welcoming Mr. Todd’s appointment in 1989. “Further, he has the ability to distinguish landmarks from dross without abusing the city’s architectural heritage or giving in to obstructionism.”

Mr. Todd assumed the post toward the end of a building boom, when the real estate industry was chafing and complaining steadily about landmarks designations and regulations. By his own account, he did not fit the mold of the ardent preservationist.

“I am more tighter reined on the designation side,” he said in a 1989 interview. “I am more inclined toward architectural quality level as a decisive criterion. The historical or cultural sides can be stretched, strained and rationalized. To my mind, too many things can fit under those headings.

“On the regulatory side, I’m looser reined,” Mr. Todd continued. “We sometimes have a tendency to view every landmark as an equally sacred object.”

David Fenton Michie Todd was born on Feb. 22, 1915, in Middletown, Ohio. He graduated from Dartmouth College in 1937 and received a bachelor’s degree in architecture from the University of Michigan in 1940. Two years later, he married Suzanne Williams, who survives him

After Army service in the Pacific in World War II, Mr. Todd joined the architectural firm of Harrison, Ballard & Allen in 1946. In 1957 he became a partner in the renamed firm, Ballard, Todd & Snibbe, which after 1967 was known simply as David Todd & Associates.

Its best-known project, completed in 1977, was Manhattan Plaza, which fills a square block bounded by 42nd and 43rd Streets and Ninth and 10th Avenues. The design, by Mr. Todd and Robert Cabrera, called for 45-story, red-brick apartment buildings on each end of the long block, with a low-rise structure between them.

Even though the towers would dwarf the surrounding tenements, Mr. Todd said the plan actually deferred to the neighborhood to the north. “Larger structures in midblock would have cut the sunlight,” he said in 1974, “and would have destroyed the small scale of the midblock areas as well.”

Among Mr. Todd’s other clients were Lehman College in the Bronx, the Collegiate School on the Upper West Side, the State University of New York, Princeton University and resorts in Puerto Rico and St. Martin.

Public housing and the theater were his foremost interests as an architect. In 1965, Mr. Todd urged that money be spent for a higher quality of subsidized housing, indirectly criticizing officials who “trembled at the sight of stimulating and interesting designs on the ground that they ‘looked too expensive.’”

Until Mr. Todd was 90, he and his wife spent almost half of each year in the village of Venasque in southern France. But he could also be found in his garden in the East 90s.

“I’m really a housebody,” he said when he was named landmarks chairman. “I love tinkering. I love puttering. One thing that concerns me now is, who is going to keep up the house?”

New York Times Jan Hird Pokorny Obituary
Jan Pokorny, 93, Is Dead; Melded Architectural Styles
By Bruce Weber May 23, 2008

Jan Hird Pokorny, a Czech-born architect whose New York firm became known for restoring and adapting historic buildings for reuse, died on Tuesday at his home in Manhattan. He was 93.

His death followed a long illness, said Robert Motzkin, a partner at Jan Hird Pokorny Associates, the company Mr. Pokorny began with his first wife, Elizabeth Hird, in 1946.

Mr. Pokorny, who adopted his first wife's maiden name as his middle name, was a cultured man with old-world manners and style. He spent much of the last decade, from 1997 to 2007, as an often wryly outspoken member of the New York City Landmarks Preservation Commission.

Last year, for example, he was the only commissioner to approve of a 30-story glass tower addition to a five-story building on the Upper East Side. During a contentious hearing on the proposed project, he passed out copies of a print that showed the Leaning Tower of Pisa, which was begun in 1173, beside the Dome of Pisa, a century older. Adding a vertical tower to a horizontal base or placing it nearby, Mr. Pokorny said, "has been done in history many times."

By that time Mr. Pokorny was well known among architects as a reasoned voice in the melding of old and new architectural ideas. As a designer his style was spare and modern, but it was married to an instinct for preservation. Among the historic buildings restored and redesigned or modernized under his supervision are Lewisohn Hall at Columbia University, the Schermerhorn Row block at the South Street Seaport, the Brooklyn Historical Society building, the National Lighthouse Museum on Staten Island and the Battery Maritime Building in Lower Manhattan.

Jan Hird Pokorny was born in Brno, in what is now the Czech Republic, on May 25, 1914, and grew up in Prague. His father, Jaroslav Pokorny, was an electrical engineer who rose to be assistant general director of the industrial conglomerate the Skoda Works. Imprisoned briefly by the Nazis, the elder Mr. Pokorny migrated to the United States in 1948. His son, Jan, was already here, having fled the German occupation in 1939, an experience that affected both his personality and his professional attitude.

"Jan was one of the last of a breed of architects whose work was shaped by a social conscience as well as a design philosophy," said John Belle, a friend and fellow architect, whose firm, Beyer Blinder Belle, often competed with Mr. Pokorny's for commissions. "He was a forerunner in legitimizing the role of an architect as an adapter."

Mr. Pokorny entered the United States on a student visa and became a citizen in 1945. Despite having completed his training at the Czech Technical University in Prague, Mr. Pokorny enrolled at Columbia's architecture school, earning a master's degree and later serving on the faculty. His early reputation as an architect was made on campuses in and around New York; he and his firm designed buildings at Centenary College in Hackettstown, N.J.; the State University of New York at Stony

Brook; and Lehman College in the Bronx.

copy and their son, Stefan, of Manhattan.

Mr. Pokorny served on the Art Commission of the City of New York, a review board for permanent works to be placed on city property, from 1973 to 1977. Two decades later he was responsible for rescuing a statue of the Czech composer Antonin Dvorak, by the sculptor Ivan Mestrovic, from benign neglect on the roof of Avery Fisher Hall. It was given a home in Stuyvesant Square Park on a pedestal of green granite designed by Mr. Pokorny, an amateur classical pianist. It was an important project for him, Mr. Motzkin said; Mr. Pokorny took his heritage seriously.

“He was a refugee who made a success of himself,” Mr. Motzkin said, “in spite of the evil forces that shaped his early life.”

New York Times R. Michael Brown Obituary

**R. Michael Brown, Defender of Notable New York City Interiors,
Dies at 78**

By Sam Roberts, June 28, 2016



R. Michael Brown in 1981. He was first appointed to the Landmarks Preservation Commission in 1977, and set a precedent that ultimately led to the designation of 117 interiors as landmarks. Credit...Dith Pran/The New York Times

R. Michael Brown, a designer who helped preserve the lavish interiors of some of New York City’s most famous buildings, including Radio City Music Hall and Grand Central Terminal, by ambitiously applying an expansion of the city’s landmarks preservation law, died on June 16 in Kingston, N.Y. He was 78.

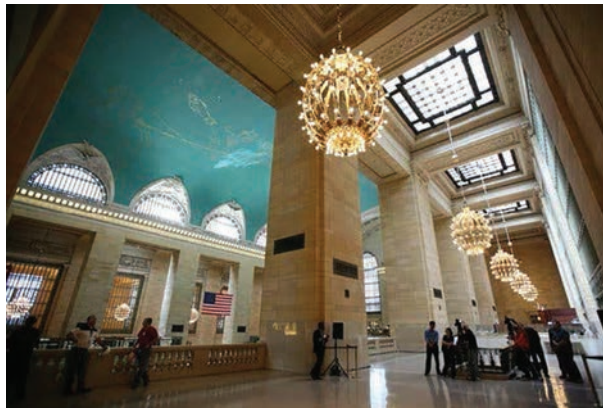
The cause was lymphoma, Stephen Frost, his partner and only immediate survivor, said.

The razing in 1967 of the old Metropolitan Opera House at Broadway and 39th Street, whose golden core was masked by a hideous industrial yellow-brick facade, prompted the city to expand the jurisdiction of the fledgling Landmarks Preservation Commission to include building interiors.

Mr. Brown, first appointed to the commission by Mayor Abraham D. Beame in 1977, wielded power for nearly five years. He began his crusade by saving the majestic spaces in Radio City Music Hall, and set a precedent that ultimately led to the designation of 117 interiors as landmarks.

Under his watch, the commission also voted to preserve the interiors of Grand Central Terminal, the Chrysler Building, the Empire State Building, the Marine Air Terminal at La Guardia Airport and the original City Hall subway station.

“There was a section of the law which anticipated that there would be interior landmarks,” Kent Barwick, who was chairman of the commission during most of Mr. Brown’s tenure, said in an interview last week, but “all that was theoretical until R. Michael Brown came along.”



Under Mr. Brown’s watch, the landmarks commission voted to preserve the interiors of Grand Central Terminal, above in 2009, the Chrysler Building, the Empire State Building, the Marine Air Terminal at La Guardia Airport and the original City Hall subway station. Credit...Marilynn K. Yee/ The New York Times

Since Mr. Brown left the commission, it has preserved the interiors of a number of vintage Broadway theaters (against the objections of their owners, who feared their property values would decline), the Rainbow Room at Rockefeller Center, the Tweed Courthouse, the lobbies of two Williamsburgh Savings Bank buildings in Brooklyn, the Four Seasons Restaurant, the TWA Flight Center at Kennedy Airport, the Daily News Building lobby, the New York Public Library and the Ford Foundation atrium.

“Michael started a movement that resulted in the protection of Broadway theaters and other commercial interiors that were hugely controversial because of politics and owner opposition,” said Kate Wood, the president of Landmark West, a preservation group, and the author, with Judith Gura, of “Interior Landmarks: Treasures of New York.”

In 1980, Mr. Brown generated popular support for that movement by recruiting volunteers to conduct a joint survey for the commission and the American Society of Interior Designers, which identified nearly 1,000 sites, including office building lobbies, religious institutions and private homes, that were deemed deserving of preservation even though some did not meet the criteria of the landmarks commission.

To qualify for official landmark status, a site must be at least 30 years old and have “special historical or aesthetic interest or value as part of the development, heritage or cultural characteristics of the city, state or nation,” according to the commission.

It also must be a place that is “customarily open or accessible to the public, or to which the public is customarily invited,” which generally means that religious institutions and private residences are exempt.

Robert Michael Brown was born in Indianapolis on Nov. 20, 1937. His father, also named Robert, owned a trucking company. His mother, the former Sarah Louise Colglazier, was a secretary for the A.&P. grocery chain.

His first job was in his hometown, with the display department of L. S. Ayres, a department store, which later transferred him to New York to run the store’s buying office. He attended Pratt Institute in Brooklyn and became an interior designer; he would be the first appointed to the landmarks commission.

In 1978, with demolition threatening the financially ailing Radio City Music Hall — described by Herbert Muschamp, *The New York Times*’s architecture critic, as “our Rainbow Arch, our Old Faithful, our Niagara Falls” — the commission declared its interior a landmark, and Mr. Brown organized a traveling photography exhibition to celebrate its significance.

Mr. Brown, who lived in New York City and Red Hook in the Hudson Valley, subsequently organized the Significant Interiors Survey, which documented places he believed were worth preserving and which formed the basis for his guide, “Preserving a Fragile Art: A Manual for Surveying Significant Interiors.”

The church’s unremarkable neo-Gothic exterior cloaked an interior designed by the Louis Comfort Tiffany studio. “The outside of that building gave no hint whatsoever about what was inside,” Mr. Brown said.

“The story of our lives is written in interiors, how we lived, how we worked, how we played, how we worshiped,” he added. “Interiors are much more fragile than exteriors. Just look around and see how many we’ve lost to Sheetrock modernization and demolition.”

Mr. Brown also figured in a decision involving a prominent exterior: the steel framework of the Queensboro Bridge. Because the bridge is an official landmark, its color falls under the commission’s jurisdiction.

City officials had planned to draw on a surplus supply of light blue paint until Mr. Brown intervened and chose, appropriately enough, a two-tone combination described as Queensboro brown.



Radio City Music Hall circa 1950. In 1978, with demolition threatening the financially ailing Radio City, the commission declared its interior a landmark, and Mr. Brown organized a traveling photography exhibition to celebrate its significance. Credit: Douglas Grundy/Three Lions/Getty Images.

New York Times William Conklin Obituary
William J. Conklin, Architect With a Broad Stamp, Dies at 95
By Sam Roberts, December 13, 2018



William J. Conklin, right, in 1969 with a model of Lower Manhattan, the site of a proposed mixed-use development that would become Battery Park City. Mr. Conklin was involved in the initial plan. With him, from left, in the foreground, were Gov. Nelson A. Rockefeller, Mayor John V. Lindsay and the architect Philip Johnson. Credit...B&G International Photos, via Conklin and Rossant Archive

William J. Conklin, a versatile architect who in the 1960s helped design the model community of Reston, Va., and oversaw the restoration of the Greek Revival temple that since 1848 has served as Brooklyn's seat of government, died on Nov. 22 in Mitchellville, Md. He was 95.

His death was confirmed by his nephew David Conklin Denney.

Mr. Conklin was also a principal designer of the United States Navy Memorial, which was dedicated on Pennsylvania Avenue in Washington in 1987.

He also worked with a design team, headed by the distinguished architect Wallace K. Harrison, that proposed the creation of a residential community, coupled with retail and office space, on landfill off

Lower Manhattan. The concept was revised by Alex Cooper and Stanton Eckstut and led to Battery Park City on the Hudson River.



*The Lake Anne Village Center in the planned community of Reston, Va., in 1965, the year the center opened. A mix of residential and commercial buildings, it was designed by Mr. Conklin and his longtime partner, James Rossant.
Credit: George Tames/The New York Times.*

Mr. Conklin and his collaborators, principally his longtime partner, James Rossant, were acclaimed for integrating modern structures into low-rise Manhattan blocks. These include the Butterfield House, a seven-story brown-brick and glass apartment building completed in 1962 at 37 West 12th Street in Greenwich Village; The Premier, a 13-floor apartment building with a townhouse-style base at 333 East 69th Street (built in 1963); and the seven-story aluminum Ramaz School (1981), accommodating its upper grades at 60 East 78th Street.

As the architect behind the reclamation of Brooklyn Borough Hall in the late 1980s, Mr. Conklin brought “intelligence and affection” to the project, wrote Paul Goldberger, the New York Times architecture critic at the time.

“New York City is not always an architectural client with the vision and the commitment to give difficult projects their due,” Mr. Goldberger added, “but this time it could not have done better.”



*Borough Hall in Brooklyn in 1990. As the architect behind its restoration in the late 1980s, Mr. Conklin brought “intelligence and affection” to the project, the New York Times architecture critic Paul Goldberger wrote.
Credit: Jack Manning/The New York Times.*

Mr. Conklin, an acolyte of the pioneering modernist architect Walter Gropius at Harvard and later a scholar of Incan textiles, worked mostly with Mr. Rossant, and their influence extended well beyond individual buildings.

The two were recruited by the developer Robert E. Simon Jr. to plan Reston, the self-contained community for 75,000 people in suburban Fairfax County, about 20 miles west of Washington. Founded in 1964, Reston was the sort of “new town” evoked by Clarence Stein’s Sunnyside Gardens in Queens.

In Reston, Mr. Conklin and Mr. Rossant designed the core of Lake Anne Village Center, which, when it opened in 1965, was the first of the community’s hubs — a mix of high- and low-rise residential buildings and stores beside an artificial lake in what was viewed as an innovative response to humdrum suburban sprawl.

The two men started their own firm, Conklin & Rossant, in 1967 and remained partners until 1995. Their other projects included the 30-story Two Charles Center, which opened in 1969 as the tallest residential tower in Baltimore, and the playful, and fleeting, painting of the pedestrian bridge from East Harlem to Wards Island in the East River in purple, yellow and red. (It is now municipal green.)

William J. Conklin was born on May 2, 1923, in Hubbell, Neb., a village with fewer than 100 people, near the Kansas border. His father, J. E. Conklin, was a bank president and later a state legislator. His mother, Wilhelmina (Barrett) Conklin, was a vice president of the bank. (The “J” in the names of father and son didn’t stand for anything.)

After graduating from Phillips Exeter Academy in New Hampshire, Mr. Conklin earned a bachelor’s degree in chemistry from Doane College (now Doane University) in Crete, Neb. Skipping commencement ceremonies, he joined the Navy and was sent to Japan as an electronics technician to monitor signals from the atomic bombing of Hiroshima and Nagasaki.



*Mr. Conklin speaking during the Navy Memorial’s 25th-anniversary celebration in 2012.
Credit: Jeff Malet/United States Navy Memorial.*

After the war, a school counselor suggested that he combine his interests in math, physics engineering and art (his father had designed what Mr. Conklin described as the “post-modernish” facade of his own bank) by studying architecture. He earned a master of architecture degree from the Harvard University Graduate School of Design in 1950.

He married Barbara Mallon, who became a curator at the American Museum of Natural History in New York. She survives him, along with their son, Chris. Mr. Rossant died in 2009.

Mr. Conklin was a vice chairman of the Landmarks Preservation Commission in New York City in the early 1980s and president of the New York chapter of the American Institute of Architects.

He was captivated by Incan textiles after he visited Machu Picchu in Peru, an interest he also traced to his grandmother’s quilting. He wrote dozens of papers and books on the subject, focusing on quipu, the ancient practice of recording information with knotted strings.

The design for the Navy Memorial — a circular plaza featuring a granite world map flanked by fountains, pools, flagpole masts and sculptured depictions of naval victories — was the culmination of Mr. Conklin’s role as the urban planner for what became known as Penn Quarter, a once-shabby section of Pennsylvania Avenue that had been a national embarrassment during presidential Inaugural parades.

Senator Daniel P. Moynihan, Democrat of New York, had been pivotal in the transformation of the area into a prototype for a planned urban community, mixing residences, office buildings and cultural and historical sites.

In November 2008, Mr. Conklin wrote President-elect Barack Obama, suggesting that during his Inaugural parade he leave his limousine when he reached the spot in Penn Quarter between the Navy Memorial and the National Archives Building and walk for a few blocks.

“This momentary action on your part could express your admiration of (and support for) the Founding American Documents, and also perhaps show your appreciation of the military,” Mr. Conklin wrote.

It’s uncertain whether the message was delivered, but President and Michelle Obama did just that on Inauguration Day as the Conklins looked on. They, joined by journalism students from Doane University, were watching from the balcony of their apartment in a building Mr. Conklin had conceived as a semicircular backdrop for the Navy Memorial.

New York Times Gene Norman Obituary

Gene Norman, Who Helped Landmark Broadway Theaters, Dies at 85

As chairman of New York's preservation commission, he also oversaw the preservation of St. Bartholomew's Church, the Coney Island Cyclone and Ladies' Mile.

By Sam Roberts, September 7, 2020

Gene Norman, who as New York City's unflappable official preservationist was instrumental in sparing Broadway theaters, St. Bartholomew's Church and the Coney Island Cyclone from destruction or defacement by developers, died on Aug. 30 at his home in the Bronx. He was 85.

His death was confirmed by his daughter, Christina Norman.

Serving under Mayor Edward I. Koch as the chairman of the Landmarks Preservation Commission in the 1980s, he steered the panel to high-stakes decisions that to owners determined the value and future utility of their property and to conservators meant saving one more piece of the city's precarious architectural past.

Few of those decisions mollified everyone. But most of the principals praised Mr. Norman's equanimity, graciousness and acumen as an architect in navigating the labyrinthine landmarking bureaucracy.

Under Mr. Norman, the commission granted landmark designation to the Coty and Rizzoli Buildings on Fifth Avenue; historic districts that encompass parts of the Upper West Side and of the late-19th-century Ladies' Mile shopping area, which encompasses some 440 buildings from roughly 15th Street to 24th Street and Park Avenue South to west of Avenue of the Americas; and the Cyclone roller coaster at Coney Island.

When he resigned at the end of 1988, after serving since 1983, Mr. Norman was widely praised, even by some of his occasional critics.

"It was amazing what he was able to accomplish," Steven Spinola, the president of the Real Estate Board of New York, said at the time.

Anthony M. Tung, a commission member who was not reappointed by the mayor and who opposed the administration's support for a restaurant on the upper terrace of Bryant Park, said via email: "People's opinions, in opposition or accord, must be met with civility if our democratic forums are to prosper. Gene's habitual grace acted as an invitation for all who yearned to testify."

While he was famously methodical, Mr. Norman personally hotfooted out to Woodside, Queens, in 1987 to successfully stop bulldozers that were about to demolish the New York and Queens County Railway terminal.



*Mr. Norman at a meeting of his commission in 1984. He played an important role in sparing New York buildings from destruction or defacement by developers. Credit: Neal Boenzi/The New York Times
[From left to right, Commissioners Adolphe Placzek and Elliot Willensky, Chairman Gene Norman, Executive Director Lenore Norman and Commissioner Joseph Mitchell].*

Two enduring issues he inherited as chairman were the fate of Broadway theaters and a proposal to build a skyscraper behind St. Bartholomew's Episcopal Church, on Park Avenue at 50th Street.

Mr. Norman also helped defeat state legislation that would have exempted religious institutions from landmarks designation. "Gene joined other advocates including Jackie Onassis on a much-publicized train ride to Albany to meet firsthand with legislators," Kent L. Barwick, his predecessor as commission chairman, said by email. "The proposed law died that day as legislators lined up to have their pictures taken with Jackie."

Several architectural gems in the Theater District had already been demolished by the early 1980s, and owners and real estate developers coveted the right to raze even more to allow for much taller buildings than the low-rise playhouses.

Mr. Norman and the commission staff cobbled together compromises that would grant owners the flexibility to transfer their valuable air rights above the theaters to other sites in the district.

Owners were also able to alter the landmarked interiors of the theaters as long as the changes were

cosmetic and temporary. As a result, after legal challenges were resolved, dozens of theaters were saved.

In 1984, the commission rejected plans by St. Bartholomew's Church to raze its community house and replace it with a 59-story skyscraper. The church said that without income from the tower, it faced economic hardship. The commissioners concluded unanimously that the proposed tower would overwhelm the landmark.

"The kind of quality that I think needs to be alongside the superior quality of this Byzantine-inspired, beautifully organized, wonderfully ornamented church," Mr. Norman said at the time, "is so severely lacking that it becomes a case of night and day."

Mr. Norman was widely praised for his equanimity and acumen in navigating New York's labyrinthine landmarking bureaucracy, even by some of his occasional critics.

Alfred Warren Gene Norman was born on Feb. 14, 1935, in Charlotte Amalie, in the Virgin Islands, to Rufus Norman and Edith O'Neal, a nurse's aide. The family moved to New York when he was an infant.

After graduating from Morris High School in the Bronx, he attended Hunter College in New York and Pratt Institute School of Architecture in Brooklyn and served in the Marine Corps.

In 1959 he married Juanita Diaz, who survives him along with their daughter; two sons, Gene A. Norman Jr. and Paul Norman; a sister, Patricia Kyle; eight grandchildren; and five great-grandchildren.

Before joining the Landmarks Commission, Mr. Norman was director of operations for a minority-owned architectural firm, worked for the Port Authority of New York and New Jersey and the Urban Development Corporation, and, from 1975 to 1983, served as executive vice president of the Harlem Urban Development Corporation when it built subsidized housing, renovated brownstone facades and rehabilitated the West 125th Street commercial corridor.

After leaving city service, he was president and chief executive from 1989 to 1994 of the Harlem International Trade Center Corporation, a quasi-public development that never got beyond the planning stage, but which its supporters said eventually spurred renewal.

Mr. Norman later taught at Pratt Institute and established a firm called Architecture Plus!, which consulted in design and historic preservation.

New York Times Donald H. Elliot Obituary
Donald H. Elliott, Innovative Urban Planner, Dies at 89

He preserved landmarks in New York through creative zoning, involved communities in decision-making and insisted on aesthetic standards for urban design.

By Sam Roberts. Published Dec. 27, 2021 Updated Jan. 2, 2022

Donald H. Elliott, who as chairman of the City Planning Commission in the late 1960s and early '70s proposed a visionary master plan for New York, imposed innovative urban design standards for public and private projects, and enlisted local communities in government decision-making, died on Dec. 23 at his home in Brooklyn. He was 89.

His death was confirmed by his son Drew.

Mr. Elliott recruited a team of young progressive architects who were frustrated by decades of Robert Moses' urban renewal by bulldozer diplomacy and by the city's bureaucratic embrace of drab, Stalinesque architecture for public works. In so doing, he indelibly altered the cityscape.



Donald H. Elliott, the chairman of the New York City Planning Commission, in 1971. "That was a period," he said of his tenure, "when government was expected to make things better and was held to some responsibility for doing it."

Credit: Barton Silverman/The New York Times.

He oversaw the establishment of special zoning districts that preserved midtown theaters, retailers on Fifth Avenue and the historic South Street Seaport from major development and helped deliver the final death knell for the proposed Lower Manhattan Expressway, which would have skewered Greenwich Village, a last gasp for Mr. Moses as a city and state public-works power broker.

Under Mr. Elliott's watch, owners of landmark buildings and other properties were granted more leeway to sell air rights — the empty space above their existing buildings that they could have used under existing zoning laws. Owners can sell those rights to the developers of nearby properties, enabling them to construct a new building that is bigger than would otherwise be allowed.

He divided the city into 62 community districts and empowered local boards to conduct neighborhood-by-neighborhood planning. But he also overrode local opposition by seeking to scatter new housing for low-income tenants beyond the poor neighborhoods where they were concentrated.

To tamp down opposition from neighbors to one such project in Forest Hills, Queens, Mr. Elliott reluctantly agreed to a compromise engineered by Mario M. Cuomo, a local lawyer who would later become governor, that reduced the size of the project and transformed it into a cooperative where older people were given preference in getting apartments.

“We were interventionists,” Mr. Elliott recalled in an interview for the Museum of Modern Art in 1994. “That was a period when government was expected to make things better and was held to some responsibility for doing it.”

Victor Marrero, who was later chairman of the planning commission and is now a federal judge, said Mr. Elliott’s leadership “was remarkable for the sheer scope of its vision and ambition, admirable for the courage and independence he displayed, and extraordinary for the large imprint his legacy left on the city’s landscape.”

“He infused vast youthful energy (only 34 when he was appointed chair) into reforming the City Planning Department,” Judge Marrero said by email. “To do so, he recruited an impressive cadre of young planners and architects from outside the framework of civil service, which meant making some bureaucratic interests very unhappy.”

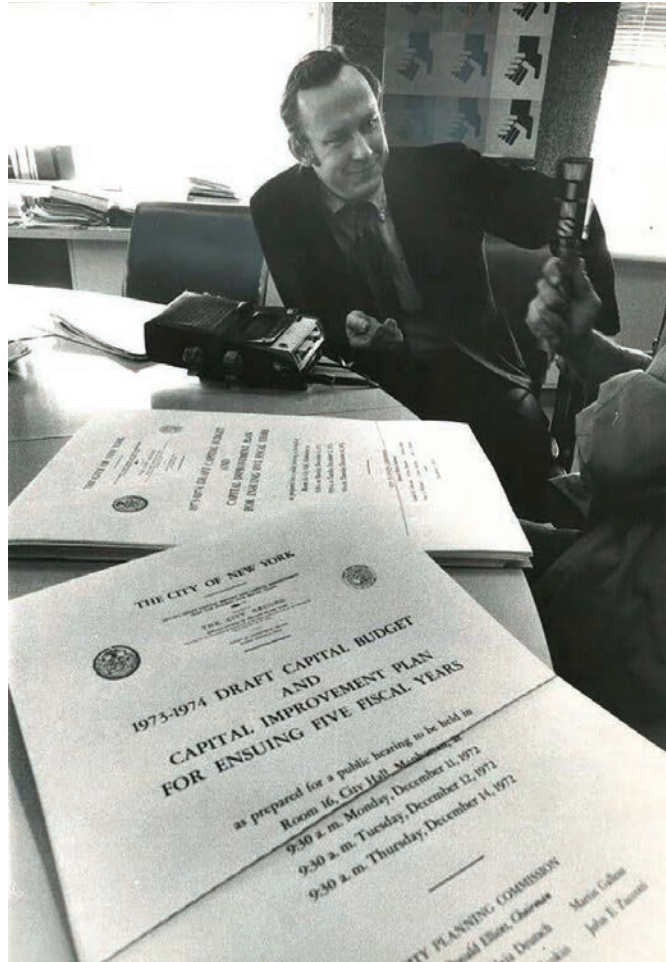
Paul Goldberger, the former New York Times architecture critic, said in an email: “Donald Elliott was a realist who believed in making a more livable city, and he used inventive legal tactics to try to balance the forces at play in New York. New York’s entire approach to planning changed, and he played a key role in almost every innovation.”

Donald Harrison Elliott was born on Aug. 20, 1932, in Manhattan to Harrison Sackett Elliott, a professor of religious education and psychology at Union Theological Seminary, and Grace (Loucks) Elliott, the national president of the Y.W.C.A.

After graduating from the New Lincoln School in Manhattan, he earned a bachelor’s degree in 1954 from Carleton College in Minnesota and a law degree in 1957 from New York University.

In 1956, he married Barbara Ann Burton; she died in 1998. In addition to their son Drew, he is survived by two other sons, Steven and Douglas, and six grandchildren.

A Reform Democrat, Mr. Elliott was an urban renewal administrator on the Upper West Side in the early 1960s. He worked on the successful 1965 mayoral campaign of John V. Lindsay, a liberal Republican congressman from Manhattan, after specializing in land-use regulation in Mr. Lindsay’s law firm. He then handled the transition from the administration of Mayor Robert F. Wagner and oversaw antipoverty and housing programs for the new mayor until he was appointed to the planning commission and named director of the City Planning Department in November 1966. He served until 1973.



Credit: Librado Romero/The New York Times.

In that position, he established an urban design task force composed of several architects — Jaquelin T. Robertson, Richard Weinstein, Myles Weintraub and Jonathan Barnett — that Mr. Lindsay authorized to “advance the cause of aesthetics in every area the Planning Commission can influence, from street signs to skyscrapers.”

In 1972, Mr. Elliott helped negotiate the federal government’s acquisition of the Gateway National Recreation Area in New York Harbor, which helped preserve Jamaica Bay and other natural sites that the deficit-ridden city could no longer afford to maintain adequately.

In 1974, he ran an unsuccessful campaign for Congress as the Democratic and Liberal Party candidate from the district that included his home in Brooklyn Heights. He later served as chairman of the New York Urban Coalition and counsel to the Trust for Cultural Resources of the City of New York. He was also a prominent land-use lawyer and counsel to the firm of Bryant Rabbino in Manhattan.

Under Mr. Elliott, the city finally completed the master plan that had been mandated under the 1938 City Charter and was also required in the 1960s to qualify for federal funding for public housing.



Credit: Courtesy of Bryant Rabbino.

The Plan for New York City stated that jobs were available in the city, but that not enough people were trained or educated to fill them; that not only was more housing needed, but living conditions also needed improvement; and that communities needed to be more involved in the process of government decision-making.

“In the ‘60s, government was expected to make society better and everybody believed it could do so,” Mr. Elliott told *The New York Times* in 1987. That was true up to a point — which proved that for a visionary, he was also a pragmatist.

“We are, in sum, optimistic,” the plan concluded. “But we are also New Yorkers. We cannot see Utopia. Even if all of these recommendations were carried out, if all the money were somehow raised, 10 years from now all sorts of new problems will have arisen, and New Yorkers will be talking of the crisis of the city, what a near hopeless place it is, and why doesn’t somebody do something.”

New York Times Geoffrey Platt Obituary
Geoffrey Platt is dead at 79; led city preservation move
By Eric Pace , July 15, 1985

Geoffrey Platt, an architect who was the first chairman of the New York City Landmarks Preservation Commission, died Friday night at Northern Westchester Hospital Center in Mount Kisco, N.Y. He was 79 years old and lived in Bedford Hills, N.Y.

Mr. Platt headed the city's landmarks preservation program from its beginnings in 1961 with a study group, the Committee for the Preservation of Structures of Historic and Esthetic Importance.

He once said he tried to make landmarks preservation credible by "weaving a way between zealots who would save everything and those who wanted to destroy what they wished."

Mr. Platt served from 1962 to 1965 as the head of the Mayor's Landmarks Preservation Commission, which operated while landmarks preservation legislation for the city was being drafted and enacted.

Commission's First Chairman

When the New York City Landmarks Preservation Commission was established by law in 1965, he became its chairman, serving until 1968, when he resigned from that post and became the vice chairman.

Mr. Platt was formerly a partner with a brother in the New York City architectural firm of William & Geoffrey Platt. At the time of his death, he was a consultant to the successor firm, Platt, Wyckoff & Coles.

His many architectural projects included numerous houses in New York State and in New England as well as buildings and additions at the New York Botanical Garden, the Pierpont Morgan Library, Harvard and Princeton Universities, Smith College, and the Deerfield, Middlesex and Millbrook preparatory schools.

Born in Cornish, N.H., he was the son of Charles Adams Platt, an architect and landscape designer, and Eleanor Hardy Platt. He graduated from St. Mark's School and Harvard College, where he was captain of the varsity crew, and earned a master's degree in architecture from Columbia University.

A Trustee of City Museum

He served as a trustee of the Museum of the City of New York and of St. Mark's School and as a member of the executive committee of the New York City chapter of the American Institute of Architects.

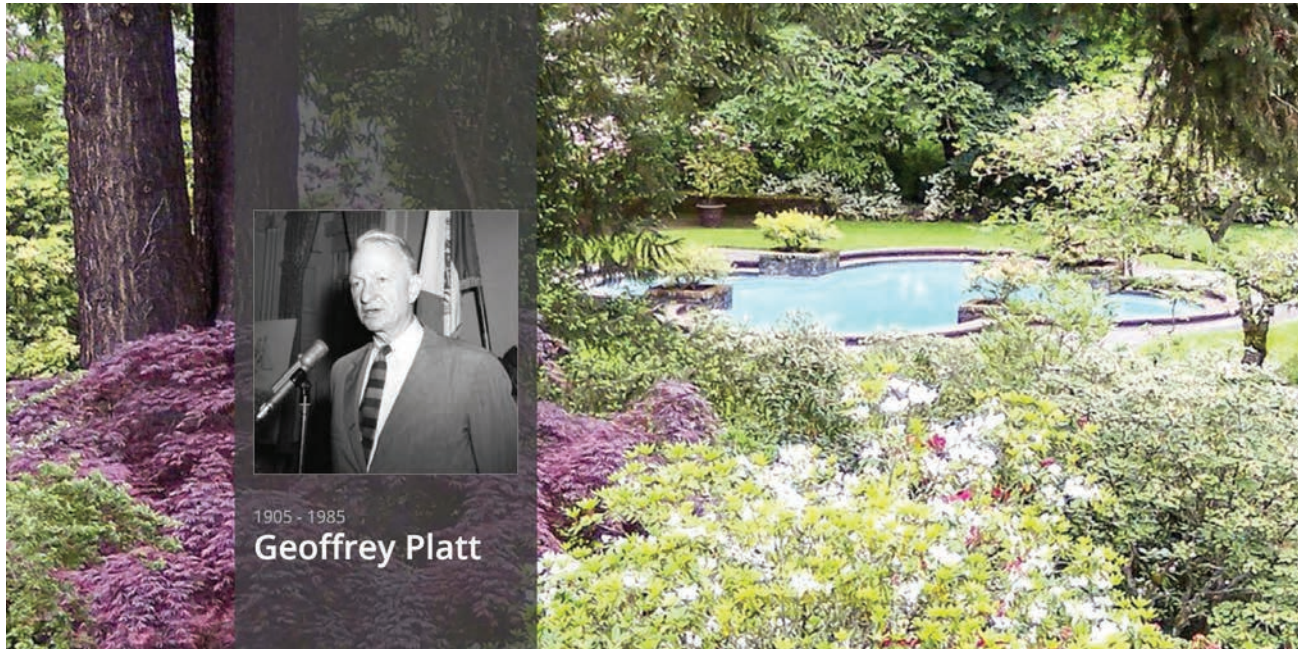
Mr. Platt was a member of the Century Association and was awarded the Order of the British Empire for his work as an Army Air Corps photo-intelligence officer in World War II.

In 1932, he married Helen Choate, who died in 1974.

He is survived by his second wife, the former Alice Doubleday Holbrook; a brother, Charles A., of Cornish, N.H.; two sons, Nicholas and Geoffrey Jr., both of Washington; four stepchildren, John

Holbrook Jr. and Phyllis Lichtenstein, both of Manhattan, David Holbrook of Katonah, N.Y., and Peter Holbrook of San Francisco; eight grandchildren, and seven step-grandchildren.

A funeral service is to be held tomorrow at 10 A.M. at St. Mark's Episcopal Church on East Main Street, Mount Kisco. Burial is to be at 3 P.M. in Stockbridge, Mass.



Geoffrey Platt, founding chair of the Landmarks Preservation Commission, and a landscape of his design, courtesy of The Cultural Landscape Foundation.

Illustrations

Figure 1 (Frontispiece) 18 Christopher Street Photo: Berenice Abbott

Figure 2 (Foreword illustration) The Dangler House demolition, screen shot from Brownstoner, Video by Anna Bradley-Smith

Figure 3 Page 1 Dangler House demolition another screenshot from Brownstoner

Figure 4 Page 3 Pennsylvania Station Photo: Cervin Robinson, Historic American Buildings Survey (HABS)

Figure 5 Page 4 Mayor de Blasio, in a campaign flyer

Figure 6 Page 4 Meenakshi Srinivasan Photo: Landmarks Preservation Commission

Figure 7 Page 4 Sarah Carroll Photo: Landmarks Reservation Commissio

Figure 8 Page 5 Kimlau Memorial Arch Photo: NYC Department of Parks.

Figure 9 Page 5 857 Riverside Drive Photo: Berenice Abbott for the Works in Progress Administration

Figure 10 Page 7 Golden Boy, in the AT&T lobby. Photo: Cervin Robinson for HABS

Figure 11 Page 9 Photo: Dorothy Miner and Ken Barwick, New York Preservation Archive Project (NYPAP)

Figure 12 Page 10 The Hunterfly Road Houses Photo: Landmarks Preservation Commission (LPC)

Figure 13. Page 12 Save the McGraw-Hill Lobby Photo: The Art Deco Society Newsletter

Figure 14 Page 14 McGraw-Hill lobby redesign Rendering: MdeAS Architects proposal submitted to the LPC

Figure 15 Page 15 The McGraw-Hill lobby, as it was Photos: Art Deco Society, reproducing views by Lynn Farrell (above) and Addison Godel

Figure 16 Page 16 The RCA Building when new Photo: LPC Designation Report, Samuel Gottscho, Library of Congress

Figure 17 Page 17 The South Street Seaport Fish Market Photo: Berenice Abbott, New York Public Library Digital Collectio

Figure 18 Page 19. The 250 Water Street proposal, final massing diagram, LPC application

Figure 19 Page 20 The oblique view of the new proposal submitted to the LPC in the final 250 Water Street application

Figure 20 Page 23 Orpheus and Apollo by Richard Lippold, formerly hanging in Philharmonic Hall. Photo: Edward Crimmins/ Flickr

Figure 21 Page 24 Brave New World: redecoration by Tod Williams/Billie Tsien Architects. Photos: Dezeen

Figure 22 Page 25 Philharmonic Hall renovated Image: City Life Org.

Figure 23 Page 26 Save the Frick: Presentation showing the final LPC application to renovate the Frick interiors, organized by Hiller, PC for Save the Frick

Figure 24 Page 27 The garden on East 70th Street Photo: The Frick Collection

Figure 25 Page 27. The lost Music Room Photo: Karsten Moran for *The New York Times*

Figure 26 Page 28 Snapshots of the construction site, from a distressed neighbor's window

Figure 27 Page 29 New development at the Williamsburgh Savings Bank Images: FX Collaborative submission to the LPC

Figure 28 Page 30 The Williamsburgh Savings Bank, advertising when new

Figure 29 Page 31 14-16 Fifth Avenue, Greenwich Village Presentation renderings following the reductions in size. Robert A. M. Stern Architects submissions to the LPC

Figure 30 Page 33 Historic photos of 14-16 Fifth Avenue submitted to the LP

Figure 31 Page 34 Preparing for the demolition of the Vanderbilt Building by McKim, Mead & White Photo: 15 Beekman Street by Michael Young

Figure 32 Page 35 The new building for Pace University Rendering: Courtesy of YIMBY

Figure 33 Page 36 The original 1863 design Department of Buildings Collection, NYC Municipal Archives Tax photo, 1940, above right Below: Demolition, courtesy of Rick Stachura, notesonnewyourk.net

Figure 34 Page 37 Arson time: the Bowne Storehouse Photo: Nathan Kensinger

Figure 35 Page 37 Three interior views of the Bowne Storehouse Photos: Nathan Kensinger

Figure 36 Page 38. The Dime Savings Bank of Brooklyn Photo: Flickr

Figure 37 Page 39 The first Srinivasan Supertall at 9 DeKalb Avenue Rendering: LPC submission from SHoP Architects

Figure 38 Page 41 The Sasaki Fountain before demolition Photo: Courtesy of *The Architect's Newspaper* (June 17, 2017)

Figure 39 Page 43 196 Broadway, the lobby if the AT&T Building Photo: John Barrington Bayley,

reproduced in the LPC Designation Report

Figure 40 Page 44 The lobby today, the Sushi Mecca Photo: Courtesy of the Rockwell Group

Figure 41 Page 45 857 Riverside Drive, rejected by the LPC Photo: 1940 NYC Tax Photo

Figure 42 Page 46 The Demarest Building when new Photo: *American Architect and Building News*, May 30, 1891

Figure 43 Page 46 James Renwick Jr. Photo: Wikipedia.

Figure 44 Page 47 The proposed replacement building Rendering: Raymond Chan, Architect

Figure 45 Page 49 404 West 20th Street, on the Perris 1854 Map, showing the horse walk Image: courtesy of David Holowka *Architakes*

Figure 46 Page 50 The entrance to 404 West 20th Street Photo: David Holowka, *Architake*

Figure 47 Page 53 Pepsi-Cola Hits the Spot Photo: Benjamin Norman for The New York Times

Figure 48 Page 54 Bergdorf Goodman, original design, from the LPC Designation Report

Figure 49 Page 55 Village Preservation protest at 44-54 Ninth Avenue Photo: Village Preservation

Figure 50 Page 56 The site and the proposal for 44-54 Ninth Avenue Rendering: BKSK Architects submission to the LPC, recirculated by Village Preservation

Figure 51 Page 57 The Ninth Avenue buildings as designated, from the Designation Report

Figure 52 Page 58 This image of the Aalto rooms appeared on Twitter

Figure 53 Page 59 28 West 130th Street demolition Photo: Katherine Marks for The New York Times

Figure 54 Page 60 Astor Row Houses. Photo: Andrew Dolkart, LPC Designation Report

Figure 55 Page 60 A visit from Mrs. Astor. Photo: *The New York Times*

Figure 56 Page 61 67 Greenwich Street Photo: *Ephemeral New York*

Figure 57 Page 63 “Providing a unique approach to historic preservation” Photo: NYC LPC

Figure 58 Page 64 The new building next door at 77 Greenwich Street Photo: LPC

Figure 59 Page 64 Magnified view of the rendering Photo: LPC

Figure 60 Page 65 Grand Central Terminal in a future setting Rendering: NYC Department of City Planning

Figure 61 Page 66 Proposed new 83-story building Drawing: LPC application

Figure 62 Page 68 Central Park, John Bachman, 1863. New York Public Library

Figure 63 Page 70 62 East 10th Street Photo: Village Preservation

Figure 64 Page 71 62 East 10th Street, the application Plan and rendering: LPC application

Figure 65 Page 72 200 Montague Street application Renderings: Beyer, Blender, Belle for the LPC application

Figure 66 Page 78 The river side of 10 Jay Street Rendering: ODA Architecture, LPC application

Figure 67 Page 78 Another view of 10 Jay Street Image: Pavel Bendov, *Architect Magazine*

Figure 68 Page 79 Photographed by David Attie, Truman Capote on the staircase at 70 Willow Street (frontispiece from *A Personal Memoir*)

Figure 69 Page 81 70 Willow Street, 1926 Image: The Bowery Boys, Apple Podcast *New York History*

Figure 70 Page 81 The Yellow House, as Oliver Smith had kept it Photo: Sotheby's

Figure 71 Page 82 Truman Capote under the wisteria Image: reproduced from the cover of *Brooklyn: A Personal Memoir by Truman Capote*

Figure 72 Page 82 70 Willow Street after the LPC approved renovation Photo: Untapped Cities

Figure 73 Page 83 The former action of the great historic clock at 346 Broadway Photo: Jeremy Woodoff

Figure 74 Page 84 The Clocktower at 346 Broadway as it was Photo: New York Public Library

Figure 75 Page 84 One of the four clock faces Photo: Jeremy Woodoff

Figure 76 Page 86 Domino under reconstruction Photo: Susan de Vries for *Brownstoner*

Figure 77 Page 86 Domino project rendering Rendering: from Project for Architecture and Urbanism (PAU) reproduced by *Brownstoner*

Figure 78 Page 86 No longer a workplace Rendering: PAU Masterplan

Figure 79 Page 88 The base of Union Carbide Photo: Ezra Stoller

Figure 80 Page 90 Union Carbide in the city Photo: Ezra Stoller

Figure 81 Page 91 In Queens, the RKO Keith Photo: Greater Astoria Historical Society

Figure 82 Page 91 The lobby of the RKO Keith Photo: Greater Astoria Historical Society

Figure 83 Page 92 Landmarked for its "Storybook Style" by the de Blasio administration Photo:

Landmarks Preservation Commission

Figure 84 Page 94 The boundary of the Greenwich Village Historic District Image: Landmarks Preservation Commission

Figure 85 Page 94 Proposal for 18 small Greenwich Village Historic Districts Image: *New York Times*, December 9, 1968

Figure 86 Page 95 Demolished in 2022: Grand Prospect Hall Photo: James Marlow, *New York Post*

Figure 87 Page 96 Walentyna at her desk Photo: *Queens Daily Eagle*

Figure 88 Page 96 The Elmhurst home of the late Walentyna Janta-Polczynska Photo: David Brand, *Queens Daily Eagle*.

Figure 89 Page 97 Jacob Day, Public Caterer (advertisement) Image: Courtesy of Daytonian in Manhattan

Figure 90 Page 98 10 West 13th Street Photo: Village Preservation

Figure 91 Page 99 “Save Harlem Now!” NYCPD at work Photo: Antwan Minter, HuffPost Contributors Platform

Figure 92 Page 101 The late Joy Chatel in her basement Photo: Wikipedia

Figure 93 Page 103 Middle Collegiate Church burning Photo: *The Village Sun*

Figure 94 Page 104. Churchill inspects the ruins of Coventry Cathedral Photo: Library of Congress

Figure 95 Page 106 “Sunshine Cinema, a Beloved Manhattan Theater, Goes Dark” Photo: *The New York Times*, February 2, 2018

Figure 96 Page 106 The same site today Photo: *East Village Grieve*

Figure 97 Page 107 58-52 Ninth Avenue Photo: NYC 1939 Tax Photo from the LPC Designation Report

Figure 98 Page 108 The former Gansevoort Market Building Photo: AM New York

Figure 99 Page 108 The large complex of new buildings approved Rendering: Submitted to the LPC by BSKK architects, image courtesy of *CityLand*, the publication of New York City Law School

Figure 100 Page 110 The loss of a major work by Isamu Noguchi, an incident of international interest Images: The Noguchi Museum

Figure 101 Page 111 The Penn Station Service Building Photo: Library of Congress

Figure 102 Page 112 The Penn Station Service Building (detail) Photo: Library of Congress

Figure 103 Page 113 The Starlight Room Photo: *Architecture, Vol. LXIV, No. 5, November 1931*

Figure 104 Page 114 A View of the Waldorf Photo: Richard ???

Figure 105 Page 114 Xavier Cugat Photo: Library of Congress, reproduced in *Architecture* Vol. LXIV

Figure 106 Page 115 The Starlight Roof Photo: *Architecture, Vol LXIV*

Figure 107 Page 115 An Aluminum Skylight on Wheels Photo: *American Artisan, October 1941*

Figure 108 Page 116 The Starlight Pool as shown in the New York Post Photo: Noe & Associates/
The Boundary

Figure 109 Page 117 The One and Only Four Seasons Image: Small Ad for the restaurant

Figure 110 Page 118 Phillip Johnson's Pool Room as it was Photo: Jennifer Calais Smith, *W Magazine*

Figure 111 Page 118 The square Grill Room bar under the Lippold sculpture Photo: *W Magazine*

Figure 112 Page 119 PROTEST Photo: Village Preservation

Figure 113 Page 120 14 Gay Street Photo: Village Preservation

Figure 114 Page 120 14 Gay Street demolition. Photo: YIMBY (Yes In My Back Yard webpage)

Figure 115 Page 121 The doorway of 14 Gay Street Photo: Berenice Abbott, reproduced in *Ephemeral New York*

Figure 116 Page 123 The Gimbels traverse, a skybridge Photo: David Holowka for *ArchiTakes*

Figure 117 Page 124. The Skybridge (two details). Photos: David Holowka for *Architakes*

Figure. 118 Page 125 The demolition of the Dangler House Photo: Screenshot from NBC News video

Figure 119 Page 127 The now demolished Dangler House, as it was Image courtesy of Suzanne Spellman

Figure 120 Page 128 The AT&T Building, a view of the interior Photo: *The Architectural Review, August 25, 1984*

Figure 121 Page 129 The Ghost of a Landmark. Photo: Friends of the Upper East Side

Figure 122 Page 129 A rendering of the LPC approved building for the site. Photo: Friends of the Upper East Side

Figure 123 Page 130. Another Unheralded Demolition in 2020, an undesignated skybridge Photo:

Klaus-Peter Statz for *Untapped New York*

Figure 124 Page 131 Delirious New York

Figure 125 Page 132 The God, Mercury, guardian of certain Manhattan traffic lights Photo ???

Figure 126 Page 136 A view of the ancient city of Fatehpur Sikri Photo: outlookindia

Figure 127 Page 142 Joseph Mitchell Photo: By Therese Mitchell, Estate of Joseph Mitchell

Figure 128 Page 154 Commissioner Placzek Photo: courtesy of Preservation Alumni, Columbia University

Figure 129 Page 155 David F. M. Todd in 1989. Photo: Neal Boenzi, *New York Times*

Figure 130 Page 158 R. Michael Brown Photo: Dith Pran, *The New York Times*

Figure 131 Page 159 The interiors of Grand Central Terminal Photo: Marilinn K. Yee/ *New York Times*

Figure 132 Page 161 Radio City Music Hall circa 1950 Photo: Douglas Grundy/Three Lions/ Getty Images

Figure 133 Page 162 William J. Conklin in 1969 with a model of Lower Manhattan Photo: B&G International Photos via Conklin and Rossant Archive

Figure 134 Page 163 The planned community of Reston, Va. in 1965 Photo: George James/*New York Times*

Figure 135 Page 163 Borough Hall in Brooklyn in 1990 Photo: Jack Manning/*New York Times*

Figure 136 Page 164 Mr. Conklin speaking Photo: Jeff Malet/United States Navy Memorial

Figure 137 Page 167 Mr. Norman in a meeting of the commission in 1984 Photo: Neal Boenzi/*The New York Times*

Figure 138 Page 169 Donald H. Elliott, the chairman of the New York City Planning Commission, in 1971 Photo: Barton Silverman/*The New York Times*

Figure 139 Page 171 Donald Elliott at his desk, as chair of City Planning Photo: Librado Romero/*New York Times*

Figure 140 Page 172 Donald Elliott in later life, a prominent land use attorney Photo: Courtesy of Bryant Rabbino

Figure 141 Page 174 Geoffrey Platt, founding chair of the Landmarks Preservation Commission in a landscape of his design Photo montage: The Cultural Landscape Foundation