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FOR IMMEDIATE RELEASE

The City Club of New York issues
“Losing Its Way: The Landmarks Preservation Commission in Eclipse”

The Landmarks Preservation Commission has retreated in recent years from its mission to designate and regulate New York City’s historic architecture. So concludes the Historic Preservation Committee of The City Club of New York in a comprehensive report made public today.

“Losing Its Way: The Landmarks Preservation Commission in Eclipse” examines many areas where the commission has demonstrated diminished effort in the preservation of the City’s unique architectural, cultural and scenic heritage. The landmarks law grants the Commission powers to carry out its mandate, but too often the agency has stepped back from aggressively using them.

The City Club is issuing this report as the Commission is seeking to amend its rules in ways that would sharply curtail the public’s role in designation and regulation. More than a hundred individuals representing preservation groups from around the city jammed the Commission’s meeting room on March 27 to speak against those proposed rules at a public hearing. They raised a range of objections, including:

- The rules would diminish the role of the eleven Commissioners directly charged by law to both designate and protect landmarks, historic districts, and cultural and scenic landmarks. It would extensively turn over to staff, under the direction of the Chair of the Commission, duties now exercised exclusively by the Commission (which, by law, means the eleven Commissioners) including issuance of certificates of appropriateness.
- The rules would diminish public input. There is no provision for the public to participate in decisions made at staff-level. The Landmarks Law allows extensive public input into Commission decisions but is silent on staff decisions.
- The rules would give staff substantial decisional latitude without clearly defined guidelines to ensure that the discretionary decisions must be made only by the Commission.
- Where guidelines are provided, they are often one-size-fits-all in scope. So, for example, the proposed rules would enable staff to permit “minimally visible” additions atop any landmark of any sort – from simple brownstones to intricate churches – throughout the City. “Minimal visibility” is defined as up to three feet in height of the visible portion of added structure as it would be seen from street level. That much more could be seen from a passing elevated train or a public building such as a library is not taken into account.

- Generally, the guidelines are too vague to seriously limit staff action.
- Staff decisions appear to be final. There is no specific process for review by the Commission. This suggests that the only recourse if a decision is wrong, is judicial.

The City Club report, in deference to the very thorough review of the proposed rules provided by several prominent preservation organizations including the Historic Districts Council, Municipal Art Society, Landmarks Conservancy, Society for the Architecture of the City, the Greenwich Village Society for Historic Preservation, and Friends of the Upper East Side Historic Districts, broadly addresses the downward trend in the Commission's approach to carrying out its mission, giving brief attention to the proposed rule changes well covered by others. "Losing Its Way" discusses matters of designation, regulation and process, and commissioner qualification.

"This report," says Jeffrey Kroessler, its principal author, "is intended to spark a broader public debate over the state of historic preservation in our city in general and the status of the Landmarks Preservation Commission in particular."

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