

LANDMARK WEST!

THE COMMITTEE TO PRESERVE THE UPPER WEST SIDE

August 19, 2004

Hon. Gale A. Brewer
New York City Council
250 Broadway
New York, New York 10007

RE: 2 Columbus Circle, Scheduled for Manhattan Borough Board Review, August 24, 2004

Dear Gale:

We received your memo dated August 24, 2004 (presumably postdated to the day of the Manhattan Borough Board's next public meeting), stating your position on the matter of 2 Columbus Circle.

Finally, you have articulated a clear position on this issue. However, your memo contains substantive inaccuracies, despite our meetings with you and the voluminous correspondence and documentation we have provided for your review. As you know, this matter is of grave concern to the community of over 1,000 constituents united in support of fair and due process for 2 Columbus Circle.

The purpose of this letter is to clarify the record regarding the statements in your memo:

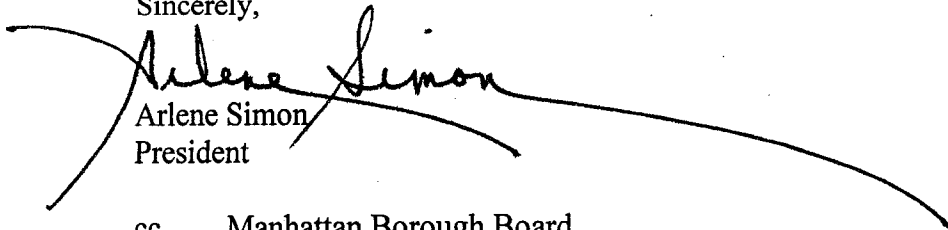
- 1) Paragraph Five of your memo states that "Community Board 5 approved the building's sale to the Museum with the support of Boards 4 and 7..." **Boards 4 and 7 have never taken an official position on the sale of 2 Columbus Circle to the Museum of Arts and Design.**
- 2) Paragraph Five also states that Landmarks Preservation Commission Chair Robert B. Tierney and his predecessor "reviewed the case and indicated that the building does not qualify for landmark status." This consideration was made on the basis of undocumented internal discussions; therefore, it is impossible to know the factual basis of this opinion. **It remains the case that the Landmarks Commission has never held an open, public hearing to gather evidence and determine the merits of 2 Columbus Circle for official Landmark status.**
- 3) Paragraph Two states that New York State Supreme Court determined that there is no legal basis for landmarking 2 Columbus Circle. This is misleading. The Supreme Court did not have before it whether there was a legal basis for landmarking. It considered only whether the SEQRA and CEQR review (Environmental Assessment Statement) adequately accounted for the building's historic significance. **This matter is currently pending in the Appellate Division, and no final decision has been rendered.**
- 4) Paragraph Four mistakenly identifies the EAS as "the petitioners' Environmental Assessment Statement." Petitioners (i.e., Landmark West! et. al.) did not file the

EAS, the City did. Moreover, the Court did not rule that "the building's sale and renovation are perfectly legitimate." It reviewed only the specific issue of the adequacy of the EAS. **Again, this challenge is currently under consideration by the Appellate Division.**

- 5) Paragraph Six cites Justice Walter Tolub's reference to the building as an "orphan." We must point out that **the building was orphaned by the City.** It has been closed and vacant since 1998, when the City evicted the Department of Cultural Affairs and Tourist Bureau.
- 6) The assertion in paragraph seven that the proposed construction will not strip the building of its architectural integrity since it keeps the scale or massing of the building calls to mind the NYC Landmarks Commission's 1968 response to a developer's scheme to build a tower on top of Grand Central Station: **"To protect a Landmark, one does not tear it down. To perpetuate its architectural features, one does not strip them off."** Under the proposed scheme, the building will not retain any of its present unique character.
- 7) The claim in Paragraphs Five and Ten that the historical significance of this building designed by Edward Durell Stone, one of America's most acclaimed Modernist architects, is "limited" is overwhelmingly refuted by architectural experts including Robert A.M. Stern, Herbert Muschamp, Tom Wolfe, the National Trust for Historic Preservation, the Preservation League of New York State, international modernism advocate DoCoMoMo, the Municipal Art Society, the Historic Districts Council, and many other leading preservation organizations and the city, state, and national levels. **Stern wrote, "Stone's building is equally important and equally valid as Eero Saarinen's contemporaneous TWA Terminal at John F. Kennedy Airport. Saarinen's building is saved for the future. Stone's building deserves no less."**
- 8) Few local land-use issues have garnered the national attention and support that efforts to preserve 2 Columbus Circle have. Yet, in Paragraph Nine, your memo states that "[The Museum's] project has met with continued support from the community." While we concur that "community" encompasses many diverse opinions, those individuals and organizations listed above and **the over 1,000 constituents opposed to this project are also legitimate, important voices in the community whose opinions deserve to be taken into account.**

In light of the aforementioned misstatement of facts, once again, we urge you to postpone this Borough Board meeting until a careful, thorough, procedurally responsible review of this important issue can take place.

Sincerely,



Arlene Simon
President

cc. Manhattan Borough Board