

**Meeting Regarding 2 Columbus Circle**  
**Thursday, May 9, 2002**  
**LANDMARK WEST! Office, 45 W. 67<sup>th</sup> St., 11:00am**

Present: Simeon Bankoff (Historic Districts Council), Josh Bocian (Gale Brewer's office), Antonia Bryson (Urban Environmental Law Center), Olive Freud (Committee for Environmentally Sound Development), Keli Goff (Carolyn Maloney's office), Dan Golub (Richard Gottfried's office), John Jurayj (Modern Architecture Working Group), Ed Kirkland (Triboard Task Force), Ingrid Lemmey (Eva Moskowitz's office), Sascha Puritz (Scott Stringer's office), Arlene Simon (LW!), Brian Sogol (Tom Duane's office), Vicki Weiner (Municipal Art Society), Matt Woitkowski (Woitkowski & Schmidt), Kate Wood (LW!)

The purpose of the meeting was to regroup in response to persistent rumors that the Economic Development Corporation (EDC) is poised to announce its selection of a developer for 2 Columbus Circle (2 CC).

Legal Issues

Matt began with a summary of the issues that lead him to believe that there is a viable legal claim against EDC and the City based on the terms of the original transfer from Viacom and failure to follow proper public review procedures.

Matt stated that a lawsuit is not ripe until EDC selects a developer and issues a designation letter. From the time the designation letter is issued, we would have 4 months to file suit. Antonia suggested FOIL-ing the designation letter, since it may already exist.

Matt answered Ed's question about who has standing to file a lawsuit, stating that any interested party (advocacy organizations, neighbors) would suffice.

Matt explained that, although we would probably lose a lawsuit filed before the designation letter is issued, it might serve the purposes of generating publicity as well as achieve discovery of the facts.

Dan proposed that NYS Assemblymember Richard Gottfried send a letter to EDC requesting certain "facts." Matt offered to outline the specific information that would be useful.

The discussion turned to the cost of a lawsuit. Matt estimated that it could cost from \$10,000 to \$25,000, taking into consideration that a decision either way would certainly be appealed.

Advocacy to Designate 2 CC

John summarized his recent discussion with Landmarks Preservation Commission Chair Sherida Paulsen. First, she stated that the façade is deteriorated. Simeon pointed out that we should look at Christopher London's Naumberg bandshell case, in which the City allowed a "gift" to deteriorate. Second, Paulsen stated that the Landmarks Commission (LPC) would not move to calendar the building until a developer was selected. Third, she agreed to present 2 CC to the LPC's designation committee.

The group discussed strategies for urging the LPC to calendar 2 CC, but questioned whether such strategies were the best use of our time. Obstacles include the fact that a Landmarks Chair has not been appointed yet and that the preservation community is divided on whether 2 CC merits landmark designation.

John maintained that we should be ready to meet with Paulsen and the new owner as soon as the selection is made.

Josh mentioned that Council Member Gale Brewer had heard that the building would be "saved," but altered to accommodate a new use. The group agreed that individuals should call Gale to emphasize the importance of the architecture and the destructiveness of altering its façade.

In conclusion, the group decided to wait until May 31 for the selection of a developer, which many people have heard is imminent.