

**Testimony before the City Council Subcommittee  
Responsible for Landmark Preservation**

**By**

**Beverly Moss Spatt 20 October, 2004**

Honorable Members, thank you for the privilege to appear before this Oversight Hearing.

My name is Beverly Moss Spatt. I am a former member of the City Planning Commission, a former Chair of the Landmark Preservation Commission, a former professor at Barnard College, and a former director of the League of Women Voters. I have an honorary membership in the New York American Institute of Architects and a doctorate in Comprehensive Planning and Neighborhood Preservation.

I am here today to praise the Preservation Movement not to bury it.

I have written to the present Chair of Landmarks Commission with a copy to the Mayor but have received no reply.

As a past public servant with four mayors, more or less, I am aware, as I am sure you are, that government must be accountable to the public weal; and that informed public participation is the cornerstone of democracy.

As past Chair of Landmark Commission a major objective was to make our work and decisions

meaningful, responsible and responsive to the community people who are our partners in preservation. Underlying this goal is openness, transparency, collegiality. A constitutive dimension of our work was creating space for public dialogue at all stages, albeit consensus or dissent. Historically, the preservation community always was the Commission's ally but in my over 30 years in government I have never seen such a division between the public and the Landmark Commission. Currently preservation and the public interest are like the vestal virgins of antiquity, while presumably worshipped, are soon sacrificed.

I am aware that the Commission's budget is 20% less than it was in 1992, however, I was Chair during the City's fiscal crisis but with the help of then Mayor and the City Council we were able to hire professional staff, to reach out to the public and even create and implement about 15 new programs plus carry out our mandate to survey, research, designate and grant appropriate permits, all with public participation. If the powers that be wish to, the City could allocate to the Landmark Commission from federal money like Community Development Block Grant as well as obtain grants from private foundations, as we did.

I submit that the Commission, now, is totally isolated and in total disregard for public opinions.

An incomplete list of problems are: 1) lack of transparency in designation and regulation processes; 2) inability of interested responsible persons and groups to learn of pending action; 3) unavailability to the public of material and plans relating to Certificates of Appropriateness (also Certificate of Minor Effect and designation), and the inability to discuss matters with staff members. Parenthetically, in the past, the Commission was open and staff and plans were available to the public ahead of hearings, not like now- only a few days ahead of hearings. For after all, the people are for whom we were working and to whom we were responsible. 4) Need for better coordination and collaboration with other city agencies like Housing Development, Buildings, City Planning, Economic Development, Environmental Protection, etc. I found them very helpful.

Unfortunately, it appears that the current administration will adhere to preservation rules, guidelines and public interest only when the people demand it. The Administration should be aware from the recent outcry over a building on Columbus Circle from individuals, civic groups and the media, and from the presence of 100's of people at today's Oversight Hearing, that there exists an informed, aroused, though peaceful, citizenry- a constituency of probably hundreds of thousands- a counterpressure

which shall hold government accountable for the consequences of ignoring the public interest.

The community people are the equilibrium of our social, economic and our political forces and shall mobilize the conscience of the city. The Landmark Preservation Commission is a Trust; the Chair and Commissioners are Trustees; and the Trust and Trustees are created for the Benefit of the People.