

OVERSIGHT HEARING ON THE ADMINISTRATIVE PROCEDURES OF THE NEW YORK CITY LANDMARKS PRESERVATION

Anthony M. Tung
Testimony before the Committee on Landmarks
of the New York City Council

20 October 2004

Honorable Members of the Council,

My name is Anthony M. Tung and I live at 36 Cooper Square in Manhattan. I am a former member of the New York City Landmarks Preservation Commission (serving as a Commissioner from 1978 to 1988), and author of *Preserving the World's Great Cities*-a study of conservation practice in 18 cities across the globe.

The report before you today sponsored by the Women's City Club: "The Landmarks Preservation Commission: Issues of Concern" is a thoughtful and measured document-an indicator of serious failures in the performance of that agency.

I have four brief comments relative to this matter:

1. Of all the groups in the city, the authors of this report, the grass-roots citizen preservationists, are the people who monitor the commission's work most thoroughly: attending every public meeting and checking the built results in the field in regard to thousands of applications every year. No other constituency knows the work of the commission as well.
2. None of the "Issues of Concern" listed in their document are new-these are long-standing problems, some growing worse in recent years, and to which neither the commission nor the mayor's office has responded.
3. Some of this behavior-including backdoor negotiations with developers and property owners; failure to schedule revised Certificate of Appropriateness applications for public review; capricious exercise of standards in regard to designations; an inadequate hearing room sound system so that the public cannot listen to the commission's discussions-demonstrates an institutionalized lack of transparency and fairness in the public process and an attitude of contempt in the agency's interaction with citizen groups.
4. Given the deaf ear of the commission and the mayor's office, the only people capable of correcting such misconduct are you, this committee. Which I thank for holding this hearing. And which I hope will now schedule further hearings to insure that the Landmarks Commission remedies these abuses.
Saving the landmarks and historic districts of our city requires the support of involved residents to monitor the 23,000 properties which constitute the heritage of New York. Without these people, we can't know whether historic preservation is achieved on the ground, in reality, out in the cityscape. We are blind without their well-informed eyes.

Today, these citizen-stewards are being barred in numerous improper ways from a process which the Council in its wisdom designed to be open and participatory. Please help them regain the fair legal access you intended.