

Landmarks: A Rating After 10 Years

Critics Call Panel Timid and Inept

By ROBERTA B. GRATZ
Last of a series

In the seven years since the enactment of the Landmarks Preservation Law, the Landmarks Preservation Commission has designated 360 individual sites and 18 historic districts.

This appears to be a formidable record. Yet, in the several months The Post has conducted interviews on the subject, preservationists, architects, community representatives even some landmarks commissioners agreed that the record pales in the light of what they thought needed to be done.

In 1962, Mayor Wagner appointed a temporary landmarks commission in preparation for eventual legislation. It was the staff's job to discover landmarks and bring them before the commissioners who were to decide what should be considered in public hearings.

"We had 1200 items plus two districts — Brooklyn Heights and Greenwich Village," recalls former commissioner Evelyn Haynes, who worked on the list with then commission director James Van Derpool.

"But for public consumption the chairman said we had only 750 so it didn't scare real estate interests. It was always implied that we would designate beyond this list as new things were discovered.

"So after 10 years," Mrs. Haynes observes, "out of 5000 miles of streets in this



Post Photo by Arthur Pomerantz

W. 163th St., just off Riverside Dr., which West Siders want included in a landmark district.

Landmarks Panel: Too Timid?

Continued From Page 2

city we have 360 landmarks. That's not a grain of sand in the desert. What is that, 30 a year? That whole list is as phony at a \$3 bill because it's overloaded with public buildings over which the commission has no power and lots of churches which are non-savable anyway if they are unused and falling apart. All you really have is the Good Housekeeping Seal of Approval on some nice buildings. Most of the buildings are never inspected for unauthorized alterations and the 18 historic districts are loaded with violations that either go unnoticed or are left unpunished."

Excessive fear of lawsuits, timidity in the face of real estate pressure, staff incompetence and misuse of limited staff energies are the most frequent criticisms heard about the commission.

Although much of the criticism gets quite specific, the most common complaint heard is that the commission which is supposed to be in the forefront of preservation is not a landmark advocate, that it avoids difficult battles and that too often it simply leaves pending landmark designations that are controversial.

Four years ago, Mary Perot Nichols, long a commission critic, wrote in the *Village Voice*: "When swearing in some new landmark commissioners a few weeks ago, and its new chairman, Harrison H. Goldstone, Mayor Lindsay said his dictum was, 'When in doubt, designate.'"

'Razor-Edge Balance'

Critics argue that the commission had done the reverse.

Commission Chairman Goldstone disagrees. "This is a razor-edge balance," he says. "You have to make a decision, as James Felt [Former City Planning Commission chairman] used to say, about what you are willing to bleed for and what you are willing to die for. We're willing to bleed for anything but we're willing to die for Grand Central or Sailors' Snug Harbor." (Sailors' Snug Harbor took seven years, a court decision in the commission's favor and \$1.3 million of city funds to save. Grand Central Terminal is still in the courts since its owners, Penn Central, want either to tear it down or build an office tower over it.)

Of the total 360 designated landmarks, some 60 are churches and church properties like cemeteries. Another 110 are government-owned, over which constitutionally the commission has no control. Several are museums, many are educational institutions and two are trees—the 85-year-old magnolia on Brooklyn's Lafayette Av. and the 125-year-old weeping beech tree in Flushing.

There are 18 historic districts in which all external alterations of each property are supposed to be approved by the commission. But most of those districts are small—several no more than a block long—and enforcement within them is weak. External alterations readily occur without commission

approval and violators are almost never prosecuted.

In the Greenwich Village District, for example, the commission allowed the renovators of the Van Rensselaer Hotel at 15 E. 11 St. to cut through the building's facade for some 12 air conditioners without public hearing. But earlier it demanded a public hearing for just one air conditioner in the Dakota Apartments on Central Park W. A Merit Farms store on Seventh Av. across from the Jefferson Market Courthouse erected a white plastic front across the facade of an early 19th-century building without commission approval. After intense community pressure, the commission finally took the owners to court, then settled the case privately: The plastic front was allowed to remain but was painted beige and an offending sign was changed.

Tour of Erosion

The Brooklyn Heights Assn. conducts a tour of the district's erosion, all of which it says could have been prevented by the commission. Shown are the sandblasting of an 1890 Romanesque Revival mansion that destroyed ornamentation and architectural detail beyond recognition, defacing of one of the major 19th-century Brooklyn mansions, destruction of one of the few remaining Victorian bay window storefronts, assorted unapproved and inappropriate renovations for which the commission never imposed penalties.

(Under the landmarks law, Penalties for minor violated alteration, reconstruction or demolition may include fines from \$100 to \$1000 or imprisonment for up to one year or both. Penalties for minor violations range from \$25 to \$250 for a first offense and fines from \$100 to \$500 or three-month imprisonment or both for a second offense.)

The 13 Manhattan historic districts, most of which are small, are the Charlton-King-Vandam district off Macdougal St., the Chelsea area in the W. 20s, Gramercy Park, Henderson Pl. on E. 86th St. and Sniffen Court on E. 36 St. The largest is the 65 irregular blocks of Greenwich Village, and three are in long-ignored areas of Harlem—Junel Terrace in the W. 160s, Mount Morris Park in the 120s and St. Nicholas in the W. 130s.

Brooklyn Districts

There are three districts in Brooklyn—the Heights, Cobble Hill and Stuyvesant Heights in Bedford Stuyvesant. There is one block in Hunter's Point, Queens, that includes architectural styles from the Civil War to 1900. And there is one three-block stretch in the Bronx, along Mott Haven's Alexander Av.

Preservation battles used to be primarily in fashionable neighborhoods and mostly in Manhattan. There were the battles over the Brokaw Mansions on Fifth Av., the Jerome Mansion on Madison Av. There was Carnegie Hall, the Metropolitan Opera House, Greenwich Village,

the Villard Houses on Madison Av.

But now the disputes cross all boroughs and income levels. Flatbush fights for its 1875 Town Hall. Queens is seeking an appropriate tenant for its already designated Flushing Municipal Courthouse on Northern Blvd., built in 1862 as the Town Hall, that has been vacant for years and is deteriorating from disuse.

Carroll Gardens, Park Slope and Boerum Hill are all seeking the same historic district status already enjoyed by their Brooklyn neighbors. On Manhattan's Upper West Side, community pressure forced designation of the Ansonia Hotel. The W. 103rd St. block off Riverside Dr. wants designation as the Bloomingdale Historic District which would be the West Side's first. (Several other West Side districts have been proposed but never approved by the commission.)

Outstrips Potential

"Landmark designation has become one of the most potent forces stabilizing community life," Goldstone says. "The demand for it far outstrips our potential."

Unquestionably, the preservation movement has outgrown the expectations of the 1965 landmarks legislation. And as long as the economics of land use dictate that high-density new structures, whether commercial or residential, are more valuable than character, quality and open space, there is little doubt that the movement will continue to grow.